

REGULAR TOWN COMMISSION MEETING MINUTES  
JUNE 6, 2022

Minutes of the Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday,  
June 6, 2022, at 6:00 PM in the Town Hall Commission Chambers and live audio feed provided through  
Gotomeeting.com.

**CALL TO ORDER**

The meeting was called to order by Mayor Hurlburt at 6:00 p.m.

Mayor Hurlburt reminded that the live audio feed is no longer interactive and encouraged those that would like to make a public comment to attend in person, or send comments to the Town Clerk prior to the meeting.

**ROLL CALL**

Town Manager Stevens led the roll call, which was answered by the following:

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

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**PLEDGE OF ALLEGIANCE**

Mayor Hurlburt led the Pledge of Allegiance.

**ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA**

**Vice Mayor de Haseth moved to approve the agenda as submitted; seconded by Commissioner Pugh**  
**Motion carried 5-0.**

**PRESENTATIONS & PROCLAMATIONS**

**a. Update by County Mayor Robert Weinroth**

This item was removed from the agenda. Town Manager Stevens will work with Mayor Weinroth to re-schedule.

**ANNOUNCEMENTS**

- a.** The meeting schedule for the next month is as follows: Budget Meeting Monday, June 6<sup>th</sup> at 2:00 PM followed by the Regular Town Commission Meeting at 6:00 PM; Community Standards Hearing Tuesday, May 3<sup>rd</sup> at 10:00 AM; Planning & Zoning Commission Meeting Monday, May 16<sup>th</sup> at 8:00 AM; Board of Adjustment Meeting Monday, May 9<sup>th</sup> at 9:00 AM. All meetings are held in the Commission Chambers at Town Hall.
- b.** The Town is hosting a blood drive event with One Blood on Friday, May 6<sup>th</sup> from 9am - 3pm and Saturday, May 7<sup>th</sup> from 10am – 4pm. The bus will be parked behind Town Hall. All those who wish to donate blood, can sign up through a link posted on the Town’s website. All donors will receive a \$20 E-gift Card, a T-Shirt, and a wellness checkup including blood pressure, temperature, and iron count.
- c.** Town Hall will be closed on Monday, May 30, 2022 in observance of Memorial Day.
- d.** Please join us each month prior to the Town Commission meeting at 5:00 p.m. for the Building Official Educational Forum in the Commission Chambers at Town Hall. Details including topics to be discussed each month are on the Town’s website.
- e.** 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.

**PUBLIC COMMENT – (3-minute individual limit)**

Carolyn Cassidy, 7 Hudson Avenue, noted that she met with staff and learned staff’s role in reviewing variance applications. She commended the staff’s recent memo changes and the initiative to boost the advertisements. Furthermore, she suggested requiring preliminary construction drawings in the variance application as well as a history of the property.

## REGULAR TOWN COMMISSION MEETING MINUTES JUNE 6, 2022

Greg Van Vliet, 17 Tropical Drive, advocated for the Town Commission to install automatic shutoff valves to the stormwater drainage system at Tropical Drive. He submitted a petition with signature to the Commission for such installation. Commissioner Wiescholek asked for clarification, to which Mr. Van Vliet reiterated the goals of the automatic shutoff. Commissioner Coz noted that the Commission voted to spend funds in FY 22-23 on drainage concerns on Tropical Drive. Chief Jones also emphasized the equipment installed recently to alleviate flooding issues.

Terry Brown, Harbour Drive South, stated that certain infrastructure on Tropical Drive has not been working as proposed.

Dave Hutchins, 33 Harbour Drive North, asked the Commission to be clear in their decision about dogs, and to enforce whichever decision. He further noted the issues being caused by bikes on the beach and the crossovers. Town Manager Stevens updated that staff is working on an ordinance to restrict bikes on the crossovers.

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Betty Bingham, 1 E. Ocean Avenue, reminded that dogs should not be allowed on the beach or dune and that the ordinances should apply to everyone.

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

1.
  - a. Adopt Minutes of the Special Town Commission Meeting of April 18, 2022
  - b. Adopt Minutes of the Regular Town Commission Meeting of May 2, 2022
  - c. Ratify Emergency Expenditures to Madsen Barr and LineTec for Water Line Break Repairs at 12 Inlet Cay Drive
  - d. Approve Solid Waste Authority's Piggyback Storm Debris Management Contracts with Thompson Consulting, Ashbritt, Crowder Gulf, DRC, and Phillips & Jordan
  - e. Approve Land Development/Building Permit Extension for Palm Beach County's Ocean Inlet Park Marina Project
  - f. Approve Building Permit Extension Request for 24 Hudson Ave
  - g. Approve Refund of \$1,500 for 33 Hersey Drive Variance Application for Dune Crossover Construction
  - h. Approve First Amendment to Interlocal Agreement for Law Enforcement Services for the Town of Briny Breezes

Town Manager Stevens noted that item #1. f. also waives the permit renewal fee and will authorize her to execute the contracts developed by the Town Attorney for item #1. d.

Commissioner Wiescholek asked if the town would seek reimbursement for item #1. c., and Town Manager Stevens confirmed that the town will.

**Commissioner Wiescholek moved to approve the consent agenda; seconded by Commissioner Coz. Motion carried 5-0.**

### **REGULAR AGENDA ITEMS**

#### **2. Old Ocean Blvd Pedestrian Safety (By: Town Manager Stevens)**

Town Manager Stevens introduced the item by advising that the Concerned Citizens for Public Safety on or near Old Ocean Blvd provided the recommendations in the package. Chief Jones provided staff's comments on the proposed recommendations, and all comments were listed in the package. He commended the group for their ideas.

Carolyn Cassidy, a member of the group, reiterated that the group focused on safety and deterring vehicular traffic. She advised that many of the public comments received were in favor of their recommendations.

## REGULAR TOWN COMMISSION MEETING MINUTES JUNE 6, 2022

Further, she discussed the ideas in the recommendations sheet and asked the Commission to move forward on a trial basis.

Mayor Hurlburt called for public comment.

Terry Brown, Harbour Drive South, urged the Commission not to make any decisions that would disturb the character of Old Ocean Blvd and the town. He discussed the history of Old Ocean Blvd and recommended signage and better communication with users of the road.

Melanie Rodriguez, 3 Fayette Drive, expressed that she's been asking for additional signage and enforcement for her street. She would like her street to be considered for the "Residents Only" signage and receive the same enforcement of those signs, if any.

Joe Belmonte, 5600 N Ocean Blvd, commended the Town Commission for their dedication. He voiced his concerns that the speed bumps could be a walking hazard. He also discussed the inundation of signs on Old Ocean Blvd that discuss what cannot be done rather than what can.

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Bella Belmonte, 5600 N Ocean Blvd, expressed that pedestrians are also the problem and gave personal examples. She concurred that signs might help get pedestrians to flow properly.

Betty Bingham, 1 E. Ocean Avenue, noted that civility would solve a lot of problems in the town.

Penny Kosinski, 6000 Old Ocean Blvd, preferred more pedestrian and less vehicular traffic down Old Ocean Blvd. She'd like to keep the seagrasses and dune plants in the right-of-way to preserve the culture and reduce the ability of people to use the dunes. She welcomes people to use Old Ocean Blvd but asks that people follow all laws and rules. She gave a personal recollection of what happened with her dunes.

Town Clerk Armstrong read the following public comments received in writing:

Leonard Phillips and Ronni Krasny, Colonial Ridge, were in favor of all recommendations except item #3 to paint a white line down the middle of the road.

Paul Schwerling, 5105 N Ocean Blvd, expressed that pedestrians are also an issue because they do not follow the laws.

Robert Thompson, 5500 N Ocean Blvd, recommended that pedestrians be asked to walk on the side facing traffic.

Mary Modahl, 5831 N Ocean Blvd, was in favor of the recommendation except painting a centerline down the middle of the road and removing vegetation on the east side of Old Ocean Blvd.

Nick Lembo, 6057 Old Ocean Blvd, was in favor of all the recommendations posed by the group but asked for two additional items to be included: signage for pedestrians and bicyclists to stay on one side of the road and enforcement for misbehaving or oblivious pedestrians.

Paul McNicol, Portofino, disagreed with clearing of 5' of vegetation on the east side of Old Ocean Blvd.

Jim Leider, 6083 Old Ocean Blvd, was in favor of the recommendations and gave insight on how it would be better.

## REGULAR TOWN COMMISSION MEETING MINUTES JUNE 6, 2022

Steven Turner, 5500 Old Ocean Blvd, wants to limit vehicular and bicyclist traffic on Old Ocean Blvd to keep pedestrians safe.

Susan Adams, 5900 Old Ocean Blvd, wants to join the Concerned Citizens for Public Safety on Old Ocean Blvd group. She thanked them for their efforts and the Town Commission for keeping the charming neighborhood feel.

Lucy Brown, Harbour Drive South, stated that effective enforcement of the existing laws would help. She commended Town Clerk Armstrong for reading all the comments received.

Commissioner Pugh agreed with Mrs. Brown that the town should enforce its laws. He favors the regular signs, not the ones with the lighting. Further, he proposed that signage be on A1A and not Old Ocean Blvd. He suggested small changes at a time.

Vice Mayor de Haseth concurred with Commissioner Pugh and advised that she opposes striping but is willing to consider speed bumps if done on North and South of Old Ocean Blvd. She agreed with trimming vegetation, enforcement, and signage for vehicular and pedestrians on the north and south.

Commissioner Coz favors removing some vegetation from the east side of Old Ocean Blvd but not all 5'. He does not favor striping or adding digital signs or speed bumps but is willing to try the speed limit suggestion.

Commissioner Wiescholak agreed with his fellow Commissioners. He wants to implement the signage with the condition that it matches the existing wooden ones and a new speed limit. Also, he opposes digital signs and speed humps. Commissioner Wiescholak commended the concerned citizens' group for their recommendations and asked the Commission to revisit ideas in 6 months to see what has worked.

Mayor Hurlburt wants to keep the street's character, so she approves of the signage idea with the condition that all signs are reviewed to avoid sign pollution. In addition, doing an education campaign to remind people of their duties while walking and driving and clearing vegetation. She opposes striping, and suggested reflectors and an alternative to speed bumps.

Commissioner Coz, Mayor Hurlburt, and Vice Mayor de Haseth discussed how much to remove from the east side of Old Ocean Blvd. All Commissioners approved vegetation clearing on the east side but did not agree on how much.

Chief Jones stated that signage reduction is needed, and better signage implemented. All Commissioners favored evaluating the signs; however, Vice Mayor de Haseth asked that any new signs be wooden to match existing ones. Chief Jones stated that signs do not have to meet statutory requirements since the enforcement efforts are not statutory enforcement.

There was no consensus on the centerline or reflectors on Old Ocean Blvd.

Chief Jones stated that adding a speed limit sign at 13 mph can be done affordably. Vice Mayor de Haseth favors wooden signs. **There was a consensus to change the speed limit to 13 mph.**

Chief Jones recommended clearing vegetation on the east side of Old Ocean Blvd, s speed limit change, education, and friendly enforcement. Vice Mayor de Haseth stated that speed bumps might be needed later if people do not adhere to the speed limit. Chief Jones will be placing a temporary speed radar on Old Ocean Blvd to monitor and collect data.

## REGULAR TOWN COMMISSION MEETING MINUTES JUNE 6, 2022

Commissioner Coz asked the group to follow up in 3-4 months to see what works or can be added. Carolyn Cassidy noted that the group will continue to meet and would offer any additional information to the Commission. She pointed out that the suggestions for digital signs and deflectors were not included in the group's recommendations.

Town Manager Stevens commended Mrs. Cassidy and all the members of the group.

### **3. Request for Building Permit Extension for 6273 N. Ocean Blvd (By: Town Attorney Goddeau)**

Town Attorney Goddeau introduced the item by providing the background of previous extensions and informing of the clauses in the agreement. She cautioned that anything stated can be used if the decision goes to litigation.

Mayor Hurlburt called for public comment.

Stanley Price, Attorney for the homeowner of 6273 N Ocean Blvd, apologized to the Commissioners and the neighbors for the duration of construction. He stated that they will abide by every word in the agreement and that he has worked with staff and attempted to work with neighbors. He gave some background on the property and that the homeowner is prepared to complete the home.

John Shibles, 6201 N Ocean Blvd, described the project's history with pictures. He went over how the home contradicted the Town Codes and suggested that the development obtain all new permits.

Alana Berish, 6275 N Ocean Blvd, concurred with Mr. Shibles that construction has lasted too long. She voiced her concern over the roof deck.

Michael Weiner, Attorney for Mr. Shibles, described the stamp an Ocean Ridge Official used on the previous plans for the project. He concurred with Mr. Shibles on the home's code violations and asked the Commission to deny the permit extension.

Vice Mayor de Haseth expressed the shared goals of the town and noted the issues the agreement addressed. However, she listed some of her further issues, including a possible lack of good faith and compensation to the town.

Commissioner Coz asked for clarification on the agreement, and Town Attorney Goddeau provided the information. Commissioner Coz asked about the deck. Town Attorney Goddeau stated that the proposed deck in the agreement meets the current town code.

Commissioner Wiescholak asked about the status of the external access to the deck. There was a discussion on whether the stairs to the deck have been completed or not.

Commissioner Wiescholak listed his issues with the property. Town Attorney Goddeau explained the competing interests. Commissioner Wiescholak opposed the deck size, and Town Attorney Goddeau explained that preliminary plans show compliance with the code as determined by the Zoning Official. Staff will officially review compliance with the code when plans are formally submitted. Commissioner Wiescholak opposed the deck size even if it meets code and asked the applicant to reconsider the size.

Commissioner Coz asked when the agreement would take place. Town Attorney Goddeau advised of the procedure if the agreement is approved.

Commissioner Pugh reminded that the Commission is only considering the extension. He reviewed the agreement and its provisions and noted that the staff worked diligently on it.

## REGULAR TOWN COMMISSION MEETING MINUTES JUNE 6, 2022

Mayor Hurlburt favors the project moving forward and informed of some clauses in the agreement. Commissioner Wiescholek asked about the Commission's role in this process. Town Attorney Goddeau advised that the Commission only considers extending the permit per the Town's Code. She advised that the Commission is not deciding on the development and the plans.

Mr. Shibles discussed and voiced his concern over the deck size.

**Commissioner Coz moved to approve the request for the extension of the building permits at 6273 N. Ocean Blvd. with the Construction Duration Extension Agreement; seconded by Commissioner Pugh. Motion carried 4-1.**

**Roll Call was as follows:**

<b><u>Commissioner Coz</u></b>	<b><u>Aye</u></b>
<b><u>Commissioner Pugh</u></b>	<b><u>Aye</u></b>
<b><u>Vice Mayor de Haseth</u></b>	<b><u>Aye</u></b>
<b><u>Commissioner Wiescholek</u></b>	<b><u>Nay</u></b>
<b><u>Mayor Hurlburt</u></b>	<b><u>Aye</u></b>

There was a recess from 8:05 p.m. to 8:10 p.m.

**4. Approve Budgeted Expenditure for Repair of the Porter Street Crossover under the Best Interest Acquisition Provision in the Town Code (By: Town Manager Stevens)**

Town Manager Stevens advised on the item by noting the quotes received for the needed repairs.

Mayor Hurlburt called for public comment.

Terry Brown, Harbour Drive South, asked for further information on the materials used. Town Manager Stevens stated that the material should be cooler and less slippery. Mr. Brown also commented that he would prefer the crossover to be brown as opposed to gray.

**Commissioner Pugh moved to approve the Budgeted Expenditure for Repair of the Porter Street Crossover under the Best Interest Acquisition Provision in the Town Code; seconded by Commissioner Coz. Motion carried 5-0.**

**5. Approve Budgeted Expenditure for Repair of the Ocean Avenue Sidewalk Pavers under the Best Interest Acquisition Provision in the Town Code (By: Town Manager Stevens)**

Town Manager Stevens advised on the item by noting the quotes received for the needed repairs.

Mayor called for public comment, and there was none.

**Commissioner Wiescholek moved to Approve the Budgeted Expenditure for Repair of the Ocean Avenue Sidewalk Pavers under the Best Interest Acquisition Provision in the Town Code; seconded by Commissioner Coz. Motion carried 5-0.**

### **STAFF & COMMITTEE REPORTS**

**6. Planning & Zoning Commission**

The Planning & Zoning Commission report was included in the meeting package.

Terry Brown, Harbour Drive South, noted that exotics need to be removed on Whitney Way. Town Manager Stevens stated that the Building Official would be working with the developer on this item.

## REGULAR TOWN COMMISSION MEETING MINUTES JUNE 6, 2022

Vice Mayor de Haseth asked if the Planning and Zoning Commission would continue to work on the impacts of enclosed porches on maximum floor area ratio (FAR) calculations. Town Manager Stevens stated that they would continue to work on it. Town Manager Stevens asked the Commission for consensus for the Planning and Zoning Commission to do a text amendment. Planning and Zoning Commission Chair Marsh noted that the Ocean Ridge Code differs from other municipalities because it creates exceptions to what is included in the FAR. The Commission discussed the FAR and why the Planning and Zoning Commission (P&Z) want to explore it. Commissioner Coz and Commissioner Pugh opposed P&Z continuing to look at open porches and amending the FAR. All other Commissioners favored the P&Z continuing to explore.

### **7. Town Manager**

Town Manager Stevens advised that her report was included in the meeting package. She further advised that the Town Clerk has given her resignation in order to attend law school. Her last day will be July 7th. Town Manager Stevens noted that this will be a loss for the town; however, she stated she is proud of Ms. Armstrong and wishes her the best in her future endeavors.

### **8. Town Attorney**

Town Attorney Goddeau did not have a report to present.

### **9. Police Chief**

Chief Jones advised that the Police Department report was included in the meeting package. He went over the contents in his report and gave information of the recent mail frauds and how owners can protect themselves.

### **10. Town Engineer & Public Works**

Town Engineer & Public Works report was included in the package.

### **11. Building Official**

Building Official Guy report was included in the package.

## **TOWN COMMISSIONER COMMENTS**

### **12. Referendum to Preserve Conservation Land (By: Commissioner Wiescholek)**

This item was removed from the agenda by Commissioner Wiescholek.

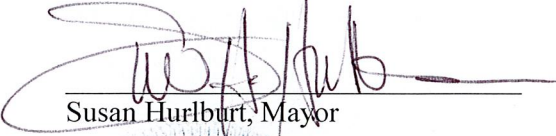
### **13. Growth Management Considerations (By: Vice Mayor de Haseth)**

This item was removed from the agenda by Vice Mayor de Haseth.

## **ADJOURNMENT**

Meeting Adjourned at 8:33 p.m.

Minutes prepared by Town Clerk Armstrong and adopted by the Town Commission on July 5, 2022.



Susan Hurlburt, Mayor

ATTEST:



Danielle Valdes, Deputy Town Clerk