

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, October 14, 2019
Ocean Breeze Jensen Beach Clubhouse, Pineapple Bay Room – 10:30 a.m.
700 NE Seabreeze Way, Ocean Breeze, FL 34957

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

- Pledge of Allegiance – Mayor Ostrand led the Pledge of Allegiance
- Roll Call – Mayor Karen M. Ostrand, President Ken De Angeles, Vice-President Ann Kagdis, Council Members Kevin Docherty, 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 – Council Member Wagner, seconded by Council Member Locatis, made a Motion to approve the Minutes of the September 9, 2019 Regular Meeting.

All in favor; Yes: De Angeles, Kagdis, Gerold, Docherty, Locatis, Wagner; No: None; Motion Passed

3. Presentation by Town Council Candidates for the November 5, 2019 Election

William Arnold, Ken De Angeles, Kevin Docherty and Ann Kagdis gave a presentation about their qualifications for Town Council.

President De Angeles provided information on Vote by Mail and the polling location.

4. Request by Sun Communities to reconfigure the layout of several private docks along the Indian River. President De Angeles asked Mr. O’Neil, Town Management Consultant, to elaborate.

Mr. O’Neil stated that Marcela Camblor, Representative for Sun Communities, had been delayed and asked if the Council would like to continue with the Agenda and come back to that item after her arrival.

5. Comments from the public on topics not on the Agenda – there were none.

6. Comments from the Council on topics not on the Agenda – President De Angeles recognized Council Member Locatis.

Council Member Locatis discussed concerns regarding hurricane preparedness and the meeting with Sun Communities he attended on September 25, 2019. He remarked that he was told by Gena May, Sun Communities, that Sun had a hurricane preparedness plan in place and he discussed the details. He mentioned that Sun Communities agreed to meet in February when more residents could be in attendance. He asked for approval by the Town Council to compile a list of practices and procedures to review prior to the meeting in February.

Mayor Ostrand added that the meeting in February would include a representative from Martin County Emergency Operations.

Vice-President Kagdis discussed West End Blvd., potential improvements and the current danger to motorists and pedestrians. She asked about resurrecting the issue with Martin County and discussed the local support of the surrounding areas.

President De Angeles stated that he had a meeting with County Commissioner Doug Smith about the damaged guardrail at West End Blvd. and suggested inviting Commissioner Smith to a Town Council meeting to provide an update.

Council Member Locatis, seconded by Council Member Gerold, made a Motion to invite Commissioner Smith, at his convenience, to attend a Town Council meeting to provide an update on West End Boulevard Project.

Mr. O'Neil stated that a feasibility study and analysis had not yet been conducted to determine if the necessary amount of space was available. He suggested the Town Council inquire of Martin County about their potential cooperation with the Town to begin a feasibility analysis.

President De Angeles stated that he spoke with Commissioner Smith about a feasibility study and Commissioner Smith relayed that he would speak with Marcela Camblor and added that the current situation was dangerous.

Council Member Gerold asked about the Town Council receiving a traffic study of West End Blvd. because the amount of traffic will soon be increasing.

President De Angeles stated that he believed a traffic study was part of the original discussion.

Roll Call:

Yes: De Angeles, Kagdis, Docherty, Gerold, Locatis, Wagner

No: None

Motion Passes: 6-0

Mr. O'Neil remarked that Staff would create a letter for the signature of President De Angeles and Mayor Ostrand.

4. Request by Sun Communities to reconfigure the layout of several private docks along the Indian River (Continued – upon arrival of Marcela Camblor). – Marcela Camblor introduced herself as the Planner for Sun Communities.

Mr. O'Neil explained the history of the matter stating that the Florida Department of Environmental Protection confirmed the design of the docks should be larger than were shown initially on the earlier PUD. He added that lengthening the docks to twenty-five feet and the installation of lifts was sensible and that the new dock design was an environmental and operational improvement. He reiterated that at an earlier meeting the Town Council indicated that they were in favor of the lifts. He stated that each individual tenant, through Sun, would have the dock built. He added that Staff recommended that the Town Council approve the changes to the original plan since FDEP was the primary permitting authority. He asked for Council approval for docks up to thirty feet. He commented that the decision to approve this change is predicated on an Agreement which provided for use by the tenant only, it was not to be loaned or leased to others and stated that Sun would have to come back for a PUD amendment if any dock exceeded the thirty-foot limit.

Ms. Camblor reiterated Mr. O'Neil's comments and added that Sun Communities decided that the "I" shape docks versus the "T" shape docks were safer and provided uniformity. She commented that the Prospectus stated that the docks could not be sub-leased as another level of reassurance.

Mayor Ostrand remarked that the latest Prospectus disclosed that information.

Ms. Cambor stated that the Agreement is currently with Sun's Attorney's.

Attorney Cray stated that he had spoken with Attorney David Eastman and gave an update.

Discussion ensued.

Council Member Gerold asked how the seawall was depicted in the drawing provided.

Discussion ensued.

Mr. Cray asked to add a legal clause to the Agreement and stated that he thought Sun's Attorney would agree.

Ms. Cambor asked if Sun could move forward subject to this Agreement being approved and executed as is; and, if there were any changes, the Agreement would have to come back before the Town Council.

Council Member Wagner asked about the location of the docks on the southside of the island; he was concerned that the river was shallow and wondered if the docks would interfere with the activities at the Environmental Studies Center.

Ms. Cambor answered that Sun Communities could not encroach on property that does not belong to them. She stated that the dock, which would go in that location, may have a deck only, and added that FDEP would have the ultimate decision.

President De Angeles asked for comments from the public.

Janet Galante, 217 NE Coastal Drive, Ocean Breeze, asked about the Prospectus and the number of docks allowed and the size limits of the boats.

Mayor Ostrand stated that the Prospectus she received spoke about these changes.

Ms. Galante stated that her Prospectus allowed for fourteen docks and asked about the size limit of the boats – length and height.

Mayor Ostrand stated that the maximum was twenty-eight feet long and stated that she did not know about the height limit.

Ms. Galante encouraged the Town Council to investigate this matter.

President De Angeles asked for further comments from the public.

(name not provided) stated that the material he received stated there would be a total of twenty-three docks and he did not understand why the Town Council does not know about this.

Town Clerk, Pam Orr, stated that the Town is separate from the Resort.

Mr. O'Neil stated that the number of docks permitted was fourteen because that is what the original PUD stated. He commented that Sun's Prospectus should be consistent with the PUD Agreement and that the only variance provided is for the length of the dock and use of lifts rather than the "T" design.

Mr. Crary confirmed that the number of docks was not increasing because the PUD allowed for fourteen docks.

Council Member Gerold, seconded by Vice-President Ann Kagdis, made a Motion to approve the changes requested by Sun Communities with regard to length and the boat lifts subject to the execution of the attached draft Agreement with the addition of modified language requested by Attorney Crary, prior to the issuance of any permits.

Mr. O'Neil asked if everyone understood the Motion as recited.

All answered "yes."

Roll Call:

Yes: De Angeles, Kagdis, Docherty, Wagner, Locatis, Gerold

No: None

Motion Passes: 6-0

President De Angeles asked Ms. Camblor to discuss possible improvements to West End Blvd.

Ms. Camblor stated that the Town's staff had reached out to her and the CRA to come up with a plan to improve certain areas of West End Blvd. She commented that she had spoken to Sun Communities and that they did not own the land in question. She added that she had heard that the CRA interest to improve West End Blvd. would be tied to an increase in public parking. She stated that she would reach out to Ms. Kores again and commented that she did not believe much parking would fit in that area.

Vice-President Kagdis pointed out that a portion of the east side of West End Blvd. was owned by Sun Communities and that portion did not have a sidewalk.

Ms. Camblor answered that she would bring this up before Sun and stated that there had been some legal issues regarding this area.

Discussion ensued.

Council Member Wagner mentioned his concern regarding the safety of pedestrians along West End Blvd.

President De Angeles agreed.

Ms. Camblor stated that a formal inquiry from the Town should be made to Martin County requesting that all parties come together to figure out how to improve the area, and added that Sun Communities had made the significant improvements.

Discussion ensued regarding Sun's property along West End Blvd. and the legal outcome.

Ms. Camblor stated that she would investigate the outcome of the legal issue and agreed with Attorney Crary that a settlement agreement, that included an easement, was probably the outcome.

7. Comments from Town Management Consultant Terry O'Neil – there were none.

8. Comments from Mayor Ostrand – there were none.

9. Announcements – Regular Town Council Meeting – Monday, November 11, 2019 at 10:30 am to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze

- Regular Election to be held at Langford Park, 2369 NE Dixie Hwy, Jensen Beach on Tuesday, November 5, 2019 from 7:00 am – 7:00 pm
- Canvassing Board Meeting Wednesday, November 6, 2019 at 10:00 am at Ocean Breeze Town office, 1508 NE Jensen Beach Blvd, Jensen Beach

10. Adjourn – Council Member Locatis, seconded by Council Member Dochtery, made a Motion to adjourn the meeting at 11:55 a.m.

All in favor: De Angeles, Kagdis, Docherty, Gerold, Locatis, Wagner; Opposed: None; Motion Passed: (6-0)

Respectfully Submitted,

Pam Orr,

Town Clerk

Minutes approved: November 11, 2019