

TOWN OF OCEAN BREEZE  
MINUTES REGULAR TOWN COUNCIL MEETING  
Monday, June 8, 2020, 10:30 a.m.  
Indian Riverside Park, Frances Langford Dockside Pavilion 9 (upstairs)  
1707 NE Indian River Drive, Jensen Beach, 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 Kenneth De Angeles, Vice-President Richard Gerold, Council Members Bill Arnold, Kevin Docherty, 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, and Town Financial Consultant, Holly Vath

**2. Approval of Minutes** – Council Member Wagner, seconded by Council Member Arnold, made a Motion to approve the Minutes of the March 9, 2020 regular meeting.

President De Angeles asked for public comments.

There were none.

All in Favor: Yes: De Angeles, Gerold, Arnold, Docherty, Locatis, Wagner; No: None; Motion Passed - 6 - 0

Council Member Locatis, seconded by Council Member Wagner, made a Motion to approve the Minutes of the July 29, 2019 Budget Workshop and Setting of Tentative Millage Rate meeting.

President De Angeles asked for public comments.

There were none.

All in Favor: Yes: De Angeles, Gerold, Arnold, Docherty, Locatis, Wagner; No: None; Motion Passed - 6 - 0

Council Member Locatis, seconded by Council Member Arnold, made a Motion to approve the Minutes of the September 11, 2019 Proposed Budget and Tentative Millage Rate meeting.

President De Angeles asked for public comments.

There were none.

All in Favor: Yes: De Angeles, Gerold, Arnold, Docherty, Locatis, Wagner; No: None; Motion Passed - 6 - 0

Council Member Docherty, seconded by Council Member Arnold, made a Motion to approve the Minutes of the September 18, 2019 Final Budget and Proposed Millage Rate meeting.

President De Angeles asked for public comments.

There were none.

All in Favor: Yes: De Angeles, Gerold, Arnold, Docherty, Locatis, Wagner; No: None; Motion Passed - 6 - 0

**3. Update on Corona Virus and 2020 Hurricane Season** – Bill Pecci, Deputy Director, Martin County Emergency Management gave an update regarding the corona virus in Martin County.

Mr. Pecci took questions from the Mayor and Town Council.

Mr. Pecci gave an update on hurricane preparedness.

He took questions from staff and spoke about the opening of back-up shelters due to social distancing recommendations. He provided the CIC (Citizens Information Center) telephone number (772) 287-1652.

**4. John J. Maehl, Ecosystem Restoration and Management Manager, Martin County BOCC –** Mr. Maehl gave a brief history regarding recent legislation and past regulated, scheduled discharges from Lake Okeechobee. He asked for a letter of support echoing Martin County’s recent objections to proposed legislation that risked an unbalanced approach to future water discharges from Lake Okeechobee.

He took questions from the Mayor, Town Council and staff.

Council Member Arnold, seconded by Council Member Locatis, made a Motion to send a letter of support.

President De Angeles asked for further comments from the public.

There were none.

All in Favor: Yes: De Angeles, Gerold, Arnold, Docherty, Locatis, Wagner; No: None; Motion Passed - 6 - 0

**5. Request Motion to Accept and Transmit F/Y 2018-2019 Audit Report to appropriate State Level Governmental Agencies –** David Haughton, CPA, Berger, Toombs, Elam, Gaines & Frank, CPAs, presented the Audit Report. He reported that the Town was compliant.

He asked for comments or questions from the Mayor and Town Council.

There were none.

Council Member Arnold, seconded by Council Member Gerold, made a motion to accept the F/Y 2018-2019 Audit as reported.

President De Angeles asked for public comments.

There were none.

All in Favor: Yes: De Angeles, Gerold, Arnold, Docherty, Locatis, Wagner; No: None; Motion Passed - 6 - 0

**6. Budget-to-Actual ending March, 2020 –** Holly Vath presented the Budget-to-Actual report as of March 31, 2020. She explained that the state revenue sharing for April, May and potentially, June through the end of the fiscal year would be down because of the decrease in sales tax due to the corona virus.

She asked for questions from the Mayor and Town Council.

There were none.

**7. Update on West End Boulevard Improvement Feasibility Analysis –** Marcela Cambolor, Planning Consultant presented a Power Point presentation on the feasibility analysis on improvements to West End Boulevard. She updated the Council on the history of safe connectivity of Ocean Breeze Resort to the commercial area and the role of West End Boulevard in that connectivity.

Discussion ensued regarding parking, legal boundaries, the cell tower, easements, Martin County, the CRA, golf carts regulations within Martin County, Sun Communities, Florida East Coast Railroad, traffic studies, guardrails, property ownership map, and further exploration of West End Boulevard improvements.

President De Angeles asked about the Town's current contract with Marcela Cambolor and if her services would require an additional contract.

Ms. Cambolor stated that she believed that an hourly rate had been added to the contract.

Mr. O'Neil stated that this was an update on the feasibility of the project. He stated that there was probably enough space to do a project and that the next step would be to talk to the various property owners to see if they would be interested. He reminded the Council that the funding for this project would come from the Special Revenue Fund fuel tax dollars. He stated that unless the Council objected, staff would take the next step of dealing with the individual owners.

President De Angeles asked if an additional contract was needed to move forward.

Ms. Cambolor answered "no, just a direction to do so".

Council Member Gerold asked to see the larger detail of the project drawing before talking to property owners. He stated that the Maple Street connection to Ocean Breeze Resort was safer to walk than West End Boulevard. He added that he did not want to move forward until he reviewed the drawings.

Ms. Cambolor spoke about the benefits of the Maple Street connection.

Mayor Ostrand stated that the stretch of West End Boulevard from Jensen Beach Boulevard to entry into Ocean Breeze Resort was dangerous in general and that there were no street lights.

Ms. Cambolor stated that West End Boulevard does not prioritize pedestrians.

Mayor Ostrand asked Ms. Cambolor if she would inquire of the area's owners to see whether they would agree to a project.

Ms. Cambolor stated that she would.

President De Angeles asked for further comments or questions from the Mayor or Town Council.

There were none.

**8. Census Update** – Mayor Ostrand gave an update on the importance of all Ocean Breeze residents to complete the 2020 Census. She stated that Council Member Docherty was attending the Complete Count Committee meetings at Martin County.

Council Member Docherty gave an update on the 2020 Census and emphasized the importance participation. He commented that he had ordered additional material for the public which would be at the Town office. He stated that the Town of Ocean Breeze currently had a 40 percent participation rate. He added that he would be distributing pamphlets throughout the Resort and the Seawalk community.

**9. Comments from the public on topics not on the Agenda** – Deputy Angelico reviewed the crime statistics for Ocean Breeze.

He asked for questions.

There were none.

President De Angeles asked for further comments from the public.

There were none.

**10. Comments from the Council on topics not on the Agenda** – Council Member Wagner stated that he had received numerous complaints regarding Sun Communities maintenance personnel using blowers that are loud to clean the roads and the quantity of air-born particles that they cause. He added that this was a health hazard for individuals with breathing problems. He proposed a Motion that would instruct or allow staff to take the next steps in researching what agencies may be contacted to assist on this subject.

Mayor Ostrand spoke about dirt being blown around and that it was causing individuals to breath it in. She stated that this was a health issue and that she had spoken to Chris Walters. He informed her that there was a way to blow the debris out into the road and then bring it to the side. She stated that this was not currently being done and that Chris was aware of this issue. She commented that the heavy power blowers were too strong for the small areas into which they were blowing the debris. She spoke about looking into the speed and the strength of these blowers because this was unhealthy for individuals with breathing problems.

Council Member Wagner stated that NE Bay Drive was the longest stretch of road in the resort and the high speeds on that road were excessive. He added that because this was private property, the Sheriff's Department could not assist. He spoke about the location of his unit as being in the center of NE Bay Drive and that to load and unload his wheelchair in and out of vehicles was dangerous because of the high speeds of vehicles. He mentioned his wife's need to walk and that with these high speeds of vehicles on Bay Drive, especially at noon, it was creating a problem for her. He emphasized that on several occasions he had witnessed near collisions. He asked about the Town's position in bringing the problem to the attention of Sun Communities.

President De Angeles stated that this was a Sun Communities issue and suggested approaching Chris Walters, General Manager of Sun Communities.

Mr. O'Neil asked if the Council would work with staff on bringing this matter before Sun Communities.

Attorney Crary reminded President De Angeles about the Sunshine Law.

Mayor Ostrand stated that she could work with Council Member Wagner in approaching Sun Communities regarding this matter.

Council Member Locatis stated that residents had been expressing opinions to him about the need for a Home Owner's Association. He spoke about the various topics brought to him, especially the events that took place over the Memorial Day weekend. He addressed the lack of access to management. He expressed that he was bringing this matter up because some residents believe that the Town government could assist a group of residents in developing a HOA. He stated that he did not believe this was the case, but wanted to know if Mr. O'Neil or Attorney Crary had some experience as to whether the Town Council could or could not support an effort to start a Home Owner's Association.

Attorney Crary answered that developing or promoting a private Home Owner's Association would have to be done separately by the residents, totally independent from the Town.

Council Member Gerold stated that Sun Communities would be bringing forth a PUD amendment regarding the docks at the July, 2020 Town Council meeting. He spoke about the Town Council's discussion, several meetings ago, regarding the various details of the docks including dock right-of-way and dock ownership. He expressed that the seawall was a resort issue because the seawall was the private property of Sun Communities. He asked for clarification about whether this issue would be brought forth in the amendment and asked that the issue be rectified before or during the next PUD amendment meeting because people want to use the seawall for fishing.

Mr. O'Neil answered that staff would ask Sun Communities to come forward to conclude this discussion. He added that he did not believe that this rose to the level of a PUD issue, but Sun Communities should be able to explain if the seawall was actually connected to the individual land units and not common area. He stated that the Town could ask Sun Communities for signage and clarification. He added that staff would make sure Sun was prepared to discuss the matter.

Council Member Docherty gave an update on the "your speed" signs and stated that, according to the data provided, speeds have decreased. He commented that residents had reported to him that cars speed between the two islands because of the lack of monitoring in that area. He communicated that he would be looking into the idea of working with Martin County and the cost of a speed bump made of hard rubber between the two islands.

He asked for questions from the Council.

There were none.

**11. Comments from Town Management Consultant - Terry O'Neil** – He had none.

**12. Comments from Mayor Ostrand** – Mayor Ostrand commented on the idea of a rubber speed bump.

**13. Workshop Discussion: 10-year Future Vision of the Town** – President De Angeles invited Mayor Ostrand to lead the discussion to gather ideas from the Council regarding the 10-year future vision of the Town.

Mayor Ostrand spoke to the Council about possible changes to the Charter regarding the elected officials being non-paid positions. She spoke about the levels of value and the responsibilities that some of the elected officials have on behalf of the Town; and, that a token amount of \$100 a month might be fitting. She asked for comments from the Town Council.

President De Angeles stated that he, Vice-President Gerold and the Mayor probably spend more time with the day to day operations of the Town, but that he personally does not need a payment.

Vice-President Gerold commented that when he ran for Council, he knew it was a volunteer position and that he did not expect to receive payment.

President De Angeles asked for further comment from the Town Council or the public.

There were none.

Mayor Ostrand asked the Council if there were any changes they would like to see in the Charter regarding the number of council people or the change in the scheduled time of the Town Council's regular, monthly meetings.

Discussion ensued regarding working residents, the Seawalk community, quorums, tie-votes, past changes to the Charter, scheduled time of the regular, monthly meetings, attendance of working residents, polling residents, rotating meeting times, postings of the meetings.

Attorney Crary stated that changing the time of the meetings would have to be done by Ordinance and did not require a Charter change.

President De Angeles asked for further comments from the Council or the public.

There were none.

Mayor Ostrand spoke about having a permanent Town Hall after sixty (60) years without one. She commented that the former Wells Fargo bank building was currently for sale on Jensen Beach Boulevard. She advised the Council that grant funds from the State and Federal government could be used to procure a Town Hall and that other Town's had received all of the monies to obtain a Town Hall from grants.

Council Member Gerold asked Attorney Crary if a Town Hall would have to be within the Town limits.

Attorney Crary answered that he did not know of any restrictions that express the Town could not own property outside of the Town limits, but that he would double-check.

Discussion ensued regarding annexation.

Mayor Ostrand stated that she was told by two people from small towns that their Town Hall was not within their town limits. She stated that she would contact them again for clarification.

Attorney Crary stated that he would review the Statute for clarification.

Discussion ensued regarding the bank building location, the size of Parcel "A", walkability to a Town Hall, feasibility to perform research, growing pains, assuming debt, grants, Sewall's Point Town Hall and Police Department.

Mayor Ostrand asked if the Town Council would like staff to bring forward any information.

Council Member Arnold asked for a spreadsheet on what the Town's spends for rent, etc. He spoke about the costs of maintenance on that building.

Mayor Ostrand asked for the interest level from the Town Council on purchasing property for a Town Hall and asked if the topic should be brought forth in the future.

Council Member Docherty answered "yes."

Mayor Ostrand asked the Council for ideas on promotional events and the possibility of having a celebration of the Town's 60<sup>th</sup> Anniversary in the fall, possibly, in the commercial area of the Town.

Council Member Arnold suggested (undistinguishable)

Mayor Ostrand asked if the Council would like for her to research the matter with Phillips Edison (the owners of the commercial property).

Mayor Ostrand asked President De Angeles if he liked the idea.

He replied “no.”

Mayor Ostrand asked for input regarding promotional items, i.e. hats and t-shirts.

Council Member Docherty replied that in the Ocean Breeze Publix, none of the t-shirts for sale reflect “Ocean Breeze.” He spoke about the possibility of promoting the Town by providing Publix with t-shirts with the name Ocean Breeze.

Council Member Gerold asked if Sun Communities was approached regarding the possibility of holding an event at the Resort for the Town’s 60<sup>th</sup> Anniversary.

Discussion ensued regarding the Seawalk community, a parade, approaching Sun Communities regarding such an event, and the changes in boundaries of the Town over the years.

Mayor Ostrand asked for further input.

There was no response.

Mayor Ostrand asked about annexation and growth of the Town over the next 10 years. She asked if this was a topic the Town Council wished to discuss.

Discussion ensued regarding the name of the Town, services provided, unincorporated area in Martin County called Jensen Beach, and the history of Jensen Beach.

Council Member Gerold stated that he did not believe this should be done; he did not see a need.

President De Angeles stated that Jensen Beach should remain as is.

Council Member Arnold agreed with Council Member Gerold.

Discussion ensued regarding property taxes.

Council Member Gerold stated that he did not run for the Town Council to talk about annexation, compensation for elected officials nor political interests.

Mayor Ostrand announced that the Town had to prepare a comprehensive report on the future of the Town of Ocean Breeze and this was the reason she wanted to discuss these matters.

Council Member Gerold stated that he was content with Jensen Beach remaining as is.

President De Angeles stated that the workshop was concluded.

**14. Announcements** – Council Member De Angeles announced the next regular Town Council meeting on Monday, July 13, 2020 at 10:30 a.m. to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze, Florida.

**15. Adjourn** – Council Member Wagner, seconded by Council Member Arnold, made a motion to adjourn the meeting at 1:30 p.m.

All in Favor: Yes: De Angeles, Gerold, Arnold, Docherty, Locatis, Wagner; No: None; Motion Passed - 6 - 0

Respectfully Submitted,

*Pam Orr*

Town Clerk

Minutes approved: *July 13, 2020*