

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, March 9, 2020
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 – Vice-President Gerold led the Pledge of Allegiance
 - Roll Call – President Kenneth De Angeles, Vice-President Richard Gerold, Council Members Bill Arnold, Kevin Docherty, Terry Locatis and David Wagner
Absent: Mayor Karen M. Ostrand
 - 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 February 10, 2020 Regular Meeting.

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

3. **Presentation by Tricia Kukupka, Community Outreach Manager, Sheriff’s Department Crime Watch Program** – Ms. Kukupka discussed the Martin County Sheriff’s Department Neighborhood Watch Program. She advised that the monthly meeting was the second Thursday of each month at 6:00 p.m. She spoke about the call statistics reports which were available to the public upon request. She took questions and comments from the Council and the public.

Discussion ensued regarding a recent property crime, social media sites/messages regarding local crime, and the “Alert Martin” app for cell phones.

Janet Galante, 217 NE Coastal Drive, Ocean Breeze, suggested that a Town Council Member act as a liaison to the Neighborhood Watch Program, and report on a monthly basis. She also suggested as a backup, a community member act in this capacity.

Council Member Gerold agreed.

Council Member Docherty volunteered to represent the Council in attending the crime watch program meetings once a month.

It was agreed that Council Member Docherty would be the designated crime watch meeting attendee and Council Member Arnold stated that he would act as an alternate.

Ms. Kukupka stated that she would give the Town information regarding identity theft and fraud scams.

Pam Orr, Town Clerk, provided her with the Town’s email address.

4. **Comments from the public on topics not on the Agenda** – Ed Bradley, 70 NE Riptide, Ocean Breeze, asked if the Town had received a response from Sun Communities to the letter they were sent regarding his termite situation.

Mr. O'Neil answered that the Town did receive a response to Mr. Massing's letter from GFA, but that a response from Sun Communities had not been received. He added that Mr. Massing was reviewing the response and had yet to make a determination on the next course of action.

Mr. Bradley asked if a time frame was given for Sun Communities to respond.

Mr. O'Neil answered that if Sun chose not to respond, there were options available to Mr. Massing as a possible next step; and, that this matter was being handled procedurally with proper notice and opportunity to respond.

Mr. Bradley stated that he had secured legal counsel.

Janet Galante, 217 NE Coastal Drive, Ocean Breeze, asked about the hurricane meeting recently held by Sun Communities.

Council Member Locatis stated that he would address the matter under Council comments.

President De Angeles asked for further comments from the public.

There were none.

5. Comments from the Council on topics not on the Agenda – Council Member Locatis stated that at the recent hurricane meeting held by Sun Communities, Martin County Emergency Management provided interesting information. He added that Sun Communities management did not attend the meeting, therefore, he was not able to obtain answers to questions from residents regarding the removal of loose items before a storm. He remarked that, Donna Carrier, Sun Communities representative, stated that Sun planned to enforce the removal of all loose items such as porch furniture, etc. He spoke about documents that were passed out to the attendees which gave the impression that everyone was to take care of each other and Sun might not be available to assist. He mentioned that RVs were not discussed. He described how someone in the audience asked the emergency management team how to get Sun to remove or secure RVs in the event of an evacuation, and they commented that one way would be for Sun to have a rule and to enforce it. He remarked that he had a personal meeting with Sun representatives and they said they would not do it.

Council Member Locatis commented that the Emergency Management of Martin County stated that another way to enforce this issue would be for the Town to pass an ordinance regarding securing RVs. He remarked that in the past, Attorney Crary had provided the Town Council with information regarding the difficulty of enforcement within the Town with such an ordinance. He asked if the Council would like to take another look at passing an ordinance regarding just the RVs and asked for input from the audience.

President De Angeles asked Attorney Crary that if the Town were to adopt such an Ordinance regarding RVs, would the Town be responsible for enforcing that Ordinance.

Attorney Crary stated that enforcement was always an issue with any ordinance adopted.

President De Angeles agreed.

Council Member Locatis stated that the Town could hire a tow company to tow away such RVs.

Council Member Gerold remarked that he spoke to Donna Carrier, Sun Communities, and she mentioned that there was going to be a follow-up meeting in March. He added that the main issue seemed to be about the RVs and things that they leave. He commented that he did not see any RV owners at that meeting; only home owners. He commented that the problem seemed to be with the communication between Sun Communities and the owners of the RVs to let them know the rules and requirements.

Attorney Crary spoke about enforcement steps, which would not be an immediate process; and if a hurricane were approaching the process of imposing a fine, or something similar would be post-hurricane. He added that if the Town was to impound someone's property without going through certain procedures, it would expose the Town to some significant damages.

President De Angeles stated that perhaps moral pressure could be placed on the owners of RVs who refuse to relocate and/or remove loose items. He added that he believed this was the responsibility of Sun Communities and not the Town.

Council Member Locatis commented that the Emergency Management representative stated that the first way would be to encourage RV owners to comply, and second, would be to have an enforcement mechanism. He added that during the last hurricane the RV owners refused to comply with the rules, and that was the reason for bringing the matter forward again.

Cathy Berry, 46 NE Driftwood Drive, Ocean Breeze, spoke about the hurricane meeting and that Chris Walters of Sun Communities informed her that he could not attend the meeting because of the Sunshine Law. She asked for clarification about the Sunshine Law and to whom it pertained. She added the importance of Sun Communities Management attending meetings and the importance of getting these questions answered.

President De Angeles stated that several Council Members could attend a public meeting as long as their input did not include anything that might come up for a vote at a future Town Council meeting. He added that Sun Communities (management) had nothing to do with the Sunshine Law and he stated everyone should strongly encourage Sun to be more involved.

Council Member Docherty gave a report on the 2020 Census and discussed the importance of the participation of every resident. He remarked that the Census would be mailed out on March, 12, 2020 and added that it could be completed online. He stated that there was some material for the public on the information table and at various locations around the resort.

Discussion ensued regarding the importance of the Census.

Council Member Arnold asked if the Town Council could make a formal request to Sun management to attend the Town Council meetings, and request a reply to put on file.

President De Angeles answered that he had sent such a letter to Sun in May, 2019, there was no response and that the Town Council could not force Sun, nor anyone else, to attend Town Council meetings. He added that he would write another letter reemphasizing the importance of the attendance of Sun management at the Town Council meetings.

Cathy Berry, 46 NE Driftwood Drive, Ocean Breeze, spoke about the possibility of developing a group of concerned residents to address some of these important issues with Sun Communities. She asked if that would benefit the residents.

President De Angeles stated that he believed it would be helpful.

Discussion ensued regarding Sun's attendance at the Town Council meetings, forming a concerned residents group and better communications between Sun (management) and the residents.

6. Comments from Town Management Consultant Terry O'Neil – He had none.

7. Comments from Mayor Ostrand – President De Angeles stated that the Mayor was absent from the meeting due to illness and that the workshop discussion on the 10-year future vision of the Town would be continued to the April, 2020 meeting.

Mr. O'Neil asked for a Motion and second to continue Item 7, in its entirety, to the April 13, 2020 meeting.

Council Member Arnold, seconded by Council Member Gerold, made a motion to continue Item #7 to the April, 2020 meeting.

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

8. Announcements – Council Member Gerold announced that a Board of County Commissioners meeting was taking place on Tuesday, March 24, 2020 at 9:00 a.m. to review the final planning for the approval of zoning requested by local establishment Conchy Joes with their recent purchase of the Admiral's Table.

Attorney Crary announced that for full disclosure, he represented Conchy Joes on this project.

Council Member Docherty announced the St. Patrick's Day parade was to be held on Sunday, March 15, 2020 in downtown Jensen Beach at 3:00 p.m. He stated that the parade route started on Church Street, continued to Indian River Drive to Jensen Beach Boulevard.

President De Angeles announced the next regular Town Council meeting on Monday, April 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.

9. Adjourn – Council Member Arnold, seconded by Council Member Locatis, made a motion to adjourn the meeting at 11:15 a.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: June 8, 2020