

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, August 10, 2020, 10:30 a.m.
Ocean Breeze Resort Clubhouse, Pineapple Bay Room
700 NE Seabreeze Way, Ocean Breeze, FL

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 and David Wagner
Absent: Council Member Locatis
 - 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 Gerold asked for a correction to the Minutes of the July 13, 2020 Regular Meeting which was on page 6, item 7, and should have read “not” a Town issue.

Council Member Gerold, seconded by Council Member Arnold, made a Motion to approve the Minutes of the July 13, 2020 regular meeting with the correction on page 6, item 7.

President De Angeles asked for public comments.

There were none.

All in Favor: Yes: De Angeles, Gerold, Arnold, Docherty, Wagner; Absent: Locatis; No: None; Motion Passed - 5 - 0

3. **Quasi-Judicial Hearing – RESOLUTION NO. 303-2020, PROVIDING FOR A MINOR AMENDMENT TO THE OCEAN BREEZE EAST PUD AGREEMENT ADOPTED BY ORDINANCE NO. 220-2015 AND AMENDED BY RESOLUTION NUMBERS 223-2015, 234-2016 AND 238-2016 AND BY ORDINANCE NO. 241-2016 AND BY RESOLUTION NO. 291-2019; THEREBY APPROVING MINOR CHANGES TO THE PROJECT’S REVISED MASTER SITE PLAN TO PERMIT THE RECONFIGURATION OF RESIDENTIAL DOCKS ALONG THE INDIAN RIVER LAGOON, INCLUDING CONDITIONS FOR THEIR USE; DECLARING SAID CHANGES TO BE CONSISTENT WITH THE TOWN’S COMPREHENSIVE PLAN; PROVIDING PENALTIES FOR PUD VIOLATIONS; PROVIDING FOR CONFLICT PROVISIONS AND A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

Town Clerk, Pam Orr read Title of Resolution 303-2020 into the record.

President De Angeles asked if any Council Members had any exparte communications to disclose.

There were none.

President De Angeles asked for those giving testimony to stand, raise their right hand, and be sworn in.

Attorney Crary administered oath to Marcela Camblor and Terry O’Neil.

President De Angeles asked staff to present testimony, including any evidence, and their recommendation regarding this case.

Mr. O'Neil stated that this item had been continued from the July 13, 2020 hearing. He gave a brief history of the issue including the language for the oversight of the use of the docks. He added that Attorney Crary had been working with Sun's Attorney and that the changes were reflected in items i) and k). He stated that staff recommended approval of Resolution 303-2020.

President De Angeles invited the petitioner to provide testimony and call any witnesses.

Marcela Cambolor, representing Sun Communities, spoke to the Council about the changes in the language which would allow the applicant to move forward with the docks. She referred to the exhibit in the packet provided which included the informational letter provided by Mr. Scott Szafranski, President of Harbor Bay Marine Industries, Inc. regarding the limited size of vessels and the size of the proposed docks.

Vice-President Gerold asked if a resident living on the east side wanted to build a structure along the east seawall, would it have to be a thirty or thirty-five-foot pier, or could a marginal pier be installed if that individual did not want a boat lift.

Ms. Cambolor answered that the marginal piers were defined with maximum length and they were such that those piers had to be five feet off the property line. She stated that Sun's goal was to maintain consistency.

Council Member Wagner asked about elevator lifts and construction of elevator lifts versus other lifts.

Ms. Cambolor answered that the intent of the language was not to limit to one specific model of lift. She stated that on the finger piers the owner would have the ability to have two lifts, and with the marginal piers the owner would have the ability to have one lift. She added that Sun would be looking for consistency.

Discussion ensued regarding elevator lifts, marginal piers with no additional pilings, clarification of different types of lifts to be used, the fact that the type of lift for the finger piers (with additional pilings on both sides) would be different than the type of lift for the marginal piers (without additional pilings), the proposed site plan, site consistency and boat lifts versus elevator lifts.

Ms. Cambolor stated that the technology used would respond to the design presented.

Discussion ensued regarding cradle lifts and installation requirements, four pilings versus six pilings, lift railings and pilings, pilings supporting the piers along with the lift, progress made regarding this PUD amendment, proposed changes to language, FDEP requirements, permitting requirements, lack of detail on the marginal piers, no changes to the length, design and the width of the pier, a possible notation to amend the agreement, support pilings for the dock in addition to pilings for the lifts, steps for permitting, confirmation that the marginal piers would not have pilings outside of what was depicted in the exhibit.

Council Member Wagner stated that he wanted the clarification and specifics because he did not want the applicant to have to come back before the Council for another amendment. He stated the issue should be discussed thoroughly.

Council Member Gerold stated that the amendment was set to be approved once the language in items i) and k) was agreed upon and he proposed approving it.

President De Angeles asked if staff had any questions for the petitioner.

There were none.

President De Angeles asked the petitioner if they wished to offer any rebuttal testimony.

Ms. Cambolor answered “no.”

President De Angeles asked for comments from the public.

There were none.

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

There were none.

President De Angeles asked for the Council to consider a motion to approve the resolution; a motion to approve with conditions; a motion to deny the request; or, a motion to continue the hearing to a date certain.

Vice-President Gerold, seconded by Council Member Docherty, made a motion to approve the amendment with no further conditions.

Roll Call Vote: Yes: De Angeles, Gerold, Arnold, Docherty, Wagner; Absent: Locatis; No: None; Motion Passed - 5 - 0

4. Comments from the public on topics not on the Agenda – There were none.

5. Comments from the Council on topics not on the Agenda – Council Member Docherty provided statistics regarding the Martin County response rates to the 2020 Census. He encouraged everyone to participate in the Census and spoke about the importance of participation and asked for any questions.

There were none.

Council Member Gerold stated that during the last hurricane, residents and guests with recreational vehicles left their sites clean. He commented that the new landscape contractor was doing an excellent job and they were taking extra care not to blow dirt and debris.

President De Angeles asked Council Member Gerold if the Town should send a note to Sun Communities about these positive changes.

Mayor Ostrand stated that Sun should also be thanked for not increasing the rent by the maximum amount allowed because of the pandemic.

6. Comments from Town Management Consultant - Terry O’Neil – There were none.

7. Comments from Mayor Ostrand – There were none.

8. Announcements – Council Member De Angeles announced the following meetings to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze, Florida:

- Regular Town Council Meeting – Monday, September 14, 2020 at 10:30 am
- Proposed Budget and Tentative Millage Hearing, Wednesday, September 16, 2020 at 5:01 pm
- Final Budget and Millage Rate Hearing, Wednesday, September 23, 2020 at 5:01 pm

9. Adjourn – Council Member Docherty, seconded by Council Member Arnold, made a motion to adjourn the meeting at 11:12 a.m.

All in Favor: Yes: De Angeles, Gerold, Arnold, Docherty, Wagner; Absent: Locatis; No: None; Motion Passed - 5 - 0

Respectfully Submitted,

Pam Orr

Town Clerk

Minutes approved: *September 14, 2020*