

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, June 14, 2021, 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 – Present: Mayor Karen M. Ostrand, President Kenneth De Angeles, Vice-President Richard Gerold, Council Members, Kevin Docherty and David Wagner
Absent: Council Member Bill Arnold, Terry 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** – Council Member Wagner, seconded by Council Member Docherty, made a Motion to approve the minutes of the May 10, 2021 regular Town Council meeting.

President De Angeles asked for public comments.

There were none.

All in Favor: Yes: De Angeles, Gerold, Docherty & Wagner; No: None; Motion Passed - 4 - 0

- 3. Discussion of Home Rule Powers and 2021 Legislative Update** – Senator Gayle Harrell provided a verbal legislative update along with written material. She spoke about the state budget year, covid, economics of local funding for a manufacturing center at Indian River State College, Legacy Florida dollars for the local environment, best uses for water and infrastructure north of Lake Okeechobee, additional resources for schools, Home Rule issues and zoning issues.

She took questions from the Mayor, Town Council and members of the audience.

- 4. Request Motion to Accept and Transmit F/Y 2019-2020 Audit Report to appropriate State Level Governmental Agencies** – Mark Bymaster, Audit Manager

Council Member Wagner made a Motion to accept and transmit the F/Y 2019-2020 Audit Report to the appropriate state level governmental agencies.

Mark Bymaster, CPA with Nowlen, Holt & Miner, PA gave reviewed the audit.

President De Angeles asked for public comments.

There were none.

President De Angeles asked for comments from the Council.

Mark Bymaster took questions from the Council.

Vice-President Gerold seconded the Motion to accept and transmit F/Y 2019-2020 Audit Report to the state agencies.

President De Angeles asked for comments from the public.

There were none.

Roll Call Vote: Yes: Wagner, De Angeles, Docherty, Gerold; No: None; Motion Passed: 4 – 0

5. Request Authorization for Mayor to hire Maria Pierce for position of Bookkeeper/Assistant to Town Clerk – Mayor Ostrand

Council Member Wagner, seconded by Council Member Docherty, made a motion to authorize the Mayor to hire Maria Pierce for the position of Bookkeeper/Assistant to Town Clerk.

President De Angeles asked for public comment.

There were none.

Roll Call Vote: Yes: De Angeles, Wagner, Gerold, Docherty; No: None; Motion Passed: 4 – 0

6. Comments from the public on topics not on the Agenda – Ann Kagdis, Ocean Breeze, announced the CRA Community meeting to be held on Wednesday, June 23, 2021, 5:30 – 7:00 pm at the Jensen Beach Community Center. She encouraged the Mayor and one town council member to attend. She added that any resident of the Town was welcome to attend.

Deidre Henry, Ocean Breeze, asked for an update on Brightline.

Mr. O’Neil proceeded to explain the ongoing discussion with Martin County regarding the railroads planned improvements and West End Boulevard. He stated that the current plan included a one-way traffic limitation. He added that Staff was inquiring of the County as to the amount of time the Town had to perform a review of the plan. He commented that the issue at hand had to do with the Americans with Disabilities Act requirements and that this activity was taking place outside of the Town limits.

Council Member Wagner asked about the guardrail on West End Boulevard and spoke about his belief that this guardrail was dangerous and an emergency situation.

Mr. O’Neil answered that Staff had made multiple efforts to address the situation with the guardrail. He stated that neither the railroad or the County would take responsibility. He added that the Town did not have the jurisdictional ability to make an emergency order to remove the guardrail. but that he would reach out to Martin Count and FEC again to fix this dangerous situation.

Vice-President Gerold asked about the new signs at the front entrance of the Resort and commented that one of the crosswalk signs was turned the wrong way and another had blinking lights out.

Pam Orr, Town Clerk, confirmed that a resident had contacted the Town office to report that a sign was turned. She stated that she did not get a report about the non-blinking lights on the crosswalk sign.

Vice-President Gerold confirmed that the location for this crosswalk with blinking lights out was at the exit from the Resort. He added that the southern-most crosswalk sign was working properly.

Vice-President Gerold asked about the positions of the docks and whether the residents are allowed to get docks. He added that he believed that the Town should work with Sun regarding clarifying of the positioning of the docks.

Mr. O'Neil commented that with the installation of the first dock, there was a need for clarification of the location of the docks. He stated that all the docks should be properly located so that it did not interfere with future docks and remarked that this was up to Sun Communities.

Vice-President Gerold stated that there was also a question in the PUD amendment about location of docks, frontage of different lots, what the frontage was concerning common ground, and location of docks.

Attorney Crary stated that the Ordinance that was adopted left this to the discretion of Sun but that Sun had to comply with what DEP required.

Mr. O'Neil commented that the PUD Ordinance had exhibits that were approved by the Town Council as part of the amendment.

Attorney Crary stated that there was some concern about the actual determination of location of the docks and also the usage of the docks.

Mr. O'Neil remarked that the use of the dock was limited to the tenant of the unit and the boat had to be registered at that location; that the docks could not be loaned out to a friend. He added that Sun was the entity as to how this was managed and commented that Attorney Crary was diligent in getting the PUD amendment just right, in that Sun Communities must manage how this dock program works.

Attorney Crary stated that if Sun Communities does not manage the dock program, they would be in violation of the PUD.

Vice-President Gerold asked if the residents questioning the dock situation should deal with the Town or deal with Sun Communities directly.

Attorney Crary answered that residents should deal with Sun Communities about their rights because this was Sun's property and Sun had decided to allow some docks and to follow the State rules. Sun didn't have an exact location and what they gave the Council to approve was conceptual. He added that Sun Communities was tagged with dealing with the matter.

Ann Kagdis, Ocean Breeze resident, stated that Doug Smith, Commissioner for this district, had "Coffee with a Commissioner" in the Jensen Beach Community Center every two months. She added that everyone was invited and everyone would have an opportunity to bring up specific concerns. She added that the next meeting would be in July.

President De Angeles asked Attorney Crary about more than one Council Member attending such a meeting but taking care that they do not discuss Town business.

Attorney Crary answered that they can be at the same meeting but he saw it as problematic.

Mayor Ostrand suggested rotating Council Members as it related to attending these meetings.

7. Comments from the Council on topics not on the Agenda - There were none.

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

Janet Galante, Ocean Breeze resident asked what measures were being taken to include the residents at the new Seawalk development. She asked about posting the Town meetings in that community.

Pam Orr, Town Clerk, answered that the meetings are posted on the Town's website and that she had been in touch with their property management office to let them know about the Town's meetings.

Kim Stanton advised that during budget season, all the meetings were posted on the mailbox kiosks at Seawalk.

President De Angeles answered that he had visited Seawalk several times and met with management to let them know that they are a part of the Town of Ocean Breeze.

9. Comments from Mayor Ostrand – Mayor Ostrand stated that she thought we should ask if we could post meetings by the pool house. She spoke about the ages of the population at Seawalk. She spoke about having a workshop to discuss Town meeting times. She added that perhaps next month a discussion could take place to set a date for a workshop to change the meeting times so that everyone could participate.

10. Announcements – President De Angeles announced the regular Town Council meeting to be held on Monday, July 12, 2021 at 10:30 am at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze, Florida.

11. Adjourn – Council Member Wagner, seconded by Vice-President Gerold, made a motion to adjourn the meeting at 12:10 p.m.

Respectfully Submitted,

Pam Orr
Town Clerk

Minutes approved: July 12, 2021