

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, October 11, 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, 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, Maria Pierce

2. **Approval of Minutes** – Council Member Arnold, seconded by Council Member Wagner, made a motion to approve the minutes of the September 13, 2021 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

3. **Resolution #319-2021 – A RESOLUTION OF THE TOWN OF OCEAN BREEZE, FLORIDA, ADOPTING THE TOWN OF OCEAN BREEZE CAPITAL ASSET POLICY, PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.** – Town Clerk, Pam Orr, read into the record the title of Resolution #319-2021.

Council Member Wagner, seconded by Council Member Arnold, made a Motion to approve Resolution #319-2021.

President De Angeles asked for public comment.

There was none.

Roll Call Vote: Yes: Locatis, Arnold, Wagner, Gerold, De Angeles & Docherty; No: None; Motion Passed: 6 – 0

4. **Resolution #320-2021 – A RESOLUTION OF THE TOWN OF OCEAN BREEZE, FLORIDA, ADOPTING THE MOST RECENT VERSION OF THE MARTIN COUNTY UNIFIED LOCAL MITIGATION STRATEGY PLAN DATED OCTOBER 8, 2020 AS THE OFFICIAL DOCUMENT FOR THE TOWN’S INCLUSION IN THE STATE-WIDE HAZARD MITIGATION STRATEGY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.** – Town Clerk, Pam Orr, read the title of the Resolution into the record.

Mr. O’Neil explained the reasons for adopting the Resolution.

Council Member Wagner, seconded by Council Member Arnold, made a motion to approve Resolution #320-2021.

President De Angeles asked for public comments.

There were none.

Roll Call Vote: Yes: Docherty, Locatis, Wagner, Gerold, Arnold & De Angeles; No: None; Motion Passed: 6 – 0

5. Discussion of Changing the Time for the Town Council Meetings – Kevin Docherty

Council Member Docherty stated that he wanted Council to discuss the option of changing the Town Council Meeting time from 10:30 am to 5:00 pm or later. He explained that he felt that there would be more participation if the Regular Town Council meeting was held in the evening.

Council Member Docherty made a motion to change the Town Council Meetings from 10:30 am to 5:00 pm.

Vice-President Gerold asked if the Town Charter would need to be amended to adjust the meeting times.

Town Management Consultant Mr. O'Neil stated that the time could be changed by an ordinance, but that two public hearings would need to be held prior to approving.

Council Member Locatis commented that he had spoken with various residents and the consensus was that the Seawalk residents attended the recent budget meetings because the meetings were regarding the Town budget and the millage rate. He commented that these meetings are mandated to take place at 5:01pm and that he didn't believe there were any benefits to moving the Regular Town Council meeting time.

Council Member Arnold concurred with Council Member Locatis.

Council Member Wagner agreed with both Council Member Locatis and Council Member Arnold.

Mayor Ostrand stated the importance of discussing the matter especially in light of the fact that there were working residents of the Town who are interested in running for Council, but were not willing because the current Town meeting time interfered with their work schedule. She added that the meetings, typically, were generally over within one hour.

Vice-President Gerold informed the Council about the other cities and their meeting times.

Deirdre Henry, Ocean Breeze Resort, stated her concerns regarding paying staff overtime to attend evening meetings and agreed with Council Member Locatis.

President De Angeles asked for a second.

Motion failed due to lack of a second.

6. Comments from the public on topics not on the agenda – Jay Spicer, Martin County Fair Manager, provided background information on the current programs that the fair was providing to encourage youth to get involved with various areas of farming, etc. Mr. Spicer, asked for the Town's support in funding to get the new fair grounds infrastructure in place.

Discussion ensued regarding how the Town could support the new fairgrounds.

President De Angeles asked for further public comment.

There was none.

7. Comments from the Council on topics not on the agenda – Council Member Wagner asked if the speed bumps that are being installed on the roadways within the Resort need to be engineered to allow for proper stormwater flow. He shared his concern about the size of the speed bumps and water run-off.

Mr. O’Neil stated that the Town would look into the matter; and added that speed bump construction would require a permit from the Town.

Discussion ensued regarding installation of speed bumps within the Resort and the certain pass-through costs of amending the PUD.

President De Angeles asked for further comments from the Council.

Council Member Locatis asked about the information in the packet regarding the exit onto Skyline from the Publix plaza.

Discussion ensued regarding the exit onto Skyline from the Publix plaza, information from Lisa Wichser, Martin County Engineering Department, and South Street traffic issues.

8. Comments from Town Management Consultant, Terry O’Neil – Mr. O’Neil provided an update on the American Rescue Plan Act (ARPA) funding that was forthcoming to the Town. He explained that the agreement had to be signed by October 21, 2021. He added that he did not recommend accepting the grant because the Town had little to no means to implement, and there were unknowns as far as the relationship with the County should the Town turn over their grant dollars to them. He stated that an action should be made as to whether to accept these dollars.

Discussion ensued regarding legal implications, liability and turning over the funds to Martin County.

Attorney Crary explained that the non-entitled dollars in which the Town would be afforded would flow through the State of Florida. He remarked that the State was requiring the Town to sign the contract that would pass all the risks and burdens on to the Town. He added that he had contacted the County Attorney and she explained to him that the County would not take on any of the risks associated with accepting the ARPA funds. He explained that if the funds were not spent exactly as laid out in the contract, the Town would have to return the funds. He referred the Town Council Members to his memo in the packet. He stated that the terms were very ambiguous, conflicting with loads of accounting requirements. He explained that if the Town signed the contract, they would be accepting the first payment along with all of the unknown implications.

Discussion ensued regarding the ARPA funds disbursement, federal laws, where the funds would go if the Town did not sign the contract, etc.

President De Angeles proposed that the Council make a motion to not accept the funds.

Discussion ensued all the unknowns regarding the funds.

Council Member Wagner, seconded by Council Member Locatis, made a motion to not execute the ARPA agreement at this time in light of the uncertainties involved.

Roll Call Vote: Yes: Wagner, De Angeles, Locatis, Arnold, Docherty, Gerold; No: None; Motion Passed: 6 – 0

9. Comments from Mayor Ostrand – Mayor Ostrand stated she felt that Council should pick-up their Council packets at the Town office rather than having staff deliver them.

President De Angeles suggested that staff would email the Mayor and Council Members when the packet was available for pick up.

Mayor Ostrand spoke about the importance of the Council keeping up with the Florida League of Cities email updates. She also informed the Council that home owners' insurance for the mobile homes located within the Resort was becoming increasingly difficult to obtain; therefore, she had spoken to Representative Toby Overdorf, Senator Gayle Harrell and Senator Debbie Mayfield about this problem. She continued to explain that she had learned some of this increase was due to roofing fraud. She informed the Council that she would be attending the Legislative meeting on November 4th, and would continue to address this issue. Mayor Ostrand informed the Town Council that this was City Government Week and pens were provided by Florida League of Cities to give out.

10. Announcements – President De Angeles announced the Regular Town Council Meeting Monday November 8, 2021 to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze, Florida.

11. Adjourn – Council Member Arnold, seconded by Council Member Wagner, made a motion to adjourn the meeting at 11:40pm.

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: November 8, 2021