

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, March 14, 2022, 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 Clerk, Pam Orr
Staff Absent: Town Attorney, Rick Crary

2. Approval of Minutes – Mayor Ostrand asked that a correction be made to minutes of the February 14, 2022 meeting; page 4, second paragraph to reflect that she asked for West End “not” to be one-way southbound; therefore, the Minutes were to reflect that she said one-way north-bound.

Council Member Locatis asked that a correction be made to the minutes of the February 14, 2022 meeting; page 2, fourth paragraph to reflect that he did not believe traffic entering a two-lane round-a-bout would be a problem and he further explained his reasoning for his remark.

Town Clerk, Pam Orr, stated that the minutes would be corrected.

President De Angeles asked for further additions, corrections or deletions.

There were none.

Council Member (inaudible), seconded by Council Member Arnold, made a Motion to approve the Minutes with the corrections.

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

President De Angeles asked for public comments regarding the minutes.

There were none.

3. Proclamation – Mayor Ostrand read into the record the Problem Gambling Awareness Month Proclamation.

Council Member Wagner, seconded by Council Member Docherty, made a Motion to approve the Town’s Problem Gambling Awareness Month Proclamation.

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

4. Update on FEC/County Improvements at Jensen Beach Blvd. and West End Blvd. – Mr. O’Neil stated that at last month’s Town Council meeting, it was made clear that the consensus was that the traffic on West End Blvd. should be one-way northbound. He commented that as a result of the Council vote that a letter was prepared to send to the County Commission Chair and Commissioners, the railroad, Martin County Engineering, Sun Communities, in which the request was relayed. He stated that the County had reported to staff that they had the letter, but at this time, there was nothing to report. He added that he had asked the Town’s Engineer, Scott Montgomery, to take a look at the design and consider the concerns of the residents and the council. He remarked that in the today’s packet there was a letter of opinion from Mr. Montgomery in which he fully agreed that northbound traffic was more appropriate along with some technical issues that staff believed

the County should take into consideration. He reported that there was no traffic accident data for the round-about the past two years. He referred the Council to an email from Mr. Ryan White in which he confirmed that the decision by the railroad to construct the round-about with southbound traffic was at the request of the County.

Janet Galante reminded the Town Council that she had suggested the possibility of a traffic light because making a left onto Indian River Drive at the main Resort entrance was difficult. She asked again that during any feasibility studies, a traffic light at that entrance be studied.

Mr. O'Neil responded that the first option would be to get the traffic direction on West End Boulevard changed. He assured her that the traffic light at the main entrance was not forgotten and that he had spoken to the Town's Engineer about it.

President De Angeles asked for further questions or comments.

Cathy Berry asked about a petition to show the sincere concern of the residents of Ocean Breeze.

Janet Galante stated that she had a petition and anyone wishing to sign it could meet with her after the Town Council meeting.

Mayor Ostrand commented that she and Janet Galante attended a County Commission meeting in which this matter, and the dangers associated with it, was brought up to the Commission.

(Unknown) asked when it was decided to make West End Boulevard a one-way south bound.

Mayor Ostrand answered that the Town was not notified until the last minute when the railroad track was being closed. She stated that the Town knew it was going to be a one-way and that the Town had relayed their preference for West End to be northbound. She added that the Town wrote letters asking for studies to be done back in 2020.

(Unknown) asked why the wheel was being reinvented at this time.

Mayor Ostrand answered that was not the case. She added that there had been letters written and Mr. O'Neil spoke to the railroad representatives. She commented that the railroad representatives stated that the matter was with the County.

Mr. O'Neil stated that the Mayor was correct and that the record showed that the Town's involvement dated back more than eighteen months. He commented that there were letters sent to the County Commission insisting that they hold public meetings because the Town residents were also County residents. He stated that working with the railroad could be difficult and that the County had spent 9 million dollars on legal action against the Brightline project. He continued that West End Boulevard was a County road and the County issued the permits so the County was the entity the Town needed to work with to make a change.

Vice-President Gerold confirmed that everyone knew West End was going to be a one way street, but that the plans did not become available until the Friday before the last Town Council meeting and added that the Town had been requesting the plans.

Council Member Arnold explained that the Resort owned the road down to Maple and the remaining section of West End Boulevard belonged to the County.

Council Member Wagner added that the Town Council had a history of complaining to the County about the safety and danger that existed on West End Boulevard; such as the guardrail issue and making a right-turn onto West End Boulevard. He added that from the traffic circle with pedestrians in the crosswalk, vehicles could be trapped on the track. He stated that the Town had a long history of attempting to have these items resolved.

Discussion ensued regarding West End Blvd. being a County road, pedestrians, parked cars along West End and dangers and safety issues.

Mayor Ostrand commented that when she was in Tallahassee, she spoke with the area representative and State Senator to let them know about this challenge and problem concerning the Town. She added that when she told them about the dangers, they stated that they would look into the matter.

Council Member Locatis confirmed that various letters were sent to the Martin County Commissioners asking that the Town have some input on the topic. He added that the responses are all the same "this was a railroad project; we have nothing to say about it, etc". He commented that the last letter was from Harold Jenkins, Commission Chair, stating that this was not a County project and the project was designed by Brightline. He added that Commission Chair Harold Jenkins stated that it would be in the best interest of Ocean Breeze to interject themselves into this project. He commented that he did that by speaking with Katie Mitzner, the Director of Public Affairs at Brightline. He added that her final answer to him was "the one-way in layout was preferred by Ocean Breeze" of which he stated was an untruth." He added that he believed the County was at fault.

Janet Galante suggested writing a letter documenting that the Town would like some police presence at the round-about and West End Blvd. to make sure that the quality of life was insured and in the event that someone was killed or maimed that it was on record that the Town had asked for police support. She stated that they had paid for thirty days of deputies at Skyline Drive and it might behoove the Town to have that on the record.

President De Angeles asked Mr. O'Neil if that was appropriate action for the Town Council.

Mr. O'Neil answered that he believed that the Town could convey that sentiment and that the Town did have a liaison relationship with the sheriff's department. He added that the Town could relay to the sheriff's department liaison that at the Town Council meetings, Town residents were concerned about that intersection and they did not believe that it was safe. He continued that the Town could alert them and ask them to be cognizant and suggest that they be watching the area to see how difficult it was. He stated that he did not believe another letter should be written, but that the Town could get this matter on the record with the Sheriff's Department. He added that it was up to the Council and that it should be directed to the Sheriff himself.

Vice-President Gerold stated that the Town had asked the Sheriff's Department to do a traffic study on West End Blvd. and that it was conducted during the summer instead of during "season." He asked if the Council could ask the Sheriff's Department to conduct a car count on Maple Street.

Mr. O'Neil answered "yes;" and that the Town's engineer could provide some technical information.

Vice-President Gerold stated that it would be interesting if this could be added into a letter to specify if the Sheriff's Department could do the study before the end of the season.

Council Member Locatis asked if it would make sense to share the contents of the "neighbor to neighbor" publication with the local Sheriff liaison stating that people are almost getting rear-ended as they pull onto the

tracks; he added that a lot of people had been complaining that it was a safety issue and if the Town went to the Sheriff's Department, the Town might get the County to listen.

Council Member Wagner commented that it would be a simple fix to make the road one-way north, and all of these problems would disappear.

Mr. O'Neil remarked that the meeting was well attended and stated that the Town Council could send a letter expressing the concern of everyone in attendance about using Maple Street. He noted nodding heads and he reiterated that he would relay that there was a problem.

Mayor Ostrand asked about the railroad guard rails and that there was no gate for the pedestrians and that they could walk out onto the track.

Council Member Arnold answered that there was a pedestrian gate on "this" side, but he did not know about the "other" side.

Council Member Docherty answered that there was no gate on the "other" side and that there was no sidewalk.

President De Angeles asked Mr. O'Neil to meet with Council Member Locatis and draft a letter regarding these positions.

Council Member Locatis answered just the current issues and not the history of how the Town has been ignored for a year and a half.

President De Angeles stated that it could be a P.S.

Council Member Locatis stated that he would to do that.

President De Angeles asked for a motion to direct Mr. O'Neil to work with Council Member Locatis regarding a letter to the County.

Council Member Wagner, seconded by Council Member Arnold, made a motion to give Mr. O'Neil permission to communicate as he saw fit.

President De Angeles asked for public comment.

There was none.

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

5. Comments from the public on topics not on the agenda – (unknown) asked about an issue regarding Cindy Walters' letter regarding the infrastructure for the plumbing and sewage at the north end of the Resort. She asked about the lift station and the odors it emitted and asked if the lift station could be included in the engineering with the sewers and the water. She asked if there were a way to work with the County to mitigate the odor.

Mr. O'Neil answered that the lift station was a regional lift station operated by Martin County and that they were entirely responsible for its operation and odor control. He added that there were odor problems from time to time and that the Town could notify Martin County Utilities that the Town had complaints about odors, and he stated that it was their responsibility to make sure their equipment was operating properly; he added that staff would follow-up on that issue.

(unknown) asked if these efforts could be coordinated with Sun Homes because they are working on the sewers in the Resort.

Mr. O'Neil answered that Sun Communities was making some improvements to the privately owned waste system, but that typically, the odor problems are a result of the lift station operation. He added that the Town would check with Sun but that he was almost certain that the odor problems were the County's to resolve.

(unknown) stated that her point was that if Sun Homes was working around the lift station, it would make sense to her to coordinate the two projects.

Mr. O'Neil answered that the Town would make the County aware that Sun Communities was doing some line work.

(Dave) asked about Cindy Walters' email in which she referred to the Town of Ocean Breeze eagerly awaiting Sun's permit request.

Town Clerk, Pam Orr, answered that the Town had not yet received a permit.

Council Member Arnold answered that the Town was awaiting the plans and as soon as they were received the Town would expedite the permit.

Cathy Berry asked where the lines of division are as it related to the north end and south end of the Resort.

Vice-President Gerold answered that the north end started where the RV's were located.

Bonnie Landry introduced herself as the owner of Landry and Associates specializing in transportation and comprehensive planning.

6. Comments from the Council on topics not on the Agenda – There were none.

7. Comments from Town Management Consultant, Terry O'Neil – There were none.

8. Comments from Mayor Ostrand – Mayor Ostrand gave an update on the Legislative issues including sovereign immunity, public smoking, cyber security assistance program and grants, and tree protection.

9. Announcements – President De Angeles announced the regular Town Council meeting to be held Monday, April 11, 2022 at 10:30 a.m. at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze, Florida.

10. Adjourn – Council Member Wagner, seconded by Council Member Arnold, made a motion to adjourn the meeting at 11:13 a.m.

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

Respectfully Submitted,

Minutes approved:

Pam Orr
Town Clerk

April 11, 2022