

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, April 10, 2023
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 6:00 p.m.
 - Pledge of Allegiance – Mayor Ostrand led the Pledge of Allegiance
 - Roll Call – Present Mayor Karen M. Ostrand, President Kenneth De Angeles, Vice-President Bill Arnold, Council Members Kevin Docherty, Gina Kent, Liz Reese, Sandy Keblbeck-Kelley
 - Staff Present –Town Management Consultant, Terry O’Neil; Town Attorney, Rick Crary; Kim Stanton, Town Clerk; and Administrative Assistant, Shannon Roger
2. **Approval of Minutes** – Vice-President Arnold, seconded by Council Member Kent, made a motion to approve the minutes of the regular meeting of March 13, 2023.

President De Angeles asked for public comments. There were none.
All in Favor: Yes: De Angeles, Arnold, Reese, Kelley, Kent, Docherty; No: None; Motion Passed – 6-0

3. **Proclamation – National Donate Life Month Proclamation** - Mayor Ostrand read into the record the Proclamation for National Donate Life Month.

President De Angeles asked for a motion to approve the Proclamation.

Vice-President Arnold, seconded by Council Member Docherty, made a motion to approve the Proclamation.

President De Angeles asked for any additional comments from the public. There were none.
All in Favor: Yes: De Angeles, Arnold, Reese, Kelley, Kent, Docherty; No: None; Motion Passed – 6-0

4. FIRST READING: ORDINANCE NO. 336-2023 – AN ORDINANCE OF THE TOWN OF OCEAN BREEZE, FLORIDA, AMENDING SECTION ONE OF ORDINANCE #273-2017 THEREBY CHANGING THE DATE UPON WHICH NEWLY ELECTED TOWN OFFICIALS ARE SWORN INTO OFFICE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT, SEVERABILITY, APPLICABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk, Kim Stanton, read Ordinance No. 336-2023 into the record.

Town Management Consultant Terry O’Neil explained that the Ordinance was brought before the Town Council in January as a discussion. He stated that the Martin County Supervisor of Elections office assisted the Town with the elections by conducting the canvassing activities on the Town’s behalf. He continued that after last year’s election it became apparent that there was an insufficient turnaround time for the Supervisor of Elections to complete the canvassing activities, and the deadline for the Town to swear-in newly elected officials at the first meeting following the election. He added that this Ordinance moved the swearing-in date for newly elected officials to the Regular Town Council meeting in December, which would give the Town, and the Supervisor of Elections, ample time to complete their duties.

President De Angeles asked for a motion to approve Ordinance No. 336-2023.

Council Member Arnold, seconded by Council Member Kent, made a motion to approve Ordinance No. 336-2023.

President De Angeles asked for comments from the public. There were none.

Roll Call: Yes: Kelley, Reese, Kent, Docherty, De Angeles, Arnold; No: None; Motion Passed: 4-2

5. Approval of Proposed Budget Hearing Dates – President De Angeles presented the dates for the Proposed Budget Hearings.

- Budget Workshop and Setting Tentative Millage Rate, Wednesday, July 26 at 6:00 pm
- Proposed Budget and Tentative Millage Hearing, Wednesday, September 13, 2023 at 6:00 pm
- Final Budget and Millage Rate Hearing, Wednesday, September 20, 2023 at 6:00 pm

President De Angeles asked for a motion to approve the Budget Hearing dates

Vice President Arnold, seconded by Council Member Reese, made a motion to approve the Budget Hearing dates.

President De Angeles asked for comments from the public. There were none.

All in favor: Yes: De Angeles, Arnold, Docherty, Reese, Kelley, Kent; No: None; Motion Passed 6-0

6. Comments from the public on topics not on the agenda

Matthew Biondolillo, 2680 NE Breezeway Circle, addressed the Council and discussed the issue with his roof as it pertained to D. R. Horton's workmanship, and asked The Town Council for their ongoing support.

President De Angeles stated that Mr. Biondolillo had the Council's support. He then asked Town Management Consultant Terry O'Neil to comment.

Mr. O'Neil confirmed that the Town was fully aware of the units in Seawalk that had roof issues, and that he, along with Town Building Official Steve Nicolosi, had met with D. R. Horton and the roofer, and the Town's expectations had been conveyed. He remarked that the Town was waiting to see how D. R. Horton would respond. He remarked that the Town's obligation was to ensure that all work was done according to the Florida Building Codes. He continued that Florida law allowed D. R. Horton to hire their own plan reviewers and inspectors, and that the Town Building Official did not perform any of the building inspections, but was obliged to accept the certification from the firms hired by D. R. Horton.

Town Attorney, Rick Crary, commented that he met with a member of his law firm that had expertise in construction defects, and he would be available for legal counsel should the need arise.

President De Angeles asked the Council Members who were Seawalk residents for their comments.

Council Member Kelley commented that her home was a Delray Model, the same model as Mr. Biondolillo, but she was not experiencing any problems.

Discussion ensued regarding the warranty from the manufacturer on the roofs at Seawalk.

Council Member Reese stated that her home was an Aria model and had numerous roof leaks. She added that the leaks had been addressed and repaired.

Discussion ensued regarding roof leaks in Seawalk and D. R. Horton.

Town Attorney, Rick Crary, commented that anyone who had construction defects and legal questions about construction defects should consult their own attorney. He continued that the Town did not step in and act as legal counsel individually, but rather from the Building Department standpoint, and therefore could not offer legal advice.

President De Angeles encouraged Seawalk residents to speak with Town Management Consultant Terry O’Neil should they have any questions.

Discussion ensued regarding roof leaks in Seawalk.

President De Angeles asked if there were any other comments from the public. There were none.

7. Comments from the Council on topics not on the agenda – Council Member Kent commented that since many households had multiple cars, Seawalk was experiencing parking issues, and that the HOA limited the number cars per residence to two vehicles.

Town Management Consultant Terry O’Neil confirmed that the Town was aware of the parking issue and would be happy to assist the HOA and examine where there could be some overflow parking opportunities. He added that an amendment to the site plan and PUD would be necessary.

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

9. Comments from Mayor Ostrand – Mayor Ostrand stated that she recently attended The Florida League of Cities Legislative Action Week and spoke on several Legislative Bills. She then encouraged residents and Council members to contact their representative(s) should they have any questions or concerns on current legislation.

10. Announcements – The next regular Town Council Meeting will be held on Monday May 8, 2023 at 10:30 a.m. at the Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze.

President De Angeles asked for a motion to adjourn.

Vice President Arnold, seconded by Council Member Docherty, made a motion to adjourn.

Meeting adjourned at 6:33 p.m.

Minutes approved: _____