

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, February 13, 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 10:30 a.m.
 - Pledge of Allegiance – Council Member Kelley led the Pledge of Allegiance
 - Roll Call –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** – Council Member Arnold, seconded by Council Member Reese, made a motion to approve the minutes of the regular meeting of January 9, 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. **Budget to Actual – October 1, 2022 – December 31, 2022** – Vice President Arnold seconded by Council Member Kent made a motion to approve the Budget to Actual Report.

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

4. FIRST READING: ORDINANCE NO 331-2023 – AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE, FLORIDA CHANGING THE TIME OF REGULAR TOWN COUNCIL MEETINGS HELD ON THE SECOND MONDAY OF EACH MONTH DURING THE MONTHS OF JANUARY, APRIL, JULY, AND OCTOBER FROM 10:30 AM TO 6:00 PM, BUT RETAINING THE TIME FOR ALL OTHER REGULAR TOWN COUNCIL MEETINGS AT 10:30 AM; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Town Clerk, Kim Stanton read Ordinance No. 331-2023 into the record.

President De Angeles commented that should the Ordinance pass, including the budget meetings, there would be seven (7) evening meetings of the Town Council per calendar year

President De Angeles asked for a motion to approve Ordinance No. 331-2023.

Council Member Reese, seconded by Council Member Docherty, made a motion to approve Ordinance 331-2023.

President De Angeles asked for comments from the public.

Terry Locatis, 3 Nautical Drive, stated that he conducted an informal survey of Ocean Breeze Resort residents regarding holding evening Regular Town Council meetings. He remarked that the results showed that they were opposed due to the residents have other engagements. He continued that he was approached by Marie, an employee of Sun Communities, who manages events. She asked him to pass along her concerns regarding scheduling the evening meetings at the Clubhouse, as they could create scheduling conflicts with Resort events as well as staffing.

Council Member Kent commented that Sun Communities had stated that the Clubhouse was available for evening meetings, as there were no events scheduled.

Town Clerk, Kim Stanton, stated that she confirmed the Clubhouse availability with Sun Communities as soon as the evening meetings were proposed.

Deirdre Henry, 107 NE Bay Drive, stated that she supported what was said by Mr. Locatis.

Richard Gerold, 29 Nautical Drive, commented that the change in meeting times seemed very drastic, and that the residents with whom he had spoken would not be attending; nor would he as they typically had plans in the evening.

Council Member Kelley remarked that there would only be four Regular Town Council evening meetings per year taking place at 6:00 PM in January, April, July, and October. She added that the change in meeting time was to accommodate all residents of the Town, not solely Seawalk.

President De Angeles asked for a motion to approve the first reading of Ordinance 331-2023.

Council Member Docherty, seconded by Council Member Reese, made a motion to approve the first reading of Ordinance 331-2023.

Roll Call: Yes: Docherty, Kent, Reese, Kelley, Arnold; No: De Angeles; Motion Passed: 5-1

5. Discussion of recent instances of trespass, vandalism, and other infractions within the Town –

Council Member Kelley stated that the Seawalk Community and Ocean Breeze Plaza had been experiencing issues of trespassing and vandalism. She remarked that last week she attended a meeting with Mayor Ostrand, Terry O'Neil, and Deputy Andy Adams of the Martin County Sheriff's Department to discuss how best to address the ongoing incidents. Additionally, she invited two tenants of Ocean Breeze Plaza, Kate Pope owner of The Scoop and David Ashley manager of Publix Supermarket, to address the Town Council regarding incidents of harassment at Ocean Breeze Plaza.

David Ashley of Publix and Kate Pope of The Scoop addressed the Town Council and described the incidents of harassment at Ocean Breeze Plaza.

Discussion ensued regarding recent incidents of harassment and vandalism in Seawalk and Ocean Breeze Plaza.

Council Member Reese asked Mr. O'Neil if the taxes that were paid to Martin County paid for the Martin County Sheriff's Department.

Mr. O'Neil confirmed that taxes paid to Martin County paid for the Martin County Sheriff's Department.

Council Member Reese commented that she did not believe that the Sheriff's Department was patrolling Seawalk. She added that the HOA had recently installed a feature at the gates for emergency access and stated that the service from the Sheriff's Department was less than responsive.

Mr. O'Neil stated that The Seawalk Community had a patrol agreement with The Martin County Sheriff's Department.

Discussion ensued regarding patrols by Martin County Sheriff's Department.

President De Angeles asked Mr. O'Neil the details of the Patrol Agreement between the Seawalk HOA and the Martin County Sheriff's Office.

Mr. O'Neil stated that he was made aware of the agreement during the meeting with Deputy Adams of the Martin County Sheriff's Department. He added that the Sheriff's Department also patrolled Ocean Breeze Resort.

Council Member Docherty asked Mr. O'Neil if the patrols were scheduled for a particular time of the day.

Mr. O'Neil responded that a schedule was not mentioned during the meeting.

Discussion ensued regarding Martin County Sheriff's patrols in Seawalk.

Vice-President Arnold asked Mr. O'Neil to make a formal request for a report of patrols by the Martin County Sheriff's Department in the Town of Ocean Breeze.

Mr. O'Neil stated that the Town would make the Sheriff aware of the nature of the discussion at today's meeting as well as send him a copy of the minutes.

Mayor Ostrand commented that she agreed with Council Members, that a request for a report should be made.

6. RESOLUTION NO. 333-2023 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE, FLORIDA, AUTHORIZING BUDGET AMENDMENT #1 TO THE GENERAL FUND BUDGET IN THE AMOUNT OF \$10,000.00 FOR THE PROVISION OF ADDITIONAL PATROL SERVICES BY THE MARTIN COUNTY SHERIFF'S DEPARTMENT, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Town Clerk, Kim Stanton, read Resolution No. 333-2023 into the record.

President De Angeles asked the Council for comments.

Council Member Kelley asked if the additional patrol services could be scheduled based on the days of previous incidents. She added that the incidents typically took place on Fridays, Saturdays, and Sundays.

Mr. O'Neil stated that after the Town signed up for additional patrols, Town staff would request guidance from the Sheriff's Department for the best time to schedule the additional patrols.

Council Member Docherty stated that he agreed with Mr. O'Neil regarding scheduling the additional patrols. He added that he agreed with the need for additional patrols not only for the safety of residents, but also for the business owners and employees of Ocean Breeze Plaza.

President De Angeles asked for a motion to approve Resolution No. 333-2023.

Vice President Arnold, seconded by Council Member Reese, made a motion to approve Resolution No. 333-2023.

Roll Call: Yes: De Angeles, Reese, Kent, Kelley, Arnold, Docherty; No: None; Passed 6-0

7. **Comments from the public on topics not on the Agenda** – David Ashley manager of Publix Supermarket thanked the Council Member Kelley for inviting him to the meeting and added that he would keep the Town Council informed should any further incidents occur at Ocean Breeze Plaza.

8. **Comments from the Council on topics not on the agenda** – There were none.

9. **Comments from Town Management Consultant Terry O’Neil** – Mr. O’Neil explained Resolution No. 334-2023 and the necessity of securing an independent Landscape Architect to review the installation of landscaping in common areas and elsewhere in the Seawalk community. He went on to discuss the PUD, the obligation of the Town regarding the PUD, and the close-out of the infrastructure at Seawalk.

Council Member Kent asked Mr. O’Neil if he was aware that Seawalk had a new property management company.

Mr. O’Neil confirmed that he was aware of the new property management company.

10. RESOLUTION NO. 334-2023 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE, FLORIDA AUTHORIZING BUDGET AMENDMENT #2 TO THE GENERAL FUND BUDGET IN THE AMOUNT OF \$2,405.00 TO SECURE INDEPENDENT LANDSCAPE ARCHITECT REVIEW CONSULTING SERVICES PERTAINING TO THE CLOSE-OUT OF THE SEAWALK RESIDENTIAL SUBDIVISION PROJECT; PROVIDING FOR AN EFFECTIVE DATE, AND FOR ALL OTHER PURPOSES.

Town Clerk, Kim Stanton, read Resolution No. 334-2023 into the record.

President De Angeles asked for questions from the Council.

Vice President Arnold asked Mr. O’Neil if the purpose of securing an independent Landscape Architect was to review the current Landscape plans.

Mr. O’Neil explained that the Landscape Architect would review the Landscape plans and also review the actual landscape to ensure the work done reflected the plans.

President De Angeles asked for a motion to approve Resolution No. 334-2023.

Council Member Kelley, seconded by Council Member Docherty, made a motion to adopt Resolution No. 334-2023, including the proposal by Michael Flaugh.

President De Angeles asked for comments from the public. There were none
Roll Call: Yes: Arnold, De Angeles, Kelley, Kent, Reese, Docherty; No: None; Passed: 6-0

11. RESOLUTION NO. 335-2023 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE, FLORIDA AUTHORIZING BUDGET AMENDMENT #3 TO THE GENERAL FUND BUDGET IN THE AMOUNT OF \$5,000.00 TO SECURE MECHANICAL ENGINEERING CONSULTING SERVICES PERTAINING TO SEAWALK HOME AIR CONDITIONING SYSTEMS; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Town Clerk, Kim Stanton, read Resolution No. 335-2023 into the record.

Vice President Arnold asked if there were individual building plans for every home in Seawalk.

Mr. O'Neil confirmed that there were individual plans for every home in Seawalk and inspections were completed. He added that the builder used their engineer to review the plans and a private provider to perform the inspections. He went on explain that there were persistent complaints from Seawalk homeowners, and the Town needed technical guidance to assist with the issue.

Council Member Kent asked Mr. O'Neil if the Seawalk HOA can assist with any of the issues brought forth by homeowners.

Mr. O'Neil responded that the Town was specifically addressing the problems with the air conditioning units and insulation. He added that the Town's obligation was to determine if the problem with the air conditioners was a building code issue. He continued that the Town was not required to do any more than what the building code required. If the Mechanical Engineering Consultant and the Town Building Official determined that there was code issue, or a deficiency in the air conditioning system due to a building code issue, the necessary parties would need to address it.

President De Angles asked for a motion to adopt Resolution No. 335-2023.

Vice President Arnold, seconded by Council Member Kent, made a motion to adopt Resolution No. 335-2023 including authorization for the Mayor to contract with the firm of Wojcieszak & Associates in an amount not to exceed \$5,000.00 and in a form acceptable to the Town Building Official and Town Attorney; or, should contract not be reached with Wojcieszak & Associates, authorization for the Mayor to contract with a similarly qualified firm.

President De Angeles asked for questions from the public. There were none.
Roll Call: Yes: Docherty, Reese, Arnold, De Angeles, Kelley, Kent; No: None; Passed: 6-0

12. Comments from Mayor Ostrand. There were none

13. Announcements – Regular Town Council Meeting - Monday, March 13, 2023 at 10:30 AM to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze.

President De Angles asked for a motion to adjourn.

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

Meeting adjourned at 11:38 AM

Minutes approved: _____

respectfully submitted
Kim Stanton, Towns Clerk

March 13, 2023