

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, January 13, 2025, 6:00 p.m.
Ocean Breeze Resort Clubhouse, Pineapple Bay Room
700 NE Seabreeze Way, Ocean Breeze, FL

1. Call to Order – President Docherty called the meeting to order at 6:00 p.m. and asked for a moment of silence for the Los Angeles fires.

- Pledge of Allegiance – Mayor Ostrand led the Pledge of Allegiance
- Roll Call – Present: Mayor Karen M. Ostrand; President Kevin Docherty; Vice President Sandy Kelley; Council Members George Ciaschi, Janet Galante and Matthew Squires; Absent: Council Member Michael Heller
- Staff Present – Attorney, Gemma Torcivia; Attorney Consultant, Paul Nicoletti; Permit Processor, Pam Orr; Town Clerk, Kim Stanton

2. Approval of Minutes – Council Member Galante, seconded by Vice President Kelley, made a motion to approve the Minutes of the December 9, 2024, Regular Town Council Meeting.

President Docherty asked for comments from the public.

There were none.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Squires; No: none; Absent: Heller; motion passed 5-0)

3. Request Approval of Proclamation Honoring Martin County First Responder, Master Deputy Sheriff Dawn Ferris – Vice President Kelley, seconded by Council Member Squires, made a motion to adopt the Proclamation.

President Docherty asked for comments from the public.

There were none.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Squires; No: none; Absent: Heller; motion passed 5-0)

Council Member Galante introduced Master Deputy Sheriff Dawn Ferris.

Mayor Ostrand presented Master Deputy Sheriff Dawn Ferris with the Proclamation.

4. Presentation by Amy Walker, Helpline Director ~~Dwight Chenette, CEO of the Area Agency on Aging, Palm Beach/Treasure Coast, Inc.~~ – Council Member Ciaschi introduced the item, which was presented by Amy Walker, Helpline Director of the Area Agency on Aging, Palm Beach/Treasure Coast, Inc. She took questions from the Town Council.

5. RESOLUTION #358-2025 A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE APPROVING A STIPULATION AGREEMENT WITH NHC-FL143, LLC, AND SUN COMMUNITIES FOR COMPLETION OF THE OCEAN BREEZE EAST COMMERCIAL PLANNED UNIT DEVELOPMENT, KNOWN AS THE OCEAN BREEZE RESORT; AND PROVIDING FOR AN EFFECTIVE DATE – Attorney Paul Nicoletti explained the Stipulation Agreement. He commented that paragraph 16 should read “Lots 91 and 92” and that Attorney Raynes, Attorney Torcivia and himself initialed the document as a correction and added that the document would be signed by the principals at Sun Communities. He recommended approving Resolution #358-2025 which

included the Stipulation Agreement. He took questions from the Council. He also replied to a question regarding tolling extensions and added that he believed the Stipulation Agreement functioned as a waiver against tolling extensions. He took questions from the Council Member Ciaschi regarding fire protection, phase 2, safety of drinking water, sanitary sewer system, streetlights, release of building permits, fines and executive order tolling extensions. Council Member Galante asked a question regarding the possible sale of the property.

Residents voiced their questions, comments and concerns which included: accessibility of meeting documents, inadequate fines, fire hydrants, possible sale of property, executive order tolling extensions, placement of RVs, issuance/release of building permits, and inadequacy of the Town's audio system.

Attorney Bob Raynes, representing Sun Communities, stated that he did not believe that executive orders applied to stipulation agreements, but to development orders. He added that the statute had changed and that he was not sure if the executive orders would apply to this Stipulation Agreement or if they would be available anymore.

Attorney Nicoletti stated that the Town had not conceded the point that Sun was entitled to the (tolling) extensions because the Town considered there to be violations of the PUD.

Mayor Ostrand stated that she believed this was a good stipulation agreement.

Council Member Ciaschi voiced his concerns regarding the \$500 per day fine, and Sun Communities completing the work outlined in the Agreement.

Town Clerk, Kim Stanton, read the title of Resolution #358-2025 into the record.

Residents continued to voice their questions, concerns, and comments which included: Lots #91 and #92, and ownership of property from Carefree to Sun Communities.

Vice President Kelley, seconded by President Docherty (who handed over the gavel to Vice President Kelley), made a motion to adopt Resolution #358-2025 with the changes to Lot 91 and 92 as discussed.

President Docherty (who took back the gavel) asked for comments from the public.

Residents continued to voice their questions, concerns, and comments including an opinion that the Resolution should not be passed.

Attorney Torcivia spoke about the goal of the settlement agreement and spoke about certain issues within the agreement. She stated that in her legal opinion, the agreement was a good one. She commented that Sun Communities knew that the Town would hold them to task. She further explained the benefits of the Stipulation Agreement.

Discussion ensued.

Attorney Nicoletti spoke about the closeout process and the importance of passing the Resolution.

Discussion ensued.

(Roll call vote: Yes: Squires, Galante, Docherty, Ciaschi, Kelley); No: None; Absent: Heller; Motion passed 5-0)

6. RESOLUTION #357-2025 A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE, FLORIDA URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE 2025 FLORIDA LEAGUE OF CITIES' LEGISLATIVE PLATFORM –
Mayor Ostrand spoke about the Florida League of Cities' 2025 legislative platform priorities.

Council Member Galante, seconded by Council Member Squires, made a motion to adopt Resolution #357-2025.

(Roll call vote: Yes: Galante, Squires, Docherty, Ciaschi, Kelley; No: None; Absent: Heller; Motion passed 5-0)

7. Review of Board and Agency Memberships / Appointments – The Board and Agency Memberships / Appointments were reviewed, and the following actions were taken: Item #6) Treasure Coast Council of Local Governments, Council Member Docherty volunteered to serve as primary representative and Council Member Ciaschi volunteered to serve as the alternate. Item #10) Martin Metropolitan Planning Organization Technical Advisory Committee (TAC), Council Member Squires volunteered to attend meetings and Vice President Kelley volunteered to serve as the alternate. Item #11) Martin Metropolitan Planning Organization Bicycle and Pedestrian Advisory Committee, Council Member Galante volunteered to attend meetings. Item #12) Martin County/Jensen Beach Community Redevelopment Area (CRA) Neighborhood Advisory Committee (NAC), Vice President Kelley volunteered to attend meetings and Council Member Galante volunteered to attend as alternate.

Council Member Galante, seconded by Council Member Squires, made a motion to approve the actions taken.

President Docherty asked for comments.

There were none.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Squires; No: None; Absent: Heller; Motion passed 5-0)

8. Comments from the public on topics not on the Agenda – There were none.

9. Comments from the Council on topics not on the Agenda – Council Member Galante recommended honoring a first responder for the month of February 2025.

Mayor Ostrand asked that a policy be brought forth at the February 10th, 2025, meeting and added that the recipient could be honored in March.

Council Member Galante asked the Town Council to engage a conversation with Martin County to discuss engaging in a traffic study for Indian River Drive and added that she had mentioned the matter as a resident several years ago. She commented that with the influx of people it was difficult to leave the Resort safely. She asked that the Town conduct a traffic study with Martin County and possibly add a traffic signal.

Pam Orr, Permit Processor, stated that Jim Gorton, Public Works Director for Martin County, was scheduled to speak at the next Town Council meeting.

Council Member Galante stated that the last Friday in January was Arbor Day in Florida and asked that an item be placed on next month's Agenda to discuss having an Arbor Day celebration. She added that she discussed the matter with the Mayor and that she was aware that the Town did not own any property, and, the Town would need permission from a property owner to plant a tree.

President Docherty stated that the item could be put on (the next Agenda) for discussion.

President Docherty asked for further comments from the Council.

President Docherty spoke about the Florida League of Cities Committee meetings and the Treasure Coast Council of Local Governments. He added that he was inviting Congressman Brian Mast to attend a 6:00 pm Town Council meeting.

10. Comments from Town Attorney, Gemma Torcivia, and (Close-out Attorney) Paul Nicoletti

President Docherty thanked Sun Communities for installing the new bench and waste receptacle. He added that the debris pile along West End Boulevard had been removed by Martin County.

11. Comments from Mayor Ostrand – Mayor Ostrand spoke about Mr. O’Neil’s letter (dated December 5, 2024). She stated that he had requested to remain on contract but not be on “day to day” as before. She added that he would be able to be contacted by telephone or email for questions. She commented that for the next couple of months, the Town would see how this arrangement worked and that if, after that time, he felt that he could assist the Town... She said that the Town was going to see how this worked out in the next couple of months and then, talk to the Council further. She added that he would consult with the Town and that the Town could then look for someone to collaborate with him on the things for which he did not have time.

Permit Processor Pam Orr commented that the staff had worked with Terry for many years when he worked full time at the City of Stuart, and it worked well.

Mayor Ostrand stated that Terry left things open when she last spoke to him and that he said after two months, he would make a decision.

Attorney Torcivia discussed her Memorandum regarding ADA compliance with the Town’s accommodation for public meetings which was included in the informational section of the packet.

Mayor Ostrand asked for a workshop to discuss the Town’s future, a five-year plan to consider what the Town would like to do, how the Town would like to grow and the ideas of the Town Council. She stated that the workshop could be after the next meeting and added that she would like the meeting to take place before the budget meetings (because the matter would need) to be studied by the accountant so that plans could be made. She said that she and the Town Council should produce three priorities. She stated that the next meeting was a morning meeting, and the workshop could be held right after the meeting which would allow her and the Town Council to bring it forward the following month...and, have two or three months of getting it in order and to write a visionary plan. She invited everyone to attend to take part in the ideas for the future of the Town.

President Docherty stated that this was a good idea. He asked for a line to be added to future Agendas under comments from the Council on topics not on the agenda, Committee reports if (applicable) and asked if this was a problem.

(heard “no”)

President Docherty spoke about an upcoming trip to Tallahassee in March 2025 for Legislative Action Days and mentioned that the Council moved money for him to travel last year. He stated that he had \$300.00 left in his budget and that the Treasure Coast Regional League of Cities had reimbursed the Town \$300.00 for his IEMO II course. He added that he was asking the Town Council to consider transferring a portion of their unused Conference and Travel dollars into his allocation so that he could attend at the end of March 2025. He asked the Town Council to reference last year's minutes in their packet to see where extra dollars were allocated to him. He stated that he would investigate how much the hotel costs would be. He commented that \$1,000.00 would be adequate and that he was sure he would be able to return some dollars to the Town. He spoke about the FMIT board application for which he would be applying and added that they would pay for 90% of his travel (if he is selected to serve).

Mayor Ostrand asked if the workshop she referenced would be after the next meeting.

Council Member Ciaschi, seconded by Council Member...

Pam Orr, Permit Processor, asked if it was to be part of the regular meeting.

Mayor Ostrand said "no."

Town Clerk, Kim Stanton, commented that it had to be a public meeting.

Mayor Ostrand said it was to be a public meeting after the regular meeting.

Attorney Torcivia said that it could be a workshop meeting and that it would have to be noticed.

President Docherty asked if there needed to be a motion?

Attorney Torcivia answered, "a motion or a consensus."

Council Member Ciaschi, seconded by Council Member Galante, made a motion to hold a workshop after the February meeting.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Squires; No: None; Absent: Heller; Motion passed 5-0)

12. Announcements – President Docherty announced that the Regular Town Council meeting would be held on Monday, February 10, 2025, at 10:30 a.m. at the Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze.

13. Adjourn – Council Member Galante, seconded by Council Member Squires, made a motion to adjourn the meeting at 8:12 p.m.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante Squires; No: None; Absent: Heller; Motion passed 5-0)

Respectfully Submitted,

Kim Stanton
Town Clerk

Minutes approved: February 10, 2025