

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Tuesday, November 12, 2024, 10:30AM
Ocean Breeze Resort Clubhouse, Pineapple Bay Room
700 NE Seabreeze Way, Ocean Breeze, FL

1. **Call to Order** – Vice President Docherty 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; Vice President Kevin Docherty; Council Members Gina Kent, Michael Heller, and Matthew Squires; Absent: President Sandy Kelley
 - Staff Present – Town Management Consultant, Terry O’Neil; Attorney, Gemma Torcivia; Permit Processor, Pam Orr; Town Clerk, Kim Stanton

2. **Approval of Minutes** – Council Member Kent, seconded by Council Member Heller, made a motion to accept the Minutes of the following meetings:
 - Regular Town Council Meeting, Monday, August 12, 2024
 - Regular Town Council Meeting, Monday, September 9, 2024
 - Regular Town Council Meeting, Monday, October 14, 2024
 - Tentative Budget and Proposed Millage Rate Hearing, Wednesday, September 11, 2024
 - Final Budget and Millage Rate Hearing, Wednesday, September 25, 2024

Vice President Docherty asked for comments from the public.

There were none.

(all in favor: Yes: Docherty, Heller, Kent, Squires; No: none; motion passed 4-0)

3. RESOLUTION No. 356-2024 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE, FLORIDA, RATIFYING THE MAYOR’S APPROVAL OF A CONTRACT WITH GIANGRANDE ENGINEERING & PLANNING (GEP) OF STUART, FLORIDA; THEREBY PIGGYBACKING ON GEP’S EXISTING CONTRACT FOR SERVICES WITH THE CITY OF STUART, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES

Mayor Ostrand explained the need for additional engineering services.

Town Clerk, Kim Stanton, read Resolution No. 356-2024 into the record.

Council Member Kent, seconded by Council Member Squires, made a motion to adopt and approve Resolution No. 356-2024.

Vice President Docherty asked for comments from the public.

Joel Talka, 101 NE Shoal Drive, Ocean Breeze, asked if the terms and conditions of this engagement were commercially relatable, viable and consistent with alternatives.

Attorney Torcivia explained the procurement process of governments in Florida and certain terms within the contract which were tailored to the needs of the Town.

Vice President Docherty asked for further comments from the public.

There were none.

(Roll call vote: Yes: Squires, Heller, Kent, Docherty; No: None; Motion passed 4-0)

4. Comments from the public on topics not on the agenda – Vice President Docherty asked for comments from the public on topics not on the Agenda.

There were none.

5. Comments from the Council on topics not on the agenda – Vice President Docherty spoke about the new streetlights along Indian River Drive, activities of the Florida League of Cities (FLC) Tax & Finance Committee, FLC webinars and Boys & Girls Clubs of Martin County program called AmeriCorps.

Council Member Heller asked about the status of Martin County’s position regarding quiet zones.

Mr. O’Neil answered that the status remained unresolved.

Council Member Kent spoke about the status of Brightline within Martin County.

Vice President Docherty spoke about the status of refurbishing the crosswalks on Indian River Drive.

Council Member Kent spoke about the safety of pedestrians in Jensen Beach.

Vice President Docherty spoke about the representation at the CRA for Jensen Beach.

Vice President Docherty asked for further comments from the Council.

There were none.

6. Comments from Town Attorney, Gemma Torcivia – Attorney Torcivia gave an update regarding closeout issues with Ocean Breeze Resort and Seawalk. She stated that negotiations are taking place regarding both communities.

Vice President Docherty asked for questions from the public for the Town Attorney.

There were none.

Vice President Docherty introduced Leo Giangrande, Professional Engineer.

Mr. Giangrande spoke about his willingness to work with the Town and assist with the closeout issues.

7. Comments from the Town Management Consultant, Terry O’Neil – Mr. O’Neil spoke about Mr. Giangrande’s role in assisting the Town with the closeout issues.

8. Comments from Mayor Ostrand – Mayor Ostrand asked about a missing bench and waste receptacle which were removed from along the bioswale area of the Resort.

Mr. O’Neil answered that staff would look at the plan to find out if it was a required feature and inquire of the Resort management to get a schedule for replacement.

Mayor Ostrand spoke about attending the Florida League of Cities (FLC) Municipal Development & Zoning Committee meeting. She stated that the subjects of the Florida Building Codes and Affordable Housing were discussed at the committee meeting. She added that certain bills that would be considered by the Florida Legislature, vacation rentals, advocacy, zoning, FLC lobby, Florida Building Codes, unofficial election results, newly elected officials’ workshop, Treasure Coast Regional League of Cities’ event and forthcoming information regarding advocacy.

Vice President Docherty discussed the importance of residents’ involvement in advocacy and advised about how to be involved in Home Rule. He asked for further comments.

Sue Guccione, 174 NE Portside, Ocean Breeze Resort, asked about updates regarding ADA access points to the Resort clubhouse, ladies’ room, amenities, and lift for the community pool. She stated that she pays for the amenities in her monthly rent but does not have access to the amenities.

Mr. O’Neil answered that this issue was on the Town’s work list because it came up at last month’s meeting. He commented that the Building Official would be looking at the plans and the certifications for compliance. He spoke about the Resort being private property and added that the Town was working on this issue and hopefully by the next meeting the Town would have a report from the Building Official and from Leo Giangrande, PE.

Jane Hale, 205 NE Coastal Drive, Ocean Breeze, stated that she believed that the Town Council would want to make its’ meetings accessible to the public.

Discussion ensued regarding ADA compliance, Town Council public meetings, residents’ advocacy, and ADA compliance.

Sue Guccione stated that she had contacted Sun Communities and was advised that Sun Communities would not do anything until they heard from the State. She added that she was provided with the information to contact the State and asked why she should have to perform these duties. She asked about entry buttons on the doors and added that she was advised that the Resort was ADA compliant.

Mayor Ostrand explained that this was a process that the Town would have to undertake to ensure that the Resort was ADA compliant.

Discussion ensued regarding public meetings and ADA compliance.

Attorney Torcivia spoke about the range of guidelines regarding ADA compliance. She commented that the Town would investigate the matter and report back to the residents. She added that private citizens had the right to file a complaint and advocate for an optimal solution.

Discussion ensued regarding ADA compliance, public meetings, and accessibility.

George Ciaschi, 261 NE Coastal Drive, Ocean Breeze, stated that the previous management at the Resort told him that he would attempt to provide an engineering report regarding the ADA compliance of the Resort. He commented that he had emailed the previous management and current management, Aaron Smith, with the ADA regulations. He added that he would pursue this issue to get a resolution.

Vice President Docherty stated that the Town would follow-up regarding this issue.

9. Announcements – The Regular Town Council meeting to be held on Monday, December 9, 2024, at 10:30 am at the Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze.

Vice President Docherty made the announcement that the official election results would be provided by the Martin County Supervisor of Elections on or before Saturday, November 16th, 2024, and the newly elected officials will be sworn in at the December 9th meeting.

10. Adjourn – Council Member Heller, seconded by Council Member Squires, made a Motion to adjourn the meeting at 11:28AM.

Respectfully Submitted,

Kim Stanton
Town Clerk

Minutes approved: December 9, 2024