

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, September 8, 2025, 10:30 a.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 10:30 a.m.
 - **Civility Guidelines** – President Docherty reviewed the Civility Guidelines.
 - **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, Michael Heller, Matthew Squires
 - **Staff Present** – Town Management Consultant, Dan Hudson; Attorney Gemma Torcivia; Town Clerk, Pam Orr; Bookkeeper/Office Assistant, Wendy Price

- 2. Approval of Minutes** – Vice President Kelley, seconded by Council Member Ciaschi made a **motion** to approve the minutes of the August 11, 2025 meeting.

President Docherty asked for comments from the Council.

There were none.

President Docherty asked for comments from the Public.

There were none.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Heller; Squires No: None; Motion passed 6-0)

- 3. In memoriam of former Town Council President, Ken De Angeles** – Mayor Ostrand shared some history of Ken's time as President on the Town Council and his life.

David Wagner, 124 NE Bay Drive, also shared some of his memories of Ken.

- 4. Environmental Studies Center** – Council Member George Ciaschi introduced Valerie Gaynor and colleagues. She gave a presentation highlighting the Center's programs and benefits to its students and the community. They invited the public to attend the Open House event on October 11, 2025 from 10am to 1pm at 2900 NE Indian River Drive, Jensen Beach.

- 5. Confirmation of Employment of Wendy Price** – Dan Hudson, Town Management Consultant, welcomed Wendy Price and presented her employment contract to the Town Council for approval.

Council Member Ciaschi, seconded by Vice President Kelly, made a Motion to confirm the appointment of Wendy Price as Bookkeeper/Office Assistant.

(Roll Call Vote: Yes: Ciaschi, Docherty, Kelley, Squires, Galante, Heller: No: None. Motion Passed 6-0)

- 6. Traffic Circulation Memo** – Dan Hudson, Town Management Consultant, discussed the Indian River Crosswalks and stated that the project cost would be approximately \$75,000 and that the funding would come from the Town's gas tax revenue. He explained that the work would include both the crosswalks and the speed tables and outlined the procedure to move forward with the project.

President Docherty added that he would like to have 25 mph painted on the road and two 25 mph signs posted.

Town Management Consultant, Dan Hudson, responded that it would be subject to Martin County's approval.

Council Member Ciaschi requested that Sun Communities contribute to the funding of the two crosswalks, since they were between the Sun Community property.

Town Management Consultant, Dan Hudson, replied that he would ask.

Council Member Heller inquired about the balance in the Town's Gas Tax Fund. Pam Orr, Town Clerk, replied that it was approximately \$180,000.

Council Member Ciaschi, seconded by Council Member Janet Galante, made the motion to proceed with the Indian River Drive crosswalk renovation as described.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Heller; Squires No: None; Motion passed 6-0)

Dan Hudson, Town Management Consultant, outlined an option for improvement to the left turn exit from Ocean Breeze Plaza onto Skyline Drive. He recommended that the exit be aligned with Hilltop Street which would create a standard intersection.

Discussion ensued.

Mr. Hudson stated that no motion was necessary.

Mr. Hudson discussed making West end Boulevard one-way going northbound, and it would be a project under Martin County Emergency Management Local Mitigation Strategy. If the Council approved, it would be finalized and sent to Martin County. He added that there would be no commitment for funding from the Town.

Council Member Ciaschi, seconded by Council Member Galante made the Motion to submit the redirection of the West End Boulevard as a Local Mitigation Strategy Project.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Heller; Squires; No: None; Motion passed 6-0)

7. Contraction (aka Deannexation) of Seawalk – Town Management Consultant, Dan Hudson, discussed the feasibility study. He explained that if this proceeded, an Ordinance would be prepared, there would be an election and some specific advertising would be required. He continued that the final decision would be reached by registered voters only within the Seawalk Community and that the effective date would most likely be December 31, 2025. Mr. Hudson continued that the cost of professional services should be within the existing budget and there would be no need to secure additional consultants. The Town attorney and staff would draft the ordinance, guide the procedure and prepare the feasibility study. He added, if necessary, the Town Engineer would prepare a revised legal description of the Town limits.

President Docherty asked for comments from the Council.

Vice President Kelly requested that the Contraction (aka Deannexation) of Seawalk be added to the October agenda so that additional Seawalk homeowners could be present to voice their opinions and that a representative from Martin County be present to explain their involvement in the transition.

Mr. Dan Hudson responded that if the Council decided to go forward, that a motion would be necessary to draft the ordinance. He commented that the Town could ask Martin County to be present at a follow-up meeting, as they understand the discord within the Town.

Council Member Ciaschi commented that these issues had been going on for a year and recommended that Seawalk residents do their own research to learn the facts to know what they might be giving up.

Council Member Ciaschi, seconded by Council Member Squires, made a motion for the Town Attorney to draft a Contraction Ordinance pertaining to the municipal boundaries of Seawalk in accordance with Florida Statute 171.051, with a tentative effective date of December 31, 2025.

Attorney Torcivia clarified that it was a Town ordinance and that it would be subject to two readings, which translated to two affirmative votes by the Council to move forward. She clarified that the voters of Seawalk would have two choices, either to vote for the annexation, or against it, and that a majority vote was required. She continued that if the majority vote was against annexation, then the entire community would not be eligible for another contractual ordinance for two years from the date of the referendum.

Discussion ensued.

President Docherty asked for public comments.

Melissa Heller, 2760 NE Breezeway Circle, expressed her concern with the unresolved issues with the Developer, and close-out of the infrastructure permit at Seawalk.

Joseph Beert, 2850 NE Breezeway Circle, expressed his concern about Seawalk remaining part of the Town, because if they lost their representation on the Council at the next election, the mileage rate and future taxes could go up. He also questioned how it would affect the businesses in Ocean Breeze Plaza.

Dana Pace, 193 NE Buoy Drive, stated that she understood how the residents of Seawalk would like to leave the Town of Ocean Breeze, but The Town paid over \$2000 in lawyer's fees and commented that they are getting free land and now there would be a cost to deannex it.

The Mayor responded that it is not free, the residents of Seawalk pay taxes to the County.

Discussion ensued.

(Roll Call Vote: Yes: Docherty, Squires, Ciaschi, Kelley, Heller, Galante No: None; Motion passed 6-0)

8. Comments from the public on topics not on the Agenda

Melissa Heller, 2760 NE Breezeway Circle, stated that it had been 194 days since the Town Council called the bond and that the developer had not provided a written plan or proposal to correct irrigation, grading or the preserve area management plan. She added that there were still several items that needed repair and others that had not been repaired properly. She asked to have the Bond company send a responsible, competent contractor to finish the work at Seawalk.

Tom Campenni, Stuart Florida, announced that on September 9, 2025 from 4:30pm – 6:00pm at J. Michaels Tavern and Grille that the Martin County Taxpayers Association would be holding a Town Hall discussion regarding how to change or replace property taxes.

9. Comments from the Council on topics not on the Agenda

President Docherty requested that a motion be made to look at Ordinance #348-2024, including noise, and consider reducing the decibels within the Town.

Discussion ensued.

Mayor Ostrand recommended waiting until the Town received the report from Publix regarding the decibel levels, before making a decision to change Ordinance #348-2024.

President Docherty commented that he attended the Treasure Coast Regional League of Cities meeting who had a speaker from the South Florida Water Management District. He added that all residents of Martin County and the Town of Ocean Breeze could have guided tours of the reservoirs.

Council Member Heller suggested that to save time and money the security detail at Ocean Breeze Plaza not patrol the plaza when it was closed. He also inquired if there had been any progress on the train horns.

Town Management Consultant, Dan Hudson, stated that he did not think it would be approved due to the proximity of Jensen Beach Blvd. but that he would get clarification for the next meeting.

Council Member Heller stated that in the past six months the Developer had not yet provide a proposal for the items that needed to be fixed within Seawalk. He stated that if the Town needed to file a lawsuit against the bond company to compel them to do their job, then so be it. He continued that he would like to make a motion to have the bond company send in contractors to finish the repairs.

Discussion ensued.

President Docherty asked for comments from the public.

Melissa Heller, 2760 NE Breezeway Circle, stated that whatever work needed to be fixed in order to comply and for the Town to close the permit, it needed to happen. She commented that the fact that the Developer was not getting it right the first time had left the residents of Seawalk with a price to pay in the long term. She continued that this was not in regard to Seawalk residents being unhappy that they didn't do good work, it is about the Town's Engineer saying the work was not adequate and technically not sufficient to meet the Town's requirements. She pointed out that this needed to come to some conclusion.

Discussion ensued.

Town Attorney, Gemma Torcivia, commented that the Town could send a demand letter and call the bond formally, and if they don't comply the Town could take action against them and the Town reserves its right to bring litigation.

Pam Hurlock, 2840 NE Breezeway Circle, stated she would like to move forward with calling the bond.

Council Member Heller, seconded by Vice President Kelley, made a motion to call the bond.

Council Member Ciaschi asked for clarification on the financial liability for the Town if they proceeded with calling the Bond.

Attorney, Torcivia, stated she would have a better idea on cost at the next budget meeting.

Discussion ensued.

(Roll Call Vote: Yes: Heller, Docherty, Kelley, Squires, Ciaschi, Galante; No: none; Motion passed 6-0)

10. Comments from Town Management Consultant, Dan Hudson

There were none.

11. Comments from Town Attorney, Gemma Torcivia-Attorney Torcivia stated that as she and Mr. Hudson spoke with Martin County regarding the deannexation, they would let the Council know if it will be on the agenda for first reading for the second budget meeting or the October meeting.

12. Comments from Mayor Ostrand-Mayor Ostrand announced that there would be another legislative meeting at the end of October.

13. Announcements – The following meetings will be held at the Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze:

- Thursday, September 11, 2025, at 6:00PM – Public Hearing for Setting of Tentative Millage Rate & Budget for FY 2025/2026
- Wednesday, September 24, 2025, at 6:00PM – Public Hearing for Adoption of Final Millage Rate and Budget for FY 2025/2026
- Monday, October 13, 2025 at 6:00PM – Regular Town Council Meeting
- Town Election will be held on November 4, 2025, at the Hoke Library located at 1150 NW Jack James Way, Jensen Beach. **POLLING TIMES will be 9:00am – 7:00pm**

14. Adjournment – Council Member Squires, seconded by Vice President Kelly made a motion to adjourn the meeting at 12:55 p.m.

Respectfully Submitted,

Pam Orr
Town Clerk

Minutes approved: _____