

**MINUTES OF THE REGULAR SESSION  
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA  
JANUARY 23, 2020**

Present:

Darryl C. Aubrey, Sc.D., Mayor  
Mark Mullinix, Vice Mayor  
David B. Norris, President Pro Tem  
Susan Bickel, Councilmember  
Deborah Searcy, Councilmember  
Andrew D. Lukasik, Village Manager  
Len Rubin, Village Attorney  
Jessica Green, Village Clerk

ROLL CALL

Mayor Aubrey called the meeting to order at 7:30 p.m. All members of Council were present except Councilmember Bickel, who arrived at 8:38 p.m. All members of staff were present.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Aubrey gave the invocation and Vice Mayor Mullinix led the public in the Pledge.

AWARDS AND RECOGNITION

Sarah Mooney a former student of Coach Dick Cavanah read testimonials from other former students of Coach Cavanah.

On behalf of Village Council, Mayor Aubrey presented a commendation to Coach Dick Cavanah.

Coach Cavanah thanked Council and expressed his appreciation to the Village of North Palm Beach.

APPROVAL OF MINUTES

The Minutes of the Regular Session held December 12, 2019 were approved as written.

STATEMENTS FROM THE PUBLIC, PETITIONS AND COMMUNICATIONS

Joseph Tringali, 441 Marlin Road, thanked Council for their efforts in designing and building the new Country Club.

Pat Friedman, 1208 Marine Way, expressed her appreciation to Council for the wonderful job they did on the new Country Club.

These residents addressed the Council regarding their concerns about the Village's recreation vehicle ordinance:

John Frerking, 130 Cruiser Road South  
Paul Oenbrink, 2526 Honey Road  
Evans Volmy, 2649 Honey Road

Steve Luisi, 637 Dogwood Road  
John Baker, 852 Cinnamon Road

CONSENT AGENDA

Item 5 was removed from the Consent Agenda and placed on the Regular Agenda. Thereafter, the Consent Agenda, as amended, was approved with all present voting aye. The following items were approved:

Motion – Payment of Change Order #1 and Final Pay Application in the amount of \$124,263.75 to Ferreira Construction Southern Division Company, Inc. for the Pepperwood Circle South and Anchorage Drive Culvert Repair project.

Motion – Approval and ratification of Change Order #1 from Republic Construction Corporation in the amount of \$1,952 to perform HVAC, plywood and drywall tasks defined in architect plan revision #1.

Resolution – Announcing the date of the Village General Election and Run-off Election, designating voting locations, authorizing and delegating certain duties to the Supervisor of Elections and providing for the composition of the Village's canvassing board.

Resolution – Approving the sole source purchase of radio equipment for the Police Department from Citation Communications at a total cost of \$52,919.30.

Resolution – Approving a Blanket Purchase Order to GL Staffing Services, Inc. for temporary Sanitation Collector staffing in an amount not to exceed \$22,500.

Resolution – Approving a First Amendment to the License Agreement with JKTA, LLC to occupy space at the North Palm Beach Country Club to operate a Tennis Academy; and authorizing execution of the Amendment.

Receive for file Minutes of the Library Advisory Board meeting held 11/26/19.

Receive for file Minutes of the Planning Commission meeting held 12/3/19.

Receive for file Minutes of the Golf Advisory Board meeting held 12/16/19.

RESOLUTION 2020-02 – AMENDMENT TO RESOLUTION NO. 2018-105 TO MODIFY PAYMENT SCHEDULE OF FIRE ENGINE LEASE AGREEMENT

A motion was made by President Pro Tem Norris and seconded by Vice Mayor Mullinix to adopt Resolution 2020-02 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA AMENDING RESOLUTION NO. 2018-105 TO MODIFY THE PAYMENT SCHEDULE FOR THE LEASING AGREEMENT WITH LEASING 2, INC. FOR THE SUTPHEN FIRE ENGINE AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AMENDED EXHIBIT TO THE AGREEMENT; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Mullinix asked why the Village was paying the accrued interest since the delivery of the Fire Rescue engine was delayed.

Mr. Lukasik stated that the Fire Rescue engine was supposed to be manufactured within 10 to 12 months and that there was a provision in the contract that stated if the manufacturer was delayed due to situations beyond their control they couldn't be held to that standard time frame of completion. The lease payments began in December 2019 in anticipation that the engine would be delivered on time. The lease payments were extended since the engine would not be ready until approximately March 2020. Additional interest had accrued as a result of the extension.

RESOLUTION 2020-02 – AMENDMENT TO RESOLUTION NO. 2018-105 TO MODIFY PAYMENT SCHEDULE OF FIRE ENGINE LEASE AGREEMENT *continued*

Mr. Lukasik stated that staff was corresponding with the manufacturer to see if they would reimburse the Village for the additional interest.

Thereafter, the motion to adopt Resolution 2020-02 passed with all present voting aye.

RESOLUTION 2020-06 – LAKESIDE PARK BULKHEAD PROJECT

A motion was made by Vice Mayor Mullinix and seconded by President Pro Tem Norris to adopt Resolution 2020-06 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING A PROPOSAL FROM ENGENUITY GROUP, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE LAKESIDE PARK BULKHEAD PROJECT AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE ALL REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Works Director Steven Hallock discussed and explained why engineering services were necessary for the Lakeside Park Bulkhead Project. Mr. Hallock stated that an inspection was done on the seawall and the results indicated the seawall would fail. Mr. Hallock was requesting that engineering plans be done ahead of time so that when and if there was a need for an emergency repair, the project could be completed quickly. Mr. Hallock discussed budgeting for the project and the possibility of obtaining grant monies to fund the project.

Mayor Aubrey asked if there was an estimation of when the seawall would fail.

Mr. Hallock stated that there was no way of knowing and that it could fail at any time. Mr. Hallock used the seawall at Anchorage Park as an example and stated that as soon as they started construction on that seawall, 119 feet of the seawall failed.

Mayor Aubrey asked what the cost of a new seawall would be.

Mr. Hallock stated that he would have a better estimation of the cost once the engineering plans were completed.

Vice Mayor Mullinix asked if the seawall could be in conformity with existing seawalls at residences that surround Lakeside Park specifically with the 18 inch differential in the cap height.

Councilmember Searcy stated that according to the Village's new seawall ordinance, the cap height would need to be a minimum of 18 inches to protect the Village against storm surges.

Vice Mayor Mullinix recommended constructing a living seawall at Lakeside Park.

Thereafter, the motion to adopt Resolution 2020-06 passed with all present voting aye.

RESOLUTION 2020-07 – STORMWATER REPAIR PROJECTS

A motion was made by President Pro Tem Norris and seconded by Vice Mayor Mullinix to adopt Resolution 2020-07 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A CONTRACT AWARD TO D.S. EAKINS

RESOLUTION 2020-07 – STORMWATER REPAIR PROJECTS *continued*

CONSTRUCTION CORP. FOR STORMWATER REPAIRS ON COUNTRY CLUB DRIVE, DORY ROAD SOUTH, DOOLEN COURT AND EBBTIDE DRIVE PURSUANT TO PRICING ESTABLISHED IN AN AGREEMENT FOR MISCELLANEOUS PUBLIC WORKS PROJECTS WITH THE CITY OF PALM BEACH GARDENS AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE CONTRACT ON BEHALF OF THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Hallock discussed and explained the need for the stormwater repair projects.

Thereafter, the motion to adopt Resolution 2020-07 passed with all present voting aye.

RESOLUTION 2020-08 – LIBRARY ROOF EMERGENCY REPAIRS

A motion was made by President Pro Tem Norris and seconded by Vice Mayor Mullinix to adopt Resolution 2020-08 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING AND RATIFYING EMERGENCY REPAIRS TO THE VILLAGE LIBRARY ROOF MANSARD BY COMMERCIAL ROOF MAINTENANCE SYSTEMS, LLC; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Hallock explained and discussed the need for the emergency repair to the Library roof mansard. The mansard was collecting water and growing mold.

Councilmember Searcy asked for clarification on statements that were written on the roof mansard pictures which indicated that it was constructed to code.

Mr. Hallock gave a history of the warranty and construction of the Library roof. Mr. Hallock stated that it was determined that the roof was not built properly by the original installer. Mr. Hallock stated that staff was going to try to recoup the cost of the repairs from the original installer.

Councilmember Searcy asked if the repairs being done to the roof would make it structurally sound enough to prevent future drainage issues.

Mr. Hallock stated that the Village's Building Official and Building Inspector have approved and signed off on the roof repairs.

Thereafter, the motion to adopt Resolution 2020-08 passed with all present voting aye.

VILLAGE COUNCIL MATTERS/REPORTS

Mayor Aubrey discussed the format of the Village Manager's evaluation. Mayor Aubrey stated that the evaluation form received by Council was in an acceptable format. Mayor Aubrey stated that Mr. Lukasik had not had an evaluation or any salary increases since his inception with the Village. Mr. Lukasik's third year anniversary would be in March. Mayor Aubrey proposed that Council could do an evaluation that would cover Mr. Lukasik's three year employment period and implement salary increases retroactive for years one and two. The third year salary increase would take effect beginning on the date of Mr. Lukasik's upcoming anniversary in March.

VILLAGE COUNCIL MATTERS/REPORTS *continued*

Council came to consensus to do one evaluation for Village Manager Andrew Lukasik that would cover the last three years of his employment with the Village and Mr. Lukasik's salary increases would be retroactive for years one and two. The third year salary increase would take effect beginning on the date of Mr. Lukasik's upcoming anniversary in March.

Mayor Aubrey asked Council to have Mr. Lukasik's evaluation forms done and turned in to Human Resources Director Renee Govig by Friday, January 31st and to have the evaluations approved at one of the next two Council meetings scheduled in February.

Mr. Lukasik asked Mayor Aubrey if he wanted to address the public who came and spoke about their concerns on the recreation vehicle ordinance or if Council wanted to give staff direction on how to address the issue.

Mayor Aubrey asked staff to look into the concerns that were raised regarding the recreation vehicle ordinance and to bring back their findings and recommendations to Council.

Councilmember Searcy stated that the Village has a Special Exception application and process for boat and recreation vehicle owners.

Discussion ensued between Council and Mr. Rubin regarding the Special Exception application process.

Vice Mayor Mullinix stated that he wanted to recommend another commendation recipient.

Councilmember Searcy stated that she would like to have a guideline or policy set in place with regards to future commendations.

Vice Mayor Mullinix stated that he wanted to nominate Coach Sam Budnyk to receive a commendation.

President Pro Tem Norris stated that he agreed to nominate Coach Sam Budnyk to receive a commendation and he agreed that a guideline or policy should be set in place for commendations.

Rita Budnyk, Coach Budnyk's daughter commented and gave a brief history of Coach Budnyk's achievements and accomplishments.

Mayor Aubrey agreed that a guideline or policy should be set in place for commendations.

President Pro Tem Norris stated that he was proud of how the Country Club turned out and he commended the Country Club staff for their great efforts and teamwork.

President Pro Tem Norris asked if revisions to the Village's purchasing policies and procedures would be addressed at a future meeting.

Mr. Lukasik stated that recommendations for revisions to the purchasing policies and procedures would be brought to Council for review at the second scheduled Council meeting in February.

Councilmember Searcy commended the Recreation Department for implementing new sport programs.

Councilmember Searcy announced that the Hot Cars and Chili event would be taking place on Saturday, January 25<sup>th</sup>.

VILLAGE MANAGER MATTERS/REPORTS

George Gentile of Gentile, Glas, Holloway, O'Mahoney introduced himself and gave a presentation on bridge design concepts for the US Highway 1 and Prosperity Farms Road bridges.

Discussion ensued between Council, Mr. Lukasik and Mr. Gentile regarding the different bridge design concepts.

Mr. Gentile concluded his presentation and stated that he and staff would take all of Council's comments into consideration with regards to the designs of the US Highway 1 and Prosperity Farms Road bridges.

Community Development Director Jeremy Hubsch gave a presentation on the recent changes to FEMA maps.

Discussion ensued between Council and Mr. Hubsch regarding the proposed changes to the FEMA maps and how they may positively or negatively affect the Village.

Mr. Hubsch stated that there would be FEMA staff meetings in February that Village staff would be attending and that there would be an opportunity for residents to attend the meetings to ask questions and discuss their concerns. Mr. Hubsch stated that there was a 90 day appeal period in which the maps can be contested and there is currently a group in Palm Beach County that was working on contesting the data.

Vice Mayor Mullinix stated that he would like to see any additional data that the working group may come up with.

Mr. Hubsch stated that he had additional information that he would provide to the Council at a future Council meeting.

Country Club General Manager Beth Davis discussed and explained proposed Country Club membership options.

Discussion ensued between Council, Ms. Davis and Golf Advisory Board member Richard Pizzolato regarding the membership options.

Council provided their recommendations for Country Club memberships.

Ms. Davis stated that she and staff would take Council's recommendations into consideration and continue to evaluate the membership options that were still undecided and would bring back their findings to Council at a future meeting or workshop.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 10:12 p.m.

  
Jessica Green, MMC, Village Clerk