

**MINUTES OF THE REGULAR SESSION  
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA  
JANUARY 25, 2018**

Present: Darryl C. Aubrey, Sc.D., Mayor  
Robert A. Gebbia, Vice Mayor  
Mark Mullinix President Pro Tem  
David B. Norris, Councilmember  
Susan Bickel, Councilmember  
Andrew D. Lukasik, Village Manager  
Len Rubin, Village Attorney  
Melissa Teal, Village Clerk

ROLL CALL

Mayor Aubrey called the meeting to order at 7:30 p.m. All members of Council were present. All members of staff were present.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Aubrey gave the invocation and President Pro Tem Mullinix led the public in the Pledge of Allegiance.

APPROVAL OF MINUTES

The Minutes of the Regular Session held January 11, 2018 were approved as written.

POLICE DEPARTMENT ANNUAL REPORT

Chief of Police Richard Jenkins presented the Police Department's Annual Report for 2017.

CONSENT AGENDA APPROVED

President Pro Tem Mullinix moved to approve the consent agenda. Councilmember Bickel seconded the motion, which passed unanimously. The following items were approved:

Resolution 2018-03 amending Resolution 2017-71 to remove the budget amendment relating to the use of Infrastructure Surtax Fund

Receive for file Minutes of the Zoning Board of Adjustment meeting held 10/23/17.

Receive for file Minutes of the Planning Commission meeting held 12/5/17.

Receive for file Minutes of the Recreation Advisory Board meeting held 1/9/18.

RESOLUTION 2018-04 – HERITAGE DAY AMUSEMENT RIDES CONTRACT

A motion was made by Vice Mayor Gebbia and seconded by President Pro Tem Mullinix to adopt Resolution 2018-04 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA ACCEPTING THE PROPOSAL SUBMITTED BY BIG FUN, INC. TO PROVIDE AMUSEMENT RIDES FOR HERITAGE DAY 2018 AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A CONTRACT FOR SUCH SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik recommended accepting the proposal from Big Fun, Inc. to provide amusement rides for Heritage Day at a cost of \$41,100.00. Thereafter, the motion to adopt Resolution 2018-04 passed unanimously.

RESOLUTION – SIDEWALK REPLACEMENT CONTRACT – TABLED

A motion was made by President Pro Tem Mullinix and seconded by Councilmember Bickel to adopt a resolution entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A CONTRACT AWARD TO M & M ASPHALT MAINTENANCE, INC. D/B/A ALL COUNTY PAVING FOR SIDEWALK REPAIR AND REPLACEMENT PURSUANT TO PRICING ESTABLISHED IN AN EXISTING CONTRACT FOR GENERAL ROADWAY AND MISCELLANEOUS CONSTRUCTION WITH THE CITY OF WEST PALM BEACH AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE CONTRACT ON BEHALF OF THE VILLAGE; AUTHORIZING AND DIRECTING THE MAYOR AND VILLAGE CLERK TO AMEND THE CAPITAL PROJECTS FUND BUDGET TO TRANSFER \$80,000.00 FROM THE CAPITAL RESERVE ACCOUNT TO THE STREETS AND GROUNDS – CONSTRUCTION AND MAJOR RENOVATION CAPITAL ACCOUNT; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik advised that the proposed contract provides for the removal and replacement of sidewalks that are badly damaged. Mr. Lukasik distributed a revised copy of the resolution and noted that surtax monies would be used to fund the project rather than general operating funds.

Discussion ensued regarding the existing contract between M & M Asphalt Maintenance, Inc. and the City of West Palm Beach with regard to Maintenance of Traffic (MOT) and other costs. Mr. Lukasik noted the Village utilized the City of West Palm Beach contract due to unit pricing, and would negotiate other costs with the contractor. Public Works Director Steve Hallock addressed questions from the Council. Mr. Rubin stated the cost of items such as MOT and insurance would vary from project to project and staff would have to verify that the charges for such items were appropriate, reasonable, and supported by proper documentation.

A motion to table the item was made by Vice Mayor Gebbia, seconded by Councilmember Norris, and passed unanimously.

RESOLUTION 2018-05 – ROADWAY MILLING & RESURFACING CONTRACT

A motion was made by Vice Mayor Gebbia and seconded by President Pro Tem Mullinix to adopt Resolution 2018-05 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A CONTRACT AWARD TO M & M ASPHALT MAINTENANCE, INC. D/B/A ALL COUNTY PAVING FOR MILLING AND RESURFACING OF PUBLIC ROADWAYS PURSUANT TO PRICING ESTABLISHED IN AN EXISTING CONTRACT FOR GENERAL ROADWAY AND MISCELLANEOUS CONSTRUCTION WITH THE CITY OF WEST PALM BEACH AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE CONTRACT ON BEHALF OF THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik and Public Works Director Steve Hallock explained how the roads to be paved were selected. Mr. Hallock stated that the project would be expedited and the cost would likely be less by using pricing through the City of West Palm Beach's concurrent, competitively bid contract, rather than issuing an Invitation to Bid.

Vice Mayor Gebbia moved to condition approval contingent on verifying these items: MOT and mobilization costs; insurance coverage; and building permit requirement. Councilmember Bickel seconded the motion, which passed unanimously.

Thereafter, the motion to adopt Resolution 2018-05, as amended, passed unanimously.

RESOLUTION 2018-06 – JANITORIAL SERVICES CONTRACT

A motion was made by President Pro Tem Mullinix and seconded by Councilmember Bickel to adopt Resolution 2018-06 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA ACCEPTING THE PROPOSAL FOR MUNICIPAL FACILITY JANITORIAL SERVICES FROM AK BUILDING SERVICES INC. AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A CONTRACT RELATING TO SUCH SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Regarding the proposal from AK Building Services, Mr. Lukasik reported that the cost had been reduced from \$179,481.00 to \$148,012.00 annually. Mr. Lukasik stated the decrease was related to the temporary facilities at the Country Club, and noted the cost would be further reduced when construction commences. Mr. Lukasik reported the initial contract is for a term of twenty months.

Thereafter, the motion to adopt Resolution 2018-06 passed unanimously.

MAYOR AND COUNCIL MATTERS/REPORTS

Vice Mayor Gebbia commented on legislation being proposed in the current session that would preempt Home Rule. Vice Mayor Gebbia provided a Florida League of Cities draft resolution that urges members of the Florida Legislature to oppose legislation that limits citizens' constitutional right to self-government under municipal Home Rule Powers, and to oppose legislation that interferes with or intrudes into municipal finances. By consensus, the resolution was forwarded to the February 8, 2018 Regular Session.

Vice Mayor Gebbia stated the Board of County Commissioners would consider an adult entertainment ordinance at its February 6, 2018 meeting. Vice Mayor Gebbia stated that if adopted, the Village could opt-out or be subject to the ordinance provisions. Mr. Rubin will review the matter.

Vice Mayor Gebbia expressed concern regarding certain preemptive proposals being put forward by the Constitutional Revision Commission (CRC) and urged citizens to contact members of the CRC.

President Pro Tem Mullinix commented on the need to improve illumination throughout the Village.

President Pro Tem Mullinix suggested the boat and recreational vehicle ordinance may need further revisions.

President Pro Tem Mullinix discussed improving the relationship with the North Palm Beach Swim Club. A suggestion was made to investigate the pool management structure used by other cities. Consensus of Council was to place this issue on an upcoming Workshop Session agenda.

Councilmember Bickel expressed opposition to selling the Village's parcel of land on Monet Road.

Councilmember Bickel commented on balloons and party debris at waterside parks and suggested considering rules prohibiting balloons within 50 feet of a water body.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:57 p.m.

  
Melissa Teal, MMC, Village Clerk