

**MINUTES OF THE REGULAR SESSION  
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA  
APRIL 9, 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

INTRODUCTION

Mr. Lukasik stated that in accordance with Governor Ron DeSantis' Executive Order No. 20-91 and Executive Order No. 20-69, the meeting would be conducted electronically, via internet access or telephone. Mr. Lukasik explained the Orders and stated there were ten people present in the Council Chambers which consisted of councilmembers, staff, and the Village Auditor Terry Morton. Mayor Aubrey was attending via internet connection. Mr. Lukasik explained the different options that were available for the public to make comments.

ROLL CALL

Mayor Aubrey called the meeting to order at 7:36 p.m. All members of Council were present. All members of staff were present.

INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Mullinix gave the invocation and President Pro Tem Norris led the public in the Pledge.

APPROVAL OF MINUTES

The Minutes of the Regular Session held March 12, 2020 were approved as written.

The Minutes of the Emergency Special Session held March 17, 2020 were approved as written.

RESOLUTION 2020-26 – ACCEPTING ELECTION RESULTS

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Bickel to adopt Resolution 2020-26 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ACCEPTING AND DECLARING THE RESULTS OF THE MARCH 17, 2020 GENERAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Thereafter, the motion to adopt Resolution 2020-26 passed unanimously.

ADMINISTRATION OF COUNCILMEMBER OATHS

Mayor Aubrey announced that due to the COVID-19 pandemic and the fact that he could not be physically present for the meeting, he came into the Village Clerk's office earlier that day and was sworn in by Village Clerk Jessica Green. Said Oath is attached to the official Minutes of Record.

Village Clerk Jessica Green administered the Oath of Office to re-elected councilmembers Mark Mullinix and Deborah Searcy. Said Oaths are attached to the official Minutes of Record.

COUNCIL REORGANIZATION

Mayor Aubrey expressed his gratitude and appreciation to Council and staff for their support during his tenure as Mayor over the past year.

Mayor Aubrey opened the floor to nominations for the office of Mayor. Deborah Searcy nominated Susan Bickel for Mayor. With no other nominations for Mayor, Susan Bickel was declared Mayor.

David Norris nominated Mark Mullinix for Vice Mayor. With no other nominations for Vice Mayor, Mark Mullinix was declared Vice Mayor.

Susan Bickel nominated David Norris for President Pro Tem. With no other nominations for President Pro Tem, David Norris was declared President Pro Tem.

Thereafter, the names of Susan Bickel, Mark Mullinix, and David Norris were entered into Resolution 2020-27.

RESOLUTION 2020-27 – APPOINTING COUNCIL OFFICERS

A motion was made by Councilmember Searcy and seconded by President Pro Tem Norris to adopt Resolution 2020-27 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPOINTING THE MAYOR, VICE MAYOR AND PRESIDENT PRO TEM FOR THE UPCOMING YEAR; AND PROVIDING FOR AN EFFECTIVE DATE.

Thereafter, the motion to adopt Resolution 2020-27 passed unanimously. Village Clerk Jessica Green administered the Oath of Office to Mayor Bickel, Vice Mayor Mullinix, and President Pro Tem Norris. Said Oaths are attached to the official Minutes of Record.

ORDINANCE 2020-01 – GENERAL FUND BUDGET AMENDMENT

A motion was made by Councilmember Searcy and seconded by President Pro Tem Norris to adopt on first reading Ordinance 2020-01 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING THE ADOPTED GENERAL FUND BUDGET FOR FISCAL YEAR 2020 TO CLASSIFY THE TOTAL AMOUNT FINANCED FOR VILLAGE VEHICLES AS CAPITAL OUTLAY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik explained the ordinance would approve a General Fund Budget amendment. Funds for vehicle lease programs are normally allotted as an operating expense, since capital is being acquired through the lease program, the assets should be reflected as debts.

Thereafter, the motion to adopt Ordinance 2020-01 on first reading passed unanimously.

CONSENT AGENDA

Items 9, 10 and 11 were 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 item was approved:

Receive for file Minutes of the Golf Advisory Board meeting held 2/10/20.

RESOLUTION 2020-28 – AMENDING RESOLUTION 2020-14 TO MODIFY AMBULANCE LEASE PAYMENT SCHEDULE

A motion was made by Vice Mayor Mullinix and seconded by President Pro Tem Norris to adopt Resolution 2020-28 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA AMENDING RESOLUTION NO. 2020-14 TO MODIFY THE PAYMENT SCHEDULE FOR THE LEASING AGREEMENT WITH REV FINANCIAL SERVICES, LLC FOR THE AEV TYPE I RESCUE VEHICLE (AMBULANCE) 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 expressed concern over the Village paying the accrued interest for the vehicle since it was a result of the manufacturer's delay on the delivery of the vehicle.

Mr. Lukasik explained that there was an oversight in coordinating the timing of the vehicle lease payment with the delivery of the vehicle. Staff renegotiated the schedule of the lease payments and the interest rate with the finance company. The interest rate was dropped from 3.55% to 3.29% and the payments were changed from monthly payments to bi-annual payments. Despite the changes the lease schedule still resulted in an accrual of interest that needed to be paid.

Thereafter, the motion to adopt Resolution 2020-28 passed unanimously.

RESOLUTION 2020-29 – REMOVAL OF VILLAGE MANAGER'S PAY GRADE FROM COMPENSATION PLAN

A motion was made by President Pro Tem Norris and seconded by Councilmember Searcy to adopt Resolution 2020-29 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA AMENDING THE COMPREHENSIVE PAY PLAN ADOPTED AS PART OF THE FISCAL YEAR 2020 BUDGET TO REMOVE THE VILLAGE MANAGER'S PAY GRADE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rubin explained that the Village Manager's current year salary increase resulted in the salary being above the pay grade that was approved in the budget. Mr. Rubin stated that it was staff's recommendation to remove the Village Manager's pay grade from the budget since the Village Manager's salary is set by Council. The salary range would not change and Mr. Lukasik's salary would still be capped at the top of the salary range.

Mayor Bickel read into the record a public comment received from Stephen Harber, 731 Lakeside Drive. In his comment, Mr. Harber expressed his concerns over approval of Mr. Lukasik's retroactive and current salary increase and concerns over the financial status and stewardship of the Village due to the COVID-19 pandemic.

RESOLUTION 2020-29 – REMOVAL OF VILLAGE MANAGER’S PAY GRADE FROM COMPENSATION PLAN *continued*

Councilmember Aubrey stated that Mr. Lukasik’s salary increases were routine yearly salary increases that are received by all other Village employees based on merit. Mr. Lukasik had not received any salary increases for the first two years since he had not yet completed all of his employees’ evaluations and did not want to be considered for his own salary increase until his employees’ evaluation and merit increases were completed. Mr. Lukasik was not being treated any differently than all other Village employees.

President Pro Tem Norris agreed with Councilmember Aubrey’s statement. President Pro Tem Norris expressed concern over the process that was utilized to approve the salary increases and recommended that any future items of the same type and that are financial in nature be placed on the agenda as an item to be approved and not discussed and approved under the Council matters and reports section of the agenda.

Mayor Bickel stated that Mr. Harber mentioned in his comment that sanitation services had been cut back. Mayor Bickel stated that she believed that sanitation was not cut back.

Mr. Lukasik stated that sanitation services had not been cut back.

Mayor Bickel stated that she had received comments from some residents that their garbage had not been picked up and wanted to clarify and state for the record that sanitation services were not cut back or interrupted.

Councilmember Aubrey stated that there has been an increase in residents cleaning out their homes and trimming their vegetation which has possibly caused some delays in sanitation pick up.

Thereafter, the motion to adopt Resolution 2020-29 passed unanimously.

RESOLUTION 2020-30 – THIRD AMENDMENT TO BUILDING DEPARTMENT SERVICES AGREEMENT

A motion was made by Councilmember Searcy and seconded by President Pro Tem Norris to adopt Resolution 2020-30 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A THIRD AMENDMENT TO AN AGREEMENT WITH M.T. CAUSLEY, LLC FOR BUILDING OFFICIAL, PLAN REVIEW AND INSPECTION SERVICES THROUGH THE END OF THE CURRENT FISCAL YEAR PURSUANT TO PRICING ESTABLISHED IN AN EXISTING AGREEMENT BETWEEN M.T. CAUSLEY AND THE CITY OF FORT LAUDERDALE AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE THIRD AMENDMENT; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

President Pro Tem Norris asked for clarification and reasoning for the amount of the proposed amendment to the agreement with M.T. Causley LLC.

Mr. Lukasik explained the challenges, personnel changes and vacant positions including that of a Building Official and two Building Inspectors that have occurred in the Community Development Department and had not yet been filled. The Village had contracted with and relied on M.T. Causley LLC to provide the services needed for those vacant positions. Mr. Lukasik stated that the amount agreed upon for these services was exceeded by \$80,000 because of the

RESOLUTION 2020-30 – THIRD AMENDMENT TO BUILDING DEPARTMENT SERVICES AGREEMENT *continued*

extended amount of time that had passed. Mr. Lukasik stated that the amendment was needed to extend the time frame that M.T. Causley's services was needed, but the entire amount of \$600,000 would most likely not be spent since the Village has hired a new Building Official that would be starting within the next couple of weeks.

Discussion ensued between Mr. Lukasik and Council regarding the amount of the amendment to the agreement with M.T. Causley LLC.

A motion was made by President Pro Tem Norris and seconded by Councilmember Searcy to amend Resolution 2020-30 approving the Third Amendment to the M.T. Causley LLC Agreement changing the amount of total compensation not to exceed \$500,000.

Thereafter, the motion to adopt Resolution 2020-30 as amended passed unanimously.

RESOLUTION 2020-31 – COUNTRY CLUB CLUBHOUSE CONSTRUCTION ADMINISTRATION SERVICES

A motion was made by President Pro Tem Norris and seconded by Councilmember Searcy to adopt Resolution 2020-31 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING PAYMENT TO PEACOCK + LEWIS ARCHITECTS AND PLANNERS, LLC FOR ADDITIONAL CONSTRUCTION ADMINISTRATION SERVICES RELATING TO THE COUNTRY CLUB CLUBHOUSE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik explained that there were construction delays on the Clubhouse and as a result, Peacock + Lewis Architects had to extend the amount of time on site for administration services. The time was extended from August 1, 2019 to March 1, 2020 which resulted in the additional amount of \$81,650. Mr. Lukasik stated that there were additional administration services invoices that Peacock + Lewis Architects were requesting payment for which were currently in dispute and that staff was working on to resolve. Mr. Lukasik stated that staff recommended moving forward with the payment of \$81,650 for the extended time frame for administration services.

Thereafter, the motion to adopt Resolution 2020-31 passed unanimously.

RESOLUTION 2020-32 – FISCAL YEAR 2019 AUDIT REPORT

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Aubrey to adopt Resolution 2020-32 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT PREPARED BY THE VILLAGE AUDITOR FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019 AND AUTHORIZING ITS FILING WITH THE STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Morton reviewed and discussed the Fiscal Year 2019 Audit Report. In the General Fund, the total balance changed from 9 million to 11.5 million and the Unassigned Fund Balance changed from 7.2 million to 8.2 million. The revenues increased by approximately 2.5 million

RESOLUTION 2020-32 – FISCAL YEAR 2019 AUDIT REPORT *continued*

primarily due to an increase in property taxes, receipt of grant funding and an approximate \$400,000 increase in investment earnings.

Mr. Morton commended staff for getting a decrease in interest rates for vehicle leases.

Councilmember Searcy commended Finance Director Samia Janjua for her efforts in obtaining the Village's Certificate of Achievement for Excellence in Financial Reporting which has been received by the Village for the past 31 years.

Thereafter, the motion to adopt Resolution 2020-32 passed unanimously.

VILLAGE COUNCIL MATTERS/REPORTS

Councilmember Searcy asked when the Advisory Board appointments would be taking place.

Mrs. Green stated that it was discussed that the Advisory Board appointments would be postponed to a meeting to be determined in May.

Mr. Rubin stated that there was no issue in extending the terms of the current Advisory Board members since the code allows for them to remain members until their successor is appointed.

Councilmember Searcy asked if the Easter bunny would be riding around the Village in the new fire truck.

Fire Chief Armstrong stated that the Easter bunny would not be riding around the Village in the new fire truck but would be in an older fire truck.

Mayor Bickel and Councilmember Searcy announced that the Easter bunny would be riding around the Village on Saturday, April 11<sup>th</sup>.

VILLAGE MANAGER MATTERS/REPORTS

Mayor Bickel asked if there was a plan for conducting future Council meetings.

Mr. Lukasik explained that the current meeting was a test run and would continue to conduct the future meetings the same and would look into other options should the Council want to have the meetings done entirely by remote electronic access.

Mayor Bickel recommended that any important or controversial issues that may come up should be postponed to future meetings where the public could physically attend.

Mr. Lukasik agreed and stated that only standard business items would be brought forward to meetings until the meetings can be conducted normally again.


Vice Mayor Mullinix asked if code violations were being postponed.

Mr. Lukasik stated that code violations were postponed and not being issued unless it was a life safety issue. The boat and recreational vehicle violation cases have been suspended and the fines are not accruing.

ADJOURNMENT

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There being no further business to come before the Council, the meeting was adjourned at 8:27 p.m.

  
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Jessica Green, MMC, Village Clerk

# OATH OF OFFICE

State of Florida )  
County of Palm Beach ) ss.  
Village of North Palm Beach )

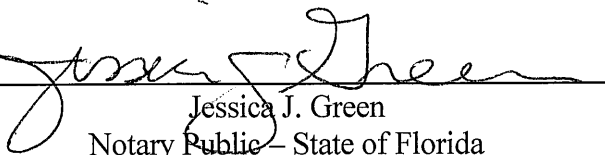
I, Darryl C. Aubrey, do solemnly swear or affirm that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of Councilmember on which I am now about to enter, so help me God.

  
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Sworn to and subscribed before me this 9th day of April, 2020, by Darryl C. Aubrey, who is personally known to me.



Jessica J. Green  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG951576  
Expires 3/7/2024

  
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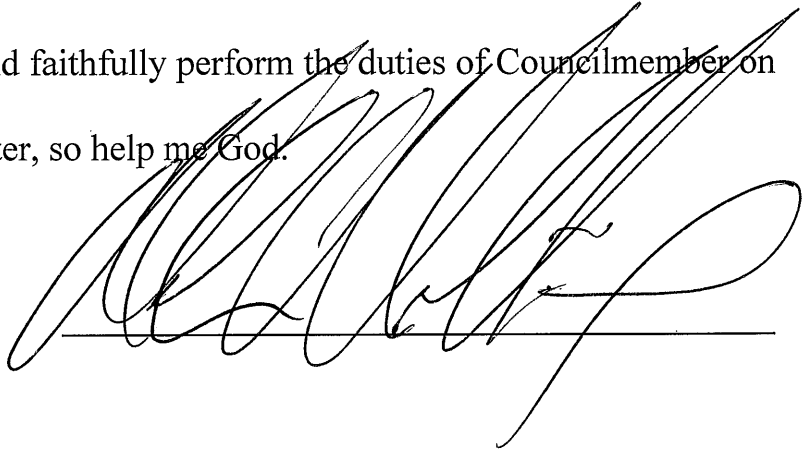
Jessica J. Green  
Notary Public - State of Florida  
My Commission Expires 3/7/2024  
Commission # GG951576



# OATH OF OFFICE

State of Florida )  
County of Palm Beach ) ss.  
Village of North Palm Beach )

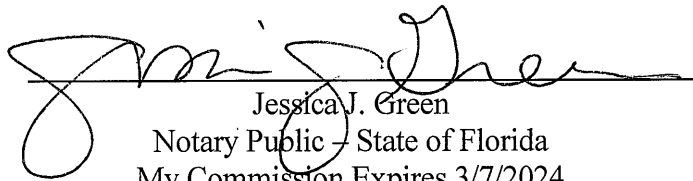
I, Mark Mullinix, do solemnly swear or affirm that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of Councilmember on which I am now about to enter, so help me God.



Sworn to and subscribed before me this 9th day of April, 2020, by Mark Mullinix, who is personally known to me.



Jessica J. Green  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG951576  
Expires 3/7/2024

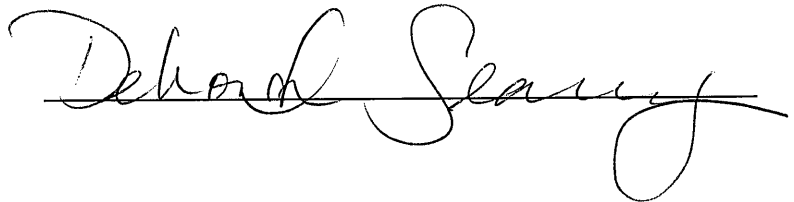


Jessica J. Green  
Notary Public - State of Florida  
My Commission Expires 3/7/2024  
Commission # GG951576

# OATH OF OFFICE

State of Florida )  
County of Palm Beach ) ss.  
Village of North Palm Beach )

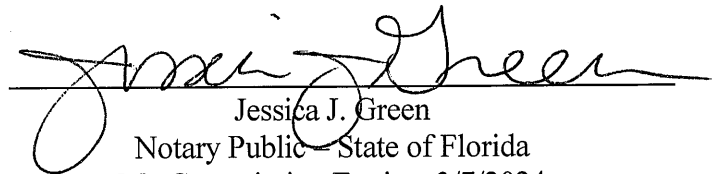
I, Deborah Searcy, do solemnly swear or affirm that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of Councilmember on which I am now about to enter, so help me God.



Sworn to and subscribed before me this 9th day of April, 2020, by Deborah Searcy, who is personally known to me.



Jessica J. Green  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG951576  
Expires 3/7/2024



Jessica J. Green  
Notary Public - State of Florida  
My Commission Expires 3/7/2024  
Commission # GG951576

# OATH OF OFFICE

State of Florida )  
County of Palm Beach ) ss.  
Village of North Palm Beach )

I, Susan Bickel, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Florida, and the Charter and Code of the Village of North Palm Beach; and that I will faithfully, honestly and impartially discharge my duties as Mayor during my continuance therein, so help me God.

  
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Subscribed and sworn to before me this 9th day of April, 2020, by Susan Bickel, who is personally known to me.



Jessica J. Green  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG951576  
Expires 3/7/2024

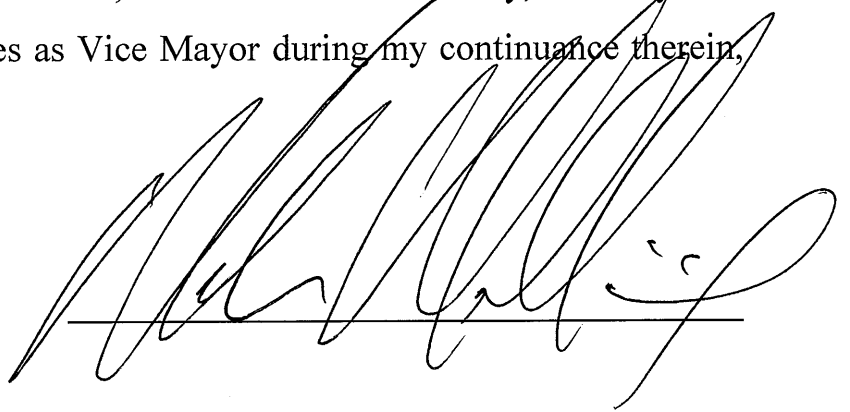
  
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Jessica J. Green  
Notary Public - State of Florida  
My Commission Expires 3/7/2024  
Commission # GG951576

# OATH OF OFFICE

State of Florida )  
County of Palm Beach ) ss.  
Village of North Palm Beach )

I, Mark Mullinix, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Florida, and the Charter and Code of the Village of North Palm Beach; and that I will faithfully, honestly and impartially discharge my duties as Vice Mayor during my continuance therein, so help me God.

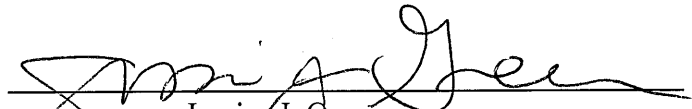


A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and appears to read 'Mark Mullinix'.

Subscribed and sworn to before me this 9th day of April, 2020, by Mark Mullinix, who is personally known to me.



Jessica J. Green  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG951576  
Expires 3/7/2024



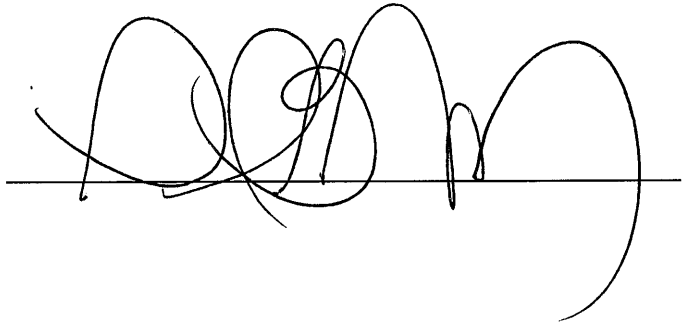
Jessica J. Green  
Notary Public – State of Florida  
My Commission Expires 3/7/2024  
Commission # GG951576

A handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to read 'Jessica J. Green'.


# OATH OF OFFICE

State of Florida )  
County of Palm Beach ) ss.  
Village of North Palm Beach )


I, David B. Norris, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Florida, and the Charter and Code of the Village of North Palm Beach; and that I will faithfully, honestly and impartially discharge my duties as President Pro Tem during my continuance therein, so help me God.



Subscribed and sworn to before me this 9th day of April, 2020, by David B. Norris, who is personally known to me.



Jessica J. Green  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG951576  
Expires 3/7/2024



Jessica J. Green  
Notary Public – State of Florida  
My Commission Expires 3/7/2024  
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