

**MINUTES OF THE REGULAR SESSION
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA
APRIL 26, 2018**

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

ROLL CALL

Mayor Norris 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

Councilmember Searcy gave the invocation and President Pro Tem Bickel led the public in the Pledge of Allegiance.

AWARDS AND RECOGNITION

North Palm Beach Country Club Men's Senior Tennis Team Captain Frank Fetto and Co-Captain George Strasdas presented the Village Council with their award for First Place in the 2018 Palm Beach County Senior Tennis League.

APPROVAL OF MINUTES

The Minutes of the Regular Session held April 12, 2018 were approved as written.

STATEMENTS FROM THE PUBLIC, PETITIONS AND COMMUNICATIONS

Representative Rick Roth, District 85, gave an update on the 2018 Legislative Session.

Friends of the Library President Cathy Graham invited the Council and members of the public to attend the Grand Opening of the new Children's Room at the Library on May 9, 2018. Mrs. Graham noted the event would be held from 2:00 p.m. – 4:00 p.m., with ribbon cutting at 3:30 p.m.

INTERVIEWS OF ADVISORY BOARD APPLICANTS

The following persons were present for interviews with the Village Council:

Suzanne Mehregan	Nancy Beaumont	Lisa Gallagher
Mary Phillips	Tina Chippas	(read Tom Gallagher's statement)
Susan Filardo	Lori Rainaldi	Kelli Preti
Ranier Altieri	Erica Rhine	

ORDINANCE 2018-04 – CODE AMENDMENT – DOCKS AND PIERS

A motion was made by President Pro Tem Bickel and seconded by Councilmember Aubrey to adopt on first reading Ordinance 2018-04 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING CHAPTER 5, "BOATS, DOCKS AND WATERWAYS," OF THE VILLAGE CODE OF ORDINANCES; AMENDING ARTICLE I, "IN GENERAL," BY AMENDING SECTION 5-1, "DEFINITIONS," TO AMEND THE DEFINITION OF MOORING AND AMENDING SECTION 5-16, "MOORING LIMITATIONS," TO EXTEND SUCH RESTRICTIONS TO ALL VILLAGE WATERWAYS; AMENDING DIVISION 4, "DOCKS AND PIERS," OF ARTICLE III, "CONSTRUCTION REQUIREMENTS," BY AMENDING SECTION 5-81, "DEFINITIONS," TO ADD DEFINITIONS FOR FLOATING VESSEL PLATFORM AND SHORE OR SHORELINE; AMENDING SECTION 5-82, "GENERALLY," TO PROVIDE THAT THE WIDTH OR LENGTH OF A PIER OR DOCK SHALL INCLUDE ALL PROTRUSIONS THEREFROM; AMENDING SECTION 5-83, "MINIMUM DESIGN REQUIREMENTS," TO PRESCRIBE REQUIREMENTS FOR FLOATING VESSEL PLATFORMS; AMENDING SECTION 5-84, "REGULATIONS GOVERNING CONSTRUCTION IN WATERS OTHER THAN LAKE WORTH AND ATLANTIC OCEAN," TO ALLOW FOR NON-CONCURRENT CONSTRUCTION OF DOCKS OR PIERS ON THE PROPERTY LINE IN LAGOON DEAD ENDS, ELIMINATE CONFLICTING LANGUAGE GOVERNING THE LOCATION OF PIERS AND PROVIDE REGULATIONS FOR FLOATING VESSEL PLATFORMS; AMENDING SECTION 5-85, "REGULATIONS GOVERNING CONSTRUCTION IN LAKE WORTH AND ATLANTIC OCEAN," TO PROVIDE REGULATIONS FOR FLOATING VESSEL PLATFORMS AND DELETE THE REQUIREMENT THAT ALL MAJOR COMPONENTS BE CONSTRUCTED OF REINFORCED CONCRETE; PROVIDING FOR PROSPECTIVE APPLICATION OF CERTAIN MOORING REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rubin reviewed the essential components of the ordinance. Mr. Rubin noted the ordinance does not address the definition of private dock.

Discussion took place concerning the restriction in Section 5-16 that moored vessels shall not extend beyond the side property lines extended. Discussion ensued regarding "grandfathering."

Regarding the amendment to Section 5-85(7) to eliminate the requirement that all major components of docks and piers within Lake Work and the Atlantic Ocean be constructed of reinforced concrete, Mr. Rubin noted that construction standards are included in Section 5-83(f), "Construction material."

Thereafter, the motion to adopt Ordinance 2018-04 on first reading passed unanimously.

CONSENT AGENDA APPROVED

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

Receive for file Minutes of the Library Advisory Board meeting held 3/27/18

Receive for file Minutes of the Waterways Board meeting held 4/10/18

RESOLUTION 2018-45 – APPOINTING MEMBERS TO VILLAGE BOARDS

Audit Committee: By written ballots, the originals of which are attached to the minutes of record, Donald Kazimir, Ed Katz, and Suzanne Mehregan were appointed to the Audit Committee. A motion was made by Councilmember Aubrey, seconded by Vice Mayor Mullinix, and passed unanimously to appoint Donald Kazimir as a regular member, appoint Ed Katz as 1st Alternate, and appoint Suzanne Mehregan as 2nd Alternate.

General Employees Retirement Board: A motion was made by President Pro Tem Bickel, seconded by Councilmember Searcy, and passed unanimously to reappoint Jim Peterson to the General Employees Retirement Board.

Golf Advisory Board: A motion was made by Councilmember Aubrey to reappoint all incumbent members and appoint Susan Filardo as the Women's Golf Association representative. Vice Mayor Mullinix seconded the motion, which passed unanimously. A motion was made by Councilmember Searcy to move the 1st and 2nd alternates to regular member positions and move Steve Mathison and Curtis Witters to the 1st and 2nd alternate positions. The motion failed for lack of a second. Thereafter, the names of Steve Mathison, David Talley, Curtis Witters, Richard Pizzolato, Jeffrey Irish, Jeff Egizio, and Susan Filardo were entered into Resolution 2018-45.

Infrastructure Surtax Oversight Committee: By written ballots, the originals of which are attached to the minutes of record, Mary Phillips was appointed to the Infrastructure Surtax Oversight Committee.

Library Advisory Board: By written ballots, the originals of which are attached to the minutes of record, Christine DelGuzzi, Bonnie Jenkins, Phyllis Wissner, Brad Avakian, and Tina Chippas were appointed to the Library Advisory Board. A motion was made by Councilmember Aubrey, seconded by Vice Mayor Mullinix, and passed unanimously to reappoint the regular members, appoint Brad Avakian as 1st Alternate, and appoint Tina Chippas as 2nd Alternate.

Planning Commission: By written ballots, the originals of which are attached to the minutes of record, Jake Furlott, Donald Solodar, Jonathan Haigh, and Lori Rainaldi were appointed to the Planning Commission. A motion was made by President Pro Tem Bickel, seconded by Councilmember Aubrey, and passed unanimously to reappoint Mr. Furlott and Mr. Solodar as regular members, and appoint Jonathan Haigh as 1st Alternate and Lori Rainaldi as 2nd Alternate.

Recreation Advisory Board: By written ballots, the originals of which are attached to the minutes of record, Bob Bell, Don Grill, Tim Hullihan, Chris Cantwell, and Lisa Interlandi were reappointed to the Recreation Advisory Board.

Waterways Board: By written ballots, the originals of which are attached to the minutes of record, Paul Bartlett and Lori Preti were appointed to the Waterways Board.

Zoning Board of Adjustment: By consensus, Stephen Harber, Lane Henderson, Curt Sanchez, Richard DiDonna, and Erica Rhine were appointed to the Zoning Board of Adjustment. A motion was made by Councilmember Aubrey seconded by President Pro Tem Bickel, and passed unanimously to reappoint Stephen Harber and Lane Henderson, move Mr. Sanchez to regular member, and appoint Mr. DiDonna as 1st Alternate and Erica Rhine as 2nd Alternate.

Thereafter, the names of all those appointed were entered into Resolution 2018-45.

RESOLUTION 2018-45 – APPOINTING MEMBERS TO VILLAGE BOARDS *continued*

A motion was made by Councilmember Aubrey and seconded by Vice Mayor Mullinix to adopt Resolution 2018-45 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPOINTING MEMBERS TO THE AUDIT COMMITTEE, GOLF ADVISORY BOARD, INFRASTRUCTURE SURTAX OVERSIGHT COMMITTEE, LIBRARY ADVISORY BOARD, GENERAL EMPLOYEES RETIREMENT BOARD, PLANNING COMMISSION, RECREATION ADVISORY BOARD, WATERWAYS BOARD, AND ZONING BOARD OF ADJUSTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Discussion ensued regarding absences of board members. Mr. Rubin read Section 2-1(m)(2) of the Village Code of Ordinances. Further discussion on this topic will be held at an upcoming meeting.

Thereafter, the motion to adopt Resolution 2018-45 passed unanimously.

RESOLUTION 2018-46 – ANCHORAGE PARK SOD PURCHASE

A motion was made by Vice Mayor Mullinix and seconded by President Pro Tem Bickel to adopt Resolution 2018-46 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A CONTRACT AWARD TO ODUMS SOD, INC. FOR THE PURCHASE, DELIVERY AND INSTALLATION OF SOD AT ANCHORAGE PARK PURSUANT TO PRICING ESTABLISHED IN AN EXISTING CONTRACT WITH THE PALM BEACH COUNTY SCHOOL DISTRICT AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A CONTRACT ON BEHALF OF THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik advised the contract is for the purchase and installation of approximately 200,000 square feet of sod for the remaining areas at Anchorage Park. Mr. Lukasik gave an update on the irrigation system.

Thereafter, the motion to adopt Resolution 2018-46 passed unanimously.

RESOLUTION 2018-47 – AMENDMENT TO BUILDING DEPARTMENT SERVICES AGREEMENT

A motion was made by Vice Mayor Mullinix and seconded by President Pro Tem Bickel to adopt Resolution 2018-47 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING AN AMENDMENT TO AN AGREEMENT WITH HY-BYRD, INC. FOR BUILDING DEPARTMENT AND RELATED SERVICES PURSUANT TO PRICING ESTABLISHED IN AN EXISTING CONTRACT FOR SERVICES BETWEEN HY-BYRD AND THE TOWN OF HYPOLUXO AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE AMENDMENT ON BEHALF OF THE VILLAGE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik discussed the need to rely on contractual services agreements until open positions in the Building Department are filled.

Thereafter, the motion to adopt Resolution 2018-47, as amended, passed unanimously.

RESOLUTION 2018-48 – AMENDMENT TO BUILDING OFFICIAL, PLAN REVIEW AND INSPECTION SERVICES AGREEMENT

A motion was made by Councilmember Searcy and seconded by Vice Mayor Mullinix to adopt Resolution 2018-48 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING AN AMENDMENT TO AN AGREEMENT WITH M.T. CAUSLEY, LLC FOR BUILDING OFFICIAL, PLAN REVIEW AND INSPECTION SERVICES 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 AMENDMENT ON BEHALF OF THE VILLAGE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik reported the Village's interim Building Official is provided through M.T. Causley.

Thereafter, the motion to adopt Resolution 2018-48 passed unanimously.

MAYOR AND COUNCIL MATTERS/REPORTS

Mr. Rubin gave an update on the Firearms Preemption Lawsuit. Discussion ensued regarding the \$10,000.00 cost to join the lawsuit. A suggestion was made to file an amicus brief. Mr. Rubin advised this could be done at the appellate level. Mr. Rubin will prepare a resolution authorizing intervention in the lawsuit for the next meeting.

Vice Mayor Mullinix announced his appointment by the Palm Beach County League of Cities to the Lake Worth Lagoon Initiative Steering Committee.

MANAGER MATTERS/REPORTS

Mr. Lukasik detailed the schedule for the Clubhouse Farwell Event on Saturday, April 28, 2018.

Mr. Lukasik reminded Council and the public that the clubhouse and golf course are closing for business on May 1, 2018. Mr. Lukasik reviewed significant dates regarding the clubhouse construction project. Discussion ensued regarding the length of time the pool would be closed during demolition of the old clubhouse. Mr. Lukasik will contact The Weitz Group for clarification.

Mr. Lukasik distributed the CRS Activity Report, which is a requirement of the Community Rating System, and noted it would be submitted to Palm Beach County for inclusion in the Local Mitigation Plan and published to the public. Mr. Lukasik advised that participation in the CRS program helps to reduce the cost of flood insurance for Village property owners.

Mr. Lukasik reported an item would be placed on the May 10, 2018 Workshop Session regarding prioritization of Code Enforcement activities.

REPORTS (SPECIAL COMMITTEES AND ADVISORY BOARDS)

Chairman Tom Magill presented the Annual Report of the Audit Committee.

ADJOURNMENT

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


Melissa Teal, MMC, Village Clerk