

**MINUTES OF THE REGULAR SESSION  
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA  
AUGUST 22, 2019**

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. All members of staff were present.

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilmember Bickel gave the invocation and President Pro Tem Norris led the public in the Pledge.

AWARDS AND RECOGNITION

Mayor Aubrey read a Letter of Commendation for Myles Colin Johnson, Special Agent USSS, Captain USMC and presented the letter to Mr. Johnson's parents.

Mr. Johnson's parents accepted the Commendation thanked Council and expressed their appreciation.

Mayor Aubrey read the Proclamation for Constitution week.

Susan Earle from the Daughters of the American Revolution accepted the Proclamation thanked Council and expressed her appreciation.

APPROVAL OF MINUTES

The Minutes of the Regular Session held August 8, 2019 were approved as written.

STATEMENTS FROM THE PUBLIC, PETITIONS AND COMMUNICATIONS

Councilmember Searcy commended Chief Richard Jenkins for being appointed by Governor Ron Desantis to the Opioid Task Force. Councilmember Searcy expressed her gratitude and appreciation to Chief Jenkins for his hard work and service to the Village.

Chief Jenkins thanked the Council.

There was no ex-parte communication by Council for the following item:

PUBLIC HEARING AND MOTION – SPECIAL PERMIT FOR SIMILAR USE – FAZLUL & ZARNA INVESTMENT LLC Consider a motion to approve or deny the application for a Special Use Permit to allow Fazlul & Zarna Investment LLC to operate a tobacco pipe smoke shop with accessory beer and wine sales on property located at 9269 Prosperity Farms Road as a similar use to those permitted within the CC Transitional Commercial Zoning District in accordance with Section 45-32.1.

PUBLIC HEARING AND MOTION – SPECIAL PERMIT FOR SIMILAR USE – FAZLUL & ZARNA INVESTMENT LLC *continued*

Community Development Director Jeremy Hubsch discussed and explained the applicant's request. Mr. Hubsch stated that there were businesses located within close proximity that would not be compatible with the applicant's proposed business. There is a daycare, three different places of worship, and Osborne Park which are all within close proximity to the proposed business. Mr. Hubsch explained why he and staff did not consider the applicants proposed use to be similar to what is permitted within the Commercial Zoning District. Mr. Hubsch explained and provided the different types of uses that are permitted within the CC Transitional Commercial Zoning District and compared them with the proposed business and what types of products would be sold there. Mr. Hubsch stated that the Planning staff and Police Department also had concerns with the proposed business since it would also be in close proximity of a school, high school bus stops and recovery centers that provide treatment for persons in recovery from addictions.

Mayor Aubrey opened the public hearing.

Robert Bayless, 522 Driftwood Road, expressed his concerns about the proposed use and strongly recommended denying the application for the proposed business because of its close proximity to schools, churches and recovery centers.

The applicant, Fazlul Ahmed, addressed Council and gave his reasoning for his request to allow a Special Permit for Similar Use for his proposed business.

There being no further comments from the public, Mayor Aubrey closed the public hearing.

Discussion ensued among Council regarding their concerns about the proposed business.

A motion was made by President Pro Tem Norris and seconded by Vice Mayor Mullinix to deny the Special Permit for Similar Use application submitted by Fazlul & Zarna Investment.

Thereafter the motion passed unanimously.

CONSENT AGENDA APPROVED

Vice Mayor Mullinix moved to approve the Consent Agenda. Councilmember Searcy seconded the motion which passed unanimously. The following items were approved:

Resolution – Approval of a Statewide Mutual Aid Agreement with the Florida Department of Community Affairs, Division of Emergency Management.

Resolution – Approval of Interlocal Agreement with Palm Beach County for access to Common Talk Groups

Resolution – Approving the issuance of a blanket purchase order with K& M Electric for the purchase of parts and supplies to service all Village facilities at a total cost not to exceed \$17,500.

Resolution – Approval of a blanket purchase order to Melrose Irrigation Supply and Sales for irrigation supplies and materials in the total amount of \$15,000.

Resolution – Approval of a blanket purchase order to Horizon Distributors, Inc. for irrigation supplies and materials in the total amount of \$15,000.

Resolution – Approving and Easement for Water and Sewer Improvements in favor of Seacoast Utility Authority over a portion of the North Palm Beach Country Club.

CONSENT AGENDA APPROVED *continued*

- Receive for file Minutes of the General Employees Pension Board meeting held 4/30/19
- Receive for file Minutes of the Planning Commission meeting held 7/2/19
- Receive for file Minutes of the Recreation Advisory Board meeting held 7/9/19
- Receive for file Minutes of the Library Advisory Board meeting held 7/23/19
- Receive for file Minutes of the Audit Committee meeting held 8/5/19

MOTION – COUNTRY CLUB MONUMENT SIGN

Mr. Lukasik discussed and explained the proposed Country Club Clubhouse monument signs. Discussion took place among staff and Council regarding the design, construction and timeline of the proposed monument sign.

A motion was not made on this item.

Council directed staff to bring back additional and more detailed renditions of the proposed monument sign.

RESOLUTION 2019-82 – COUNTRY CLUB FURNITURE PURCHASE

A motion was made by Councilmember Searcy and seconded by Vice Mayor Mullinix to adopt Resolution 2019-82 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING AND AUTHORIZING THE PURCHASE OFFICE AND MEETING ROOM FURNITURE FOR THE COUNTRY CLUB CLUBHOUSE FROM BERWIN, INC. D/B/A J.C. WHITE OFFICE FURNITURE PURSUANT TO PRICING ESTABLISHED BY STATE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik explained and discussed the contract and stated that the Clubhouse meeting rooms and offices would be furnished by the purchase.

Sharon Swan, Manager of Purchasing stated that the furniture manufacturer was Hahn and that all of their furniture is made in the USA. Ms. Swan stated that the furniture would be delivered in one piece which would eliminate the need for the Public Works Department to put the furniture together.

Thereafter, the motion to adopt Resolution 2019-82 passed unanimously.

VILLAGE COUNCIL MATTERS/REPORTS

Councilmember Bickel discussed and explained concerns from residents regarding the code related to the height and stories of residential buildings. Councilmember Bickel asked if staff could look into the concern.

Council directed staff to review the concerns and bring options to a future workshop.

Councilmember Bickel stated that there was a vacancy on the Environmental Committee and asked Mr. Lukasik how it would be addressed.

Mr. Lukasik stated that he would reach out to former applicants to see if any were still interested in the position.

VILLAGE COUNCIL MATTERS/REPORTS *continued*

Vice Mayor Mullinix discussed items that were addressed at the annual Florida League of Cities meeting and discussed ways that Council could participate and address future upcoming concerns. Vice Mayor Mullinix asked for an update on the boat slips on the floating docks at Anchorage Park.

Mr. Lukasik gave an update on the boat slips and explained that there would be a meeting with the current boat slip lessees and if they do not continue to lease, staff would contact those who are on the waiting list.

VILLAGE MANAGER MATTERS/REPORTS

Mr. Lukasik gave an update on the Country Club Clubhouse. Mr. Lukasik explained Farmer's Table's proposed timeline and stated that they may not be fully open and running until after the grand opening of the Clubhouse which is scheduled for November 1<sup>st</sup> and 2<sup>nd</sup>.

Councilmember Searcy asked when the pool at the Clubhouse would be open.

Special Projects Director Chuck Huff stated that the pool was scheduled to reopen by the end of September.

Discussion ensued among Council regarding their concerns about the timeline for the opening of Farmer's Table and the grand opening of the golf course and the Clubhouse.

Council directed staff to reschedule the grand opening of the Clubhouse to the middle of November.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:32 p.m.

  
Jessica Green, MMC, Village Clerk