

**MINUTES OF THE REGULAR SESSION
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA
SEPTEMBER 13, 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 Aubrey gave the invocation and Vice Mayor Mullinix led the public in the Pledge.

AWARDS AND RECOGNITION

Boynton Beach City Manager Lori LaVerriere, District IV Director for the Florida City and County Management Association, presented the ICMA Recognition Award to the Council in honor of the Village's 55th anniversary as a council-manager form of government. Joining in the presentation were Greenacres City Manager Andrea McCue and Briny Breezes Town Manager Dale Sugerman.

David Dearth, Manager, John D. MacArthur Beach State Park presented the Council with a check in the amount of \$50,000 from the Florida Department of Environmental Protection (DEP). The Village received a Florida Recreation Development Assistance Program (FRDAP) Grant through the DEP for the North Palm Beach County Club Pool.

APPROVAL OF MINUTES

The Minutes of the Regular Session held August 23, 2018 were approved as written.

STATEMENTS FROM THE PUBLIC

These residents addressed the Council concerning enforcement of Village Code sections 18-35 and 18-35.1 regarding parking restrictions for boats and recreational vehicles:

William Peters, 428 Westwind Drive
Jeffrey Brick , 424 Westwind Drive
Joe Tucciarone, 525 Flotilla Road
Tom Twyford, 921 Laurel Road
Sean Saunders, 400 Ebbtide Drive
Lori Rainaldi, 500 Overlook Drive
Joe Sacca, 700 Lighthouse Drive

Lance McVane, 425 Flotilla Road
Ryan Kadyszewski, 501 Overlook Drive
Colby Briggs, 400 Oyster Road
Ryan Nagle, 136 Cruiser Road S
Howard Leipzig, 417 Oyster Road
Jeff Winters, 723 Ibis Way
Diyna Swiderski, 727 Ibis Way

Council discussion ensued regarding suspension of Sections 18-35 and 18-35.1 of the Village Code. It was determined to reconvene the Boat and RV Workgroup and to survey the residents.

A motion was made by Vice Mayor Mullinix, seconded by Councilmember Aubrey, and passed unanimously, to suspend enforcement of Village Code Sections 18-35 and 18-35.1 and the imposition of fines for six months, and to suspend Special Magistrate Hearings of pending code compliance cases.

PUBLIC HEARING AND FIRST READING OF AD VALOREM TAX MILLAGE RATE ORDINANCE AND BUDGET ORDINANCE

A motion was made by Councilmember Aubrey and seconded by President Pro Tem Bickel to adopt on first reading Ordinance 2018-06 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ESTABLISHING AND ADOPTING THE FINAL LEVY OF AD VALOREM TAXES FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Councilmember Searcy and seconded by Councilmember Aubrey to adopt on first reading Ordinance 2018-07 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ADOPTING THE ANNUAL BUDGET OF THE VILLAGE OF NORTH PALM BEACH FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019 AND AUTHORIZING ALLOCATIONS, APPROPRIATIONS AND EXPENDITURES IN ACCORDANCE WITH THE BUDGET AND AS AUTHORIZED BY LAW; APPROVING A COMPREHENSIVE PAY PLAN AND AUTHORIZING THE VILLAGE MANAGER TO MAKE TEMPORARY APPOINTMENTS TO BUDGETED POSITIONS; APPROVING A MASTER FEE SCHEDULE; PROVIDING FOR THE CREATION OF GOVERNMENTAL FUNDS WHEN NECESSARY; PROVIDING FOR THE RECEIPT OF GRANTS OR GIFTS; PROVIDING PROCEDURES FOR BUDGET AMENDMENTS; PROVIDING FOR THE LAPSE OF OUTSTANDING ENCUMBRANCES AND THE RE-APPROPRIATION OF UNEXPENDED APPROPRIATIONS FOR THE PRIOR FISCAL YEAR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik gave a presentation on the budget.

Mayor Norris opened the public hearing on the ad valorem tax millage rate and budget.

Gus Kontos, 712 Buttonwood Road, requested funding for streetlights, and that an evaluation be conducted during the evening, as there are no lights between Buttonwood and Allamanda.

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

A motion was made by President Pro Tem Bickel and seconded by Councilmember Aubrey to establish an ad valorem tax millage rate of 7.5000 mils. The motion passed 4 – 1, with President Pro Tem Bickel, Councilmember Aubrey, Councilmember Searcy, and Mayor Norris in favor, and Vice Mayor Mullinix opposed.

Mayor Norris announced that the rolled back rate is 6.9710 mils, the percentage increase over the rolled back rate is 7.59%, and the millage rate to be levied is 7.5000 mils.

The motion to adopt Ordinance 2018-06 on first reading passed 4 – 1, with President Pro Tem Bickel, Councilmember Aubrey, Councilmember Searcy, and Mayor Norris in favor, and Vice Mayor Mullinix opposed.

The motion to adopt Ordinance 2018-07 on first reading passed unanimously.

ORDINANCE 2018-08 – BUDGET AMENDMENT – COUNTRY CLUB CLUBHOUSE PROJECT

A motion was made by Vice Mayor Mullinix and seconded by President Pro Tem Bickel to adopt on first reading Ordinance 2018-08 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING THE ADOPTED GENERAL FUND BUDGET FOR FISCAL YEAR 2017-2018 TO PROVIDE FUNDING FOR THE NORTH PALM BEACH COUNTRY CLUB CLUBHOUSE PROJECT; TRANSFERRING \$3,922,527 FROM THE UNASSIGNED FUND BALANCE TO THE CAPITAL PROJECTS FUND COUNTRY CLUB CLUBHOUSE PROJECT CAPITAL ACCOUNT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik reviewed the major expenses associated with the clubhouse project, which include amendments to the Construction Manager at Risk Services Agreement, bid alternates, and permit fees. Mr. Lukasik reported a total guaranteed maximum price of \$14,790,392 and other Village costs of \$4,132,135, for a total project cost of \$18,922,527. Mr. Lukasik announced that upon approval of the budget amendment there would be \$6,381,899 available in Fund Balance, which represents 25.9% of the 2019 General Fund Budget.

Discussion ensued as to whether the Village could make a \$3,922,527 loan to itself at zero percent. Mr. Lukasik reported an analysis was underway to ensure an appropriate allocation of expenditures between the Enterprise Fund and the General Fund.

Thereafter, the motion to adopt Ordinance 2018-08 on first reading passed unanimously.

CONSENT AGENDA APPROVED

Item 6D4, a resolution accepting a proposal from Toshiba Business Solutions, Inc. to lease twelve (12) multi-function copiers, was removed from the Consent Agenda and placed on the Regular Session agenda.

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

Motion authorizing Village Manager to provide written notice of the Village's intent to terminate its participation in the Cooperative Authority for Library Automation (COALA).

Resolution approving the submission of an application for State Aid to Libraries Grant Funding; authorizing execution of the Grant Agreement, and approving the annual plan of services.

Resolution approving the renewal of the book lease plan with Baker and Taylor, Inc. at a total cost not to exceed \$15,408.00; and authorizing the Village Manager to execute the Renewal Authorization.

Resolution approving or use by various Village Departments; and authorizing the Village Manager to take all actions necessary to effectuate the lease agreement.

Receive for file Minutes of the Police and Fire Pension Board meeting held 5/15/18.

Receive for file Minutes of the Golf Advisory Board meeting held 7/30/18.

Receive for file Minutes of the General Employees Pension Board meeting held 8/1/18.

Receive for file Minutes of the Infrastructure Surtax Oversight Committee meeting held 8/21/18.

RESOLUTION 2018-71 – TOSHIBA COPIERS LEASE

A motion was made by Councilmember Aubrey and seconded by Vice Mayor Mullinix to adopt Resolution 2018-71 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ACCEPTING A PROPOSAL FROM TOSHIBA BUSINESS SOLUTIONS, INC. TO LEASE TWELVE (12) MULTI-FUNCTION COPIERS PURSUANT TO PRICING ESTABLISHED IN THE STATE OF FLORIDA CONTRACT FOR MULTIFUNCTION PRODUCTS, PRINTERS, FACSIMILE EQUIPMENT, SCANNERS, RELATED SOFTWARE, SUPPLIES AND SERVICES AND AUTHORIZING THE VILLAGE MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE LEASE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Discussion ensued regarding the monthly lease costs for each department.

Thereafter, the motion to adopt Resolution 2018-71 passed unanimously.

VILLAGE COUNCIL MATTERS/REPORTS

Vice Mayor Mullinix noted the recent passing of Secret Service Agent Colin Johnson, who grew up in North Palm Beach.

President Pro Tem Bickel reported receiving complaints about residents' inability to launch non-motorized vessels, such as kayaks and paddleboards, from Lakeside Park. President Pro Tem Bickel requested Council discussion and consideration of a code amendment in this regard.

President Pro Tem Bickel commented on a push by code compliance to keep sidewalks clear of hedge material, particularly near driveways. President Pro Tem Bickel felt that minimal encroachment should be a minor issue on those sidewalks that are five foot wide, so long as the four foot width required by ADA was maintained.

VILLAGE MANAGER MATTERS/REPORTS

Mr. Lukasik gave an update on the status of the golf course renovation project.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:37 p.m.


Melissa Teal, MMC, Village Clerk