

**MINUTES OF THE REGULAR SESSION
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA
SEPTEMBER 26, 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 Searcy gave the invocation and Councilmember Bickel led the public in the Pledge.

APPROVAL OF MINUTES

The Minutes of the Emergency Special Session held August 29, 2019 and the Minutes of the Regular Session held September 12, 2019 were approved as written.

Mayor Aubrey stated that a correction needed to be made to the Roll Call section of the Minutes of the Emergency Special Session held August 30, 2019 to reflect Councilmember Searcy's absence from the meeting.

The Minutes of the Emergency Special Session held August 30, 2019 were approved as amended.

STATEMENTS FROM THE PUBLIC, PETITIONS AND COMMUNICATIONS

These residents addressed the Council regarding their concerns about the proposed Prosperity Village Project:

Caroline Schubert, 2525 Pepperwood Circle	Cory Cross, 2560 Pepperwood Circle
Philippe Schubert, 2525 Pepperwood Circle	Deborah Cross, 2560 Pepperwood Circle
Tim Hulihan, 840 Country Club Drive	Peter Elsenbaumer, 604 Laurel Court

Chris McDermott, 744 Waterway Drive, expressed his concerns regarding vacation rentals and stated that there were no restrictions or a definition of house stories in the Village code.

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

A motion was made by President Pro Tem Norris and seconded by Vice Mayor Mullinix to adopt and enact on second reading Ordinance 2019-09 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ESTABLISHING AND ADOPTING THE FINAL LEVY OF AD

PUBLIC HEARING AND SECOND READING OF AD VALOREM TAX MILLAGE RATE ORDINANCE AND BUDGET ORDINANCE *continued*

VALOREM TAXES FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Councilmember Searcy and seconded by Councilmember Bickel to adopt and enact on second reading Ordinance 2019-10 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, 2019 AND ENDING SEPTEMBER 30, 2020 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 final overview and presentation on the budget.

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

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

Mayor Aubrey announced that the rolled back rate is 7.1798 mils, the percentage increase over the rolled back rate is 4.46%, and the millage rate to be levied is 7.5000 mils.

The motion to adopt and enact on second reading Ordinance 2019-09 approving the Ad Valorem Tax Millage Rate passed unanimously.

The motion to adopt and enact on second reading Ordinance 2019-10 approving the Fiscal Year 2019-2020 Annual Budget passed unanimously.

CONSENT AGENDA APPROVED

Item 14 was 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 items were approved:

Motion – Approval and ratification of Change Orders #2 and #3 from Murray Logan Construction, Inc. in the amount of \$7,542.75 to install protective fender to the boat ramp floating staging docks and installation of additional waterline.

Resolution – Approving a FY 2020 blanket purchase order to Mullinax Ford for automotive parts and mechanical repair services in an amount not to exceed \$20,000.

Resolution – Approving a FY 2020 blanket purchase order to Al Packer Ford for automotive parts and mechanical repair services in an amount not to exceed \$20,000.

CONSENT AGENDA APPROVED *continued*

Resolution – Approving a FY 2020 blanket purchase order to Horizon Distributors, Inc. for irrigation parts and irrigation system repairs in an amount not to exceed \$20,000.

Resolution – Approving a FY 2020 blanket purchase order to Melrose Irrigation for irrigation parts and irrigation system repairs in an amount not to exceed \$20,000.

Resolution – Approving a FY 2020 order to Tiresoles of Broward, Inc. d/b/a Elpex Tires for automotive tires and retread/repair services in an amount not to exceed \$70,000.

Resolution – Approving a FY 2020 order to K & M Electric for electrical supplies and materials in an amount not to exceed \$12,000.

Resolution – Approving a blanket purchase order to Cintas Corporation for uniform rental and cleaning service, floor mats cleaning service, and shop towel services in an amount not to exceed \$21,700.

Resolution – Approving a FY 2020 order to Acushnet Company for Pinnacle golf range balls in an amount not to exceed \$15,000.

Resolution – Approving an Amendment to Resolution 2019-82 to purchase additional office/meeting room furniture for the Country Club Clubhouse from Berwin, Inc. d/b/a J.C. White Office Furniture at an additional cost not to exceed \$2,118.11.

Resolution – Approving the sole source purchase of a key card access control system from Holb-Sierra Corp. in the amount of \$13,561.50 for the new Country Club Clubhouse and authorizing execution of the Contract.

Resolution – Approving FY 2020 blanket purchase orders to Baker & Taylor, Inc. in the amount of \$37,000 and Midwest Tape, LLC in the amount of \$22,000 for Village Library books and audio-visual materials.

Receive for file Minutes of the Planning Commission meeting held 8/6/19.

Receive for file Minutes of the Golf Advisory Board meeting held 8/19/19.

Receive for file Minutes of the Library Advisory Board meeting held 8/27/19.

Receive for file Minutes of the Infrastructure Surtax Oversight Committee meeting held 9/11/19.

RESOLUTION 2019-102 – D.S. EAKINS PAYMENT FOR COUNTRY CLUB CLUBHOUSE POOL REPAIR

A motion was made by Councilmember Bickel and seconded by President Pro Tem Norris to adopt Resolution 2019-102 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A PAYMENT TO D.S. EAKINS CONSTRUCTION CORP. FOR WORK PERFORMED ON THE POOL DECK AT THE NORTH PALM BEACH COUNTRY CLUB; WAIVING THE VILLAGE'S PURCHASING POLICIES AND PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.

Special Projects Director Chuck Huff explained the construction of the pool deck. Mr. Huff stated that the intention was to have The Weitz Company perform the work on the pool deck but a proposal was never received from them. Mr. Huff stated that he was able to receive a proposal from D.S. Eakins Construction Corporation. Mr. Huff recommended moving forward with the proposal to complete the work. Mr. Huff stated that they were working to get the pool open in October.

Thereafter, the motion to adopt Resolution 2019-102 passed unanimously.

RESOLUTION 2019-106 – ENVIRONMENTAL COMMITTEE APPOINTMENT

By written ballot, the originals of which are attached to the minutes of record, the Council appointed Camille Carroll to serve as a resident member of the Environmental Committee with a term expiring April 30, 2021. Thereafter, the name of Camille Carroll was entered into Resolution 2019-106.

A motion was made by Vice Mayor Mullinix and seconded by President Pro Tem Norris to adopt Resolution 2019-106 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPOINTING A RESIDENT MEMBER TO THE ENVIRONMENTAL COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Thereafter, the motion to adopt Resolution 2019-106 passed unanimously.

RESOLUTION 2019-107 – LANDSCAPING & GROUNDS MAINTENANCE SERVICES CONTRACT

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Searcy to adopt Resolution 2019-107 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ACCEPTING THE PROPOSAL SUBMITTED BY PRECISION LANDSCAPE COMPANY OF PALM BEACH COUNTY, INC. FOR LANDSCAPING AND GROUNDS MAINTENANCE SERVICES AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A CONTRACT RELATING TO SUCH SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Works Director Steven Hallock discussed and explained the contract. Mr. Hallock stated that the contract would cover a portion of the Country Club Clubhouse landscaping. Mr. Hallock explained that there was a higher level of service included in the contract for the landscaping around the Country Club.

Karen Marcus, 920 Evergreen Drive, asked if the contract allowed Roundup to be used for the removal of weeds. She recommended that Roundup not be used as an herbicide in the Village's landscaping.

Mr. Hallock stated that he was unsure if the contract stated which herbicide would be used. Mr. Hallock stated that he would make sure that a safe and effective herbicide would be used.

Council discussion ensued regarding safer alternatives to Roundup.

Councilmember Bickel asked that Mr. Hallock forward a list of potential herbicides to the Environmental Committee for review.

Attorney Rubin stated there was a specification in the contract wherein the Village has the right to approve the herbicide used in the landscaping.

Councilmember Searcy asked if the landscape company would be following regulations and guidelines with respect to when fertilizers or herbicides are administered.

Mr. Hallock stated that the landscape company was aware of the regulations and were required to follow them.

RESOLUTION 2019-107 – LANDSCAPING & GROUNDS MAINTENANCE SERVICES CONTRACT *continued*

Vice Mayor Mullinix asked how soon the landscaping work would be started at the driving range and other parts of the Country Club Clubhouse.

Mr. Hallock stated that beginning October 1st there would be extra manpower to begin working on the landscaping in and around the Country Club.

Councilmember Bickel asked if the landscaping and maintenance around the Firetree Road canal would be taken over by Precision Landscape Company.

Mr. Hallock stated that he was working on obtaining bids for the landscaping and maintenance around the Firetree Road canal.

Thereafter, the motion to adopt Resolution 2019-107 passed unanimously.

RESOLUTION 2019-108 – TENNIS ACADEMY LICENSE AGREEMENT

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Searcy to adopt Resolution 2019-108 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A LICENSE AGREEMENT WITH JKTA, LLC TO OCCUPY SPACE AT THE NORTH PALM BEACH COUNTRY CLUB TENNIS CENTER TO OPERATE A TENNIS ACADEMY AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Country Club Manager Beth Davis discussed and explained the License Agreement. Ms. Davis gave a brief history and background of Mr. Johan Kriek.

Councilmember Searcy commended Ms. Davis for obtaining the agreement with Mr. Kriek and stated that the Tennis Academy will bring international recognition to the Village.

Councilmember Bickel asked how many tennis players Mr. Kriek would be bringing with him.

Ms. Davis stated that approximately 60 to 80 players would immediately be brought in by Mr. Kriek.

Councilmember Bickel stated that the Allamanda Elementary Tennis Team was recently turned away from the Country Club tennis courts and asked if Ms. Davis could follow up and find out what happened.

Ms. Davis stated that she was not aware of it and would find out the reason the Allamanda Elementary Tennis team was turned away.

Vice Mayor Mullinix commended Ms. Davis for obtaining the agreement with Mr. Kriek.

President Pro Tem asked if Mr. Kriek would be handling the entire Tennis Academy.

Ms. Davis explained that Mr. Kriek and his wife would be handling the Tennis Academy and that Mr. Kriek would have coaches come in from the around the world.

Thereafter, the motion to adopt Resolution 2019-108 passed unanimously.

RESOLUTION 2019-109 – THIRD AMENDMENT TO RESTAURANT OPERATOR AGREEMENT

A motion was made by President Pro Tem Norris and seconded by Vice Mayor Mullinix to adopt Resolution 2019-109 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A THIRD AMENDMENT TO THE RESTAURANT OPERATOR AGREEMENT WITH FARMER’S TABLE NPB, LLC TO CONDUCT FOOD AND BEVERAGE OPERATIONS AT THE NORTH PALM BEACH COUNTRY CLUB AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE THIRD AMENDMENT; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik discussed and explained and gave the history of the Agreement and its Amendments. Mr. Lukasik stated that the Third Amendment would accommodate new provisions relating to the pavilion improvements. Mr. Lukasik discussed and explained the new provisions.

Joey Giannuzzi, owner of Farmer’s Table discussed the pool concession and snack bar improvements.

Mayor Aubrey asked when the pool concession improvements and the pavilion would be completed.

Mr. Giannuzzi explained that the pool concession and snack bar improvements would be completed by November 15th and that the pavilion improvements would be completed within the time parameters that were agreed upon.

Thereafter, the motion to adopt Resolution 2019-109 passed unanimously.

RESOLUTION 2019-110 – SYNTHETIC TURF PURCHASE FOR PUTTING GREEN

A motion was made by President Pro Tem Norris and seconded by Vice Mayor Mullinix to adopt Resolution 2019-110 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING AND AUTHORIZING THE PURCHASE OF LABOR AND MATERIALS FOR THE INSTALLATION OF A SYNTHETIC TURF PUTTING GREEN ADJACENT TO THE COUNTRY CLUB CLUBHOUSE FROM SYNTHETIC TURF OF FLORIDA, INC.; AND PROVIDING FOR AN EFFECTIVE DATE.

Director of Golf Allan Bowman discussed and explained the synthetic turf that would be installed on the golf course putting green.

Councilmember Bickel asked that consideration be given to choosing an environmentally friendly synthetic turf.

Discussion ensued between Council and Mr. Bowman regarding the different types of synthetic turf available and the specific type of synthetic turf that would be installed on the putting green.

Thereafter, the motion to adopt Resolution 2019-110 passed unanimously.

RESOLUTION 2019-111 – FIRST AMENDMENT TO COMMUNICATIONS SITE LEASE AGREEMENT

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Bickel to adopt Resolution 2019-111 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING A FIRST AMENDMENT TO THE COMMUNICATIONS SITE LEASE AGREEMENT WITH NEW CINGULAR WIRELESS, PCS, LLC, AS SUCCESSOR IN INTEREST TO AT&T WIRELESS SERVICES OF FLORIDA, INC. AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE SAME; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Special Projects Director Chuck Huff discussed and explained the Agreement.

Discussion ensued between Council and staff regarding the amount of the rent increase.

Thereafter, the motion to adopt Resolution 2019-111 passed unanimously.

VILLAGE COUNCIL MATTERS/REPORTS

Mayor Aubrey announced that he would run for another Council term in the next Village election, and recounted his previous announcement wherein he stated that he would not run for another Council term.

Councilmember Bickel announced Detective Petrowski's retirement party taking place on Friday, September 27th and encouraged attendance and donations toward his medical bills.

Councilmember Bickel asked that consideration be taken to endangered species that are residing on the land that is proposed for the Prosperity Village Project.

Councilmember Searcy stated that the Town of Palm Beach recently passed a resolution strongly encouraging the State Legislature to approve Senate Bill 182 and any companion House Bills relating to the preemption of recyclable and polystyrene materials. Councilmember Searcy recommended that the Village pass the same resolution.

The Council came to consensus to pass a resolution strongly encouraging the State Legislature to approve Senate Bill 182 and any companion House Bills relating to the preemption of recyclable and polystyrene materials.

Vice Mayor Mullinix asked Council and staff to consider having FPL remove the electric poles and underground the electricity within the Village.

Discussion ensued among Council and staff regarding the possibility of undergrounding the Village's electricity.

Martha Andres, 732 Tradewind Drive discussed and explained how a nearby community outside of the Village was going through the process of having their electricity undergrounded.

Council directed staff to look into the matter and bring back information and options for removing the electric poles and undergrounding the electricity within the Village.

VILLAGE COUNCIL MATTERS/REPORTS *continued*

Vice Mayor Mullinix commended Public Works Director Steven Hallock for installation of the LED lights in his neighborhood and for the plantings at the boat ramps.

VILLAGE MANAGER MATTERS/REPORTS

Mr. Lukasik gave a presentation on the Country Club Clubhouse Budget.

Mr. Lukasik explained that the Country Club Clubhouse Project was still within budget.

Mr. Lukasik discussed and explained contract changes and change orders that were made on the project.

Mr. Lukasik discussed and explained changes that needed to be made to the scope of the project.

Discussion ensued between Mr. Lukasik and Council regarding certain change orders that were made on the project.

Councilmember Searcy commended staff for all of their hard work on the Country Club Clubhouse Project.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:16 p.m.


Jessica Green, MMC, Village Clerk

CLERK'S TALLY SHEET

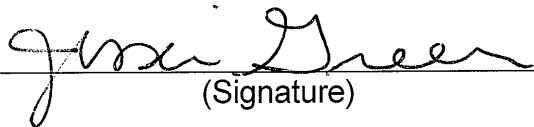
ENVIRONMENTAL COMMITTEE

September 26, 2019

Positions: 1 Resident Member

Vote for 1

	<u>Round 1</u>	<u>Round 2</u>	<u>Round 3</u>
Carroll, Camille	<u>111</u>	<u> </u>	<u> </u>
Conte, Patricia	<u> </u>	<u> </u>	<u> </u>
McDermott, Christopher	<u> </u>	<u> </u>	<u> </u>
Phillips, Mary	<u>11</u>	<u> </u>	<u> </u>
Porter, Matthew	<u> </u>	<u> </u>	<u> </u>
Sanchez, Curt	<u> </u>	<u> </u>	<u> </u>
Wendt, Mark	<u> </u>	<u> </u>	<u> </u>



(Signature)



(Signature)

BALLOT

ENVIRONMENTAL COMMITTEE

September 26, 2019

Positions: 1 Resident Member

Vote for 1

	<u>Round 1</u>	<u>Round 2</u>	<u>Round 3</u>
Carroll, Camille	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conte, Patricia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
McDermott, Christopher	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Phillips, Mary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Porter, Matthew	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sanchez, Curt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wendt, Mark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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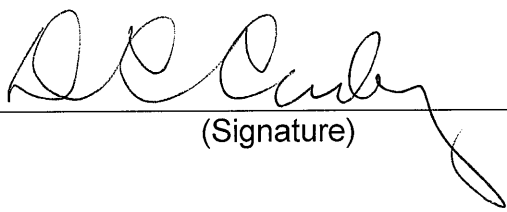
ENVIRONMENTAL COMMITTEE

September 26, 2019

Positions: 1 Resident Member

Vote for 1

	<u>Round 1</u>	<u>Round 2</u>	<u>Round 3</u>
Carroll, Camille	<u>X</u>	<u> </u>	<u> </u>
Conte, Patricia	<u> </u>	<u> </u>	<u> </u>
McDermott, Christopher	<u> </u>	<u> </u>	<u> </u>
Phillips, Mary	<u> </u>	<u> </u>	<u> </u>
Porter, Matthew	<u> </u>	<u> </u>	<u> </u>
Sanchez, Curt	<u> </u>	<u> </u>	<u> </u>
Wendt, Mark	<u> </u>	<u> </u>	<u> </u>



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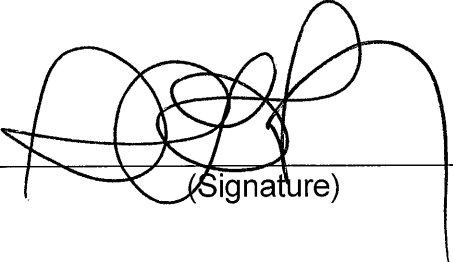
ENVIRONMENTAL COMMITTEE

September 26, 2019

Positions: 1 Resident Member

Vote for 1

	<u>Round 1</u>	<u>Round 2</u>	<u>Round 3</u>
Carroll, Camille	_____	_____	_____
Conte, Patricia	_____	_____	_____
McDermott, Christopher	_____	_____	_____
Phillips, Mary	_____	_____	_____
Porter, Matthew	_____	_____	_____
Sanchez, Curt	_____	_____	_____
Wendt, Mark	_____	_____	_____



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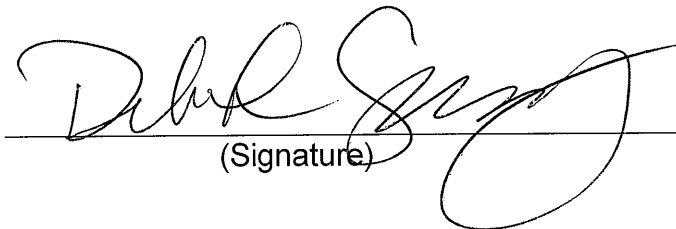
ENVIRONMENTAL COMMITTEE

September 26, 2019

Positions: 1 Resident Member

Vote for 1

	<u>Round 1</u>	<u>Round 2</u>	<u>Round 3</u>
Carroll, Camille	_____	_____	_____
Conte, Patricia	_____	_____	_____
McDermott, Christopher	_____	_____	_____
Phillips, Mary	<input checked="" type="checkbox"/>	_____	_____
Porter, Matthew	_____	_____	_____
Sanchez, Curt	_____	_____	_____
Wendt, Mark	_____	_____	_____




(Signature)

BALLOT
ENVIRONMENTAL COMMITTEE
September 26, 2019

Positions: 1 Resident Member

Vote for 1

	<u>Round 1</u>	<u>Round 2</u>	<u>Round 3</u>
Carroll, Camille	_____	_____	_____
Conte, Patricia	_____	_____	_____
McDermott, Christopher	_____	_____	_____
Phillips, Mary	_____✓_____	_____	_____
Porter, Matthew	_____	_____	_____
Sanchez, Curt	_____	_____	_____
Wendt, Mark	_____	_____	_____



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