

**MINUTES OF THE REGULAR SESSION  
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA  
OCTOBER 10, 2019**

Present: Darryl C. Aubrey, Sc.D., Mayor  
Mark Mullinix, Vice Mayor  
Susan Bickel, Councilmember  
Deborah Searcy, Councilmember  
Andrew D. Lukasik, Village Manager  
Len Rubin, Village Attorney  
Jessica Green, Village Clerk

Absent: David B. Norris, President Pro Tem

ROLL CALL

Mayor Aubrey called the meeting to order at 7:30 p.m. All members of Council were present except for President Pro Tem Norris who was out of town. All members of staff were present.

INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Mullinix gave the invocation and Mayor Aubrey led the public in the Pledge.

APPROVAL OF MINUTES

The Minutes of the Regular Session held September 26, 2019 were approved as written.

STATEMENTS FROM THE PUBLIC, PETITIONS AND COMMUNICATIONS

Jim Carroll, 3800 North Ocean Drive, Singer Island, introduced himself as a candidate for District 85 of the Florida House of Representatives and explained his professional background and reasons for his candidacy.

Don Kazimir, 106 Gulfstream Road, recommended having a plaque commemorating the original Country Club installed at the stairway leading from the golf driving range to the pool.

Tim Hullihan, 840 Country Club Drive, thanked Council for meeting with the Prosperity Village Project Developer and for getting involved with the process of the project.

Richard Freseman, 419 Anchorage Lane, expressed concerns regarding the alleyway west of U.S. Highway 1 and recommended that it be resurfaced or repaired including the area that surrounds the postal service mail box.

L. John Samadi, 512 Marlin Road, expressed his concerns regarding the landscape contractors not utilizing traffic safety rules while landscaping the Village's medians.

Deborah Cross, 2560 Pepperwood Circle S, thanked Council for listening to the concerns of residents regarding the Prosperity Village Project.

Jerry Sullivan, 520 Fairwind Drive, commended everyone who was involved with the Anchorage Park Marina Docks Project. Mr. Sullivan recommended moving and installing the "No Wake Zone" sign at the fish cleaning station.

ORDINANCE 2019-11 AMENDMENTS TO THE POLICE & FIREFIGHTER EMPLOYEES PENSION PLAN

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Bickel to adopt on first reading Ordinance 2019-11 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA AMENDING DIVISION 4, "PENSION AND CERTAIN OTHER BENEFITS FOR FIRE AND POLICE EMPLOYEES," OF ARTICLE V, "PENSIONS AND RETIREMENTS SYSTEMS," OF CHAPTER 2, "ADMINISTRATION," OF THE VILLAGE CODE OF ORDINANCES TO IMPLEMENT CHANGES TO RETIREMENT BENEFITS RESULTING FROM COLLECTIVE BARGAINING WITH THE UNIONS REPRESENTING THE VILLAGE'S FIREFIGHTER EMPLOYEES (IAFF) AND POLICE OFFICER EMPLOYEES (PBA); PROVIDING FOR AMENDMENTS AFFECTING THE CALCULATION OF POLICE OFFICER AND FIREFIGHTER RETIREMENT BENEFITS; PROVIDING FOR AN INCREASE TO THE MULTIPLIER USED TO CALCULATE BENEFITS; ESTABLISHING A 75% CAP ON RETIREMENT BENEFITS; INCREASING EMPLOYEE CONTRIBUTION RATES; CREATING A DEFERRED RETIREMENT BENEFIT PLAN (DROP); APPLYING THE USE OF INSURANCE PREMIUM TAX REVENUE TO THE VILLAGE'S ANNUAL RETIREMENT CONTRIBUTION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik discussed and explained the amendments to the Police and Firefighter's Pension Plan. The multipliers for both PBA and IAFF would be increased from 2.5% to 2.75%. The "donut hole" which existed in the plan was eliminated. All Insurance Tax Premium revenue would now be eligible for use by the Village to fund the annual actuarially required contribution to the pension fund. PBA and IAFF members will both be making increased employee retirement contributions. A Deferred Retirement Option Plan was also added to the Pension Plan.

Thereafter, the motion to adopt on first reading Ordinance 2019-11 passed with all present voting aye.

CONSENT AGENDA

Councilmember Bickel moved to approve the Consent Agenda. Councilmember Searcy seconded the motion which passed with all present voting aye. The following items were approved:

Motion – Approving the suspension of the 11/28/19 and 12/26/19 Council meetings in observance of national holidays.

Motion – Approving the Final Close Out, Release of Contractual Retainage, and Payment of Change Order #3 for the Anchorage Park Floating Docks Project to Murray Logan Construction, Inc. in the amount of \$39,412.45.

Resolution – Approving a Contract with Florida Sidewalk Solutions for sidewalk repair in the amount of \$26,064.96.

Receive for file Minutes of the Planning Commission meeting held 9/10/19.

RESOLUTION 2019-113 – PUBLIC SAFETY EVIDENCE ROOM RECONSTRUCTION CONTRACT

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Searcy to adopt Resolution 2019-113 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A CONTRACT AWARD TO REPUBLIC

RESOLUTION 2019-113 – PUBLIC SAFETY EVIDENCE ROOM RECONSTRUCTION CONTRACT *continued*

CONSTRUCTION CORP FOR THE PUBLIC SAFETY EVIDENCE ROOM REBUILD AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE CONTRACT ON BEHALF OF THE VILLAGE; APPROVING A BUDGET AMENDMENT TO TRANSFER \$81,180 FROM THE CAPITAL PROJECTS FUND ACCOUNT TO THE PUBLIC SAFETY – BUILDING CAPITAL ACCOUNT TO PROVIDE FUNDING FOR THE PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

Steven Hallock, Public Works Director discussed and explained the project to rebuild the Public Safety Evidence Room. The reconstruction would take approximately 90 days to complete.

Councilmember Bickel asked if there was a process in place to protect the evidence while the room was undergoing reconstruction.

Mr. Hallock stated that there were protocols in place to protect the evidence. The evidence would be moved and secured during the construction process and then moved back to the evidence room and permanently secured.

Councilmember Searcy asked if the reconstruction of the evidence room was being covered by insurance.

Mr. Hallock stated that the mold issue was not a result of an event that would be covered by insurance.

Thereafter, the motion to adopt Resolution 2019-113 passed with all present voting aye.

RESOLUTION 2019-114 – STORMWATER UTILITY FEE DEVELOPMENT AND IMPLEMENTATION SERVICES CONTRACT

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Bickel to adopt Resolution 2019-114 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING A PROPOSAL FROM HAZEN AND SAWYER, P.C. TO PROVIDE STORMWATER UTILITY FEE DEVELOPMENT AND IMPLEMENTATION SERVICES AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE CONTRACT; APPROVING A BUDGET AMENDMENT TO TRANSFER \$93,755 FROM THE CAPITAL PROJECTS FUND ACCOUNT TO THE STREETS AND GROUNDS – CONSTRUCTION AND MAJOR RENOVATION CAPITAL ACCOUNT TO PROVIDING FUNDING FOR THE CONTRACT; WAIVING THE VILLAGE’S PURCHASING POLICIES AND PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.

Steven Hallock, Public Works Director discussed and explained the need for the stormwater utility fee development and implementation.

L. John Samadi, 512 Marlin Road, expressed his concerns regarding neglected infrastructure in the Village and other cities and the tax payer’s expense regarding the stormwater study.

Mayor Aubrey asked Mr. Hallock to explain how the contractor for the stormwater study was selected.

Mr. Hallock stated that the choice of contractor for the initial stormwater study was done through obtaining quotes and market information. After review of the quotes and market information,

RESOLUTION 2019-114 – STORMWATER UTILITY FEE DEVELOPMENT AND IMPLEMENTATION SERVICES CONTRACT *continued*

Hazen and Sawyer, P.C. was chosen as the most competent and competitive contractor. Mr. Hallock explained that staff decided to remain with Hazen & Sawyer, P.C. for the new stormwater study to keep the continuity of the project.

Discussion ensued between Council and staff regarding the stormwater study and potential storm water improvement fees.

Thereafter, the motion to adopt Resolution 2019-114 passed with all present voting aye.

VILLAGE COUNCIL MATTERS/REPORTS

Councilmember Bickel expressed concern over a sign with an obscene message that she observed in a resident's yard. Councilmember Bickel stated that the Village code does not prohibit signs in resident's yards.

Attorney Rubin explained that the Village code allows a certain number of temporary signs and size limitations, but the content of the sign could not be regulated. Mr. Rubin stated that he and staff have been discussing how to address issues regarding signage in the Village.

Councilmember Bickel stated that she agreed with Mr. Kazimir's recommendation to have a plaque commemorating the original Country Club installed at the stairway leading from the golf driving range to the pool.

Councilmember Bickel stated that she agreed with Mr. Samadi's observation of the landscape contractor for the Village's medians not following traffic rules. Councilmember Bickel stated that she has observed other landscape companies also ignoring the traffic rules throughout the Village.

Mayor Aubrey directed Mr. Lukasik to address the issue of landscape companies not following traffic rules within the Village.

Mr. Lukasik stated that he and Public Works Director Steve Hallock would have discussions with the landscape companies.

Councilmember Searcy encouraged everyone to attend the Library's 50<sup>th</sup> Anniversary Event taking place on October 18<sup>th</sup> and 19<sup>th</sup> and the Haunted Mansion also taking place at the Library on October 30<sup>th</sup> and 31<sup>st</sup>.

Vice Mayor Mullinix thanked Public Works Director Steven Hallock for his efforts in repairing sidewalk trip hazards throughout the Village. Vice Mayor Mullinix stated that if anyone observes a sidewalk trip hazard, to please contact Mr. Hallock.

Vice Mayor Mullinix stated that he received inquiries for events at the new Country Club and that he informed Country Club Manager Beth Davis of those inquiries.

Vice Mayor Mullinix stated that he and his wife would be attending the Library's 50<sup>th</sup> Anniversary Event.

Vice Mayor Mullinix stated that he was wearing a new shirt from the Country Club golf shop and encouraged everyone to view the new golf shop inventory.

VILLAGE MANAGER MATTERS/REPORTS

Mr. Lukasik stated that staff was already working on having a plaque which would commemorate the original Country Club installed at the stairway leading from the new Country Club golf driving range to the pool.

Mr. Lukasik stated that Public Works Director Steve Hallock was working on addressing the repair or repaving of the alleyway west of U.S. Highway 1. Mr. Lukasik stated that the area around the postal service mailbox was solely the responsibility of the U.S. Postal Service who is exempt from local laws. Mr. Lukasik stated that the Village received a letter from a U.S. Postal Service Representative and that staff would respond with their concerns about the condition and maintenance of the area surrounding the postal mail box.

Mr. Lukasik stated that he began working on Council's request to obtain information and options for undergrounding of the electricity within the Village. Mr. Lukasik stated that he had meetings scheduled with representatives from communities who have gone through the process. Mr. Lukasik stated that he also spoke with an FPL Undergrounding Consultant. Mr. Lukasik discussed the information he had obtained and concluded that the cost for undergrounding would be approximately 1.1 million which would come to approximately \$17,000 per household. Mr. Lukasik stated that the cost was a rough calculation and based on not obtaining any assistance or grant money.

Mr. Lukasik gave an update on the new Country Club Clubhouse construction and the tentative grand opening dates. Mr. Lukasik stated that the Clubhouse would not be able to have its grand opening on November 15<sup>th</sup> and 16<sup>th</sup> since the temporary Certificate of Occupancy for the second floor would not be ready until the end of October. This would not give Farmer's Table enough time to make their preparations for the grand opening. Mr. Lukasik discussed and explained the timing of the construction of the remainder of the Clubhouse and Farmer's Table pavilion build out. Mr. Lukasik stated that Farmer's Table would be ready to open by the beginning of December. Mr. Lukasik stated that after discussions with Farmer's Table, it was decided that the grand opening may take place on December 1<sup>st</sup>.

Discussion ensued between Joey Giannuzzi, owner of Farmer's Table and Council regarding the timing and coordination of the Country Club Clubhouse grand opening event.

Mayor Aubrey stated that staff and Farmer's Table would need to coordinate and schedule the Country Club Clubhouse grand opening event.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:40 p.m.

  
Jessica Green, MMC, Village Clerk