



**MINUTES OF THE REGULAR SESSION  
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA  
AUGUST 24, 2023**

Present:

David B. Norris, Mayor  
Susan Bickel, Vice Mayor  
Darryl C. Aubrey, Sc.D., President Pro Tem  
Mark Mullinix, Councilmember  
Deborah Searcy, Councilmember  
Chuck Huff, Village Manager  
Len Rubin, Village Attorney  
Philippa Davis, Deputy Village Clerk

ROLL CALL

Mayor Norris called the meeting to order at 7:00 p.m. All members of Council were present. All members of staff were present.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Norris gave the invocation and Vice Mayor Bickel led the public in the Pledge.

APPROVAL OF MINUTES

The Minutes of the Regular Session held August 10, 2023 were approved as written.

STATEMENTS FROM THE PUBLIC

Mayor Norris read into the record a public comment received from Ross Goodson and Mike Eissey, residents of Lakeside Drive. In their comment, they expressed their appreciation to Council for their dedication and commitment to the well-being of the Village while also bringing attention to concerns regarding the safety and security of Lakeside Park. Mr. Goodson and Mr. Eissey formally requested a workshop with the Lakeside Park residents, and the Village Police Department to voice their concerns regarding the safety and security of Lakeside Park.

CONSENT AGENDA APPROVED

President Pro Tem Aubrey moved to approve the Consent Agenda. Councilmember Mullinix seconded the motion, which passed unanimously. The following items were approved:

CONSENT AGENDA APPROVED *continued*

Resolution accepting proposals from selected firms to provide General Planning Services to the Village on an as needed basis and authorizing the Village Manager to execute five (5) year non-exclusive Professional Services Consulting Agreements with each of the firms in an amount not to exceed \$50,000 during any fiscal year subject to review by the Village Attorney.

Resolution accepting a proposal from D.S. Eakins Construction Corporation for the installation of a check valve to prevent saltwater intrusion into the North Palm Beach Country Club Golf Course ponds at a total cost of \$34,325; and authorizing execution of the Contract.

Resolution approving a Blanket Purchase Order for the Public Works Department with Al Packer, Inc. in the total amount of \$35,000 for vehicle parts and repairs.

PUBLIC HEARINGS AND QUASI-JUDICIAL MATTERS

ORDINANCE 2023-13 CODE AMENDMENT – HOME OCCUPATIONS

A motion was made by Councilmember Mullinix and seconded by Councilmember Searcy to adopt and enact on second reading Ordinance 2023-13 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING ARTICLE I, "IN GENERAL," OF CHAPTER 17, "LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS," BY AMENDING SECTION 17-3, "HOME OCCUPATIONS," TO COMPLY WITH FLORIDA LAW; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rubin stated that the ordinance was adopted on first reading at the last Council meeting. Mr. Rubin explained that due to the adoption of Florida Statutes Section 559.995, the Village was required to repeal its existing regulations for home occupations and replace them with the restrictions permitted through the new statute. The proposed ordinance would amend the code to reflect what is contained in the Statutes.

Mayor Norris opened the public hearing.

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

Thereafter, the motion to adopt and enact on second reading Ordinance 2023-13 passed unanimously.

ORDINANCE 2023-14 ARTIFICIAL TURF/SYNTHETIC GRASS

A motion was made by Councilmember Mullinix and seconded by President Pro Tem Aubrey to adopt on first reading Ordinance 2023-14 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING ARTICLE III, "DISTRICT REGULATIONS," OF APPENDIX C (CHAPTER 45) OF THE VILLAGE CODE OF ORDINANCES BY ADOPTING

ORDINANCE 2023-14 ARTIFICIAL TURF/SYNTHETIC GRASS *continued*

A NEW SECTION 45-29, "ARTIFICIAL TURF/SYNTHETIC GRASS;" PROVIDING FOR PERMITTED LOCATIONS; PROVIDING FOR MATERIAL STANDARDS AND SPECIFICATIONS; PROVIDING REGULATIONS FOR INSTALLATION, MAINTENANCE AND REPAIR; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Caryn Gardner-Young began a presentation regarding the proposal of a new section (Section 45-29) that would allow residents to install artificial turf/synthetic grass on their private property. Mrs. Gardner-Young discussed and explained the advantages and disadvantages associated with having artificial turf or artificial grass. Mrs. Gardner-Young stated that artificial turf/synthetic grass was not currently allowed the Village's code. Mrs. Gardner-Young reviewed and explained the proposed text regulations related to artificial turf/synthetic grass stating that the regulations would only be applicable to single and two-family dwellings and limited to rear and side yards.

The proposed language was reviewed and determined to be consistent with the Village's Comprehensive Plan. Staff was recommending approval of the proposed ordinance. If the Village Council desires to deny the proposed ordinance, then Staff's recommendation is to draft and approve an ordinance denying the use of artificial turf within the Village's municipal boundaries. Mrs. Caryn Gardner-Young concluded the presentation by stating that the Ad Hoc Residential Code Committee recommended approval of the proposed language. The Planning Commission recommended approval of the proposed ordinance presented by Staff but requested to remove the sunset provisions, coverage percentage, and permit only sand and organic infill. The proposed ordinance on second reading reflected the revisions recommended by the Planning Commission. The Environmental Committee recommended denial of the proposed ordinance.

Mayor Norris opened the public hearing.

Rita Budnyk, 804 Shore Drive, stated that she was unsure of whether or not the proposed code addressed homes that reside along the waterways noting that there was concern that the artificial turf would produce chemical waste that would runoff into the waterways.

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

Councilmember Mullinix stated that the proposed code stated that the artificial turf counts as part of the green space but the putting greens did not. Councilmember Mullinix recommended that the code should be consistent and state that the putting greens also count as part of the green space.

Mr. Rubin explained the reason for the proposed code not allowing putting greens to count as green space.

Vice Mayor Bickel explained that she was almost completely opposed to allowing artificial turf because of the effect on the environment. Vice Mayor Bickel recommended that it should only be allowed in applications such as dog runs, putting greens, and underneath children's playground equipment in backyards. Vice Mayor Bickel stated that she was opposed to the proposed ordinance as written.

Councilmember Searcy concurred with Vice Mayo Bickel and stated that she was also opposed to the proposed ordinance.

ORDINANCE 2023-14 ARTIFICIAL TURF/SYNTHETIC GRASS *continued*

Discussion ensued between the Councilmembers and Mrs. Caryn Gardner-Young regarding the amount of artificial turf that would be required in backyards, runoff and the effects on the environment.

Discussion ensued between Councilmembers and Mr. Rubin regarding whether or not to add additional language to the ordinance regarding residences on waterways and potential runoff of chemicals from the artificial turf. Mr. Rubin concluded that he did not think it was necessary to add the additional language.

Mayor Norris re-opened the public hearing for a public comment from Mr. John Samadi.

John Samadi, 512 Marlin Road, expressed that terminology related to drainage design and runoff should be asked of an engineer.

Thereafter, the motion to adopt and enact on second reading Ordinance 2023-14 passed 3 to 2 with Mayor Norris, President Pro Tem Aubrey and Councilmember Mullinix voting aye and Vice Mayor Bickel and Councilmember Searcy voting nay.

RESOLUTION – COMPREHENSIVE PAY PLAN AMENDMENT

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

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA AMENDING THE COMPREHENSIVE PAY PLAN ADOPTED AS PART OF THE FISCAL YEAR 2023 BUDGET TO REVISE THE PAY GRADE FOR THE POSITIONS OF BUILDING CONSTRUCTION INSPECTOR AND SENIOR BUILDING CONSTRUCTION INSPECTOR; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Huff began a presentation explaining the challenges of recruiting qualified candidates for the Building Construction Inspector and Senior Building Construction Inspector positions. Staff conducted a survey and produced an outline comparing the pay scale of various municipalities and found that North Palm Beach's pay grade was well below the minimum industry standard. Staff's recommendation was for Council to approve a percentile pay rate increase which would attract prospective employees who possess the necessary skills and experience needed by the Village.

President Pro Tem Aubrey expressed that the pay rate increase would help to fill some of the vacant positions within the Village.

Discussion ensued between the Councilmembers regarding the need to establish competitiveness with other municipalities.

Councilmember Searcy expressed concern regarding the entry-level pay and some of the phasing related to a candidate who possesses extensive experience.

Councilmember Mullinix agreed that the pay scale should be consistent with neighboring municipalities so that the best candidates are recruited.

RESOLUTION – COMPREHENSIVE PAY PLAN AMENDMENT *continued*

Discussion continued between Mr. Huff and Councilmembers regarding the proposed pay rates for Building Construction Inspector and Senior Building Construction Inspector.

Mr. Huff stated that changes would be incorporated into the Comprehensive Pay Plan at the first hearing of the budget on September 14<sup>th</sup>. The pay grades for the two (2) building inspector positions could be considered at that time.

Councilmember Mullinix requested that the Village policy entry-level be re-evaluated and staff recommendations be brought back for consideration.

Mr. Rubin stated that he would locate the policy and bring back revisions for consideration at a future Council meeting.

A motion was made by Vice Mayor Bickel and seconded by President Pro Tem Aubrey to table the resolution that would amend the FY 2023 Comprehensive Pay Plan Amendment to revise the pay grades for the positions of the Building Construction Inspector and Senior Building Construction Inspector.

Thereafter the motion to table the aforementioned resolution passed unanimously.

RESOLUTION 2023-68 – COUNTRY CLUB GOLF COURSE NETTING

A motion was made by Councilmember Mullinix and seconded by Vice Mayor Bickel to adopt Resolution 2023-68 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ACCEPTING A BID PROPOSAL FROM ACTION SPORTS NETTING, INC. FOR THE INSTALLATION OF GOLF COURSE NETTING AT THE NORTH PALM BEACH COUNTRY CLUB AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A CONTRACT FOR SUCH SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Head Golf Professional, Allan Bowman explained that over the past five (5) years, rounds of golf at the Country Club have significantly increased by approximately fifteen thousand more rounds than in past years. The driving range revenues were up by approximately 40% which has raised safety concerns since more golf balls are being hit at the driving range and ending up in the 10<sup>th</sup> fairway. Mr. Bowman stated that the installation of a 75-foot high fence along the right side of the driving range, adjacent to the tenth hole could enhance safety for both the community and golfers. Following the solicitation of a Request for Proposal, the request resulted in only one (1) bid submission. After additional research, Mr. Bowman concluded that other municipalities have had netting projects done by Action Sports Netting, Inc. and that the vendor seems to have the market in the immediate area and the Village cannot piggyback on any contracts since the scope of work varies too greatly between projects.

John Samadi, 512 Marlin Road, expressed concern that the Golf Course Netting item was removed from the July 27<sup>th</sup> Council meeting agenda because of a procedural oversight and that it was not mentioned at the meeting why the item had to be removed. Mr. Samadi complimented the Department Head who caught the oversight and who had requested that the item be pulled from the agenda.

RESOLUTION 2023-68 – COUNTRY CLUB GOLF COURSE NETTING *continued*

Discussion ensued between Councilmembers regarding the height of the netting, the fabric, and the necessity of having the netting for safety.

Thereafter the motion to adopt Resolution 2023-68 passed unanimously.

MAYOR AND COUNCIL MATTERS/REPORTS

Mayor Searcy announced that the last Country Club pool party of the season was taking place on Saturday evening and encouraged everyone to attend.

VILLAGE MANAGER MATTERS/REPORTS

Mr. Huff announced that the electronic machines for the EV vehicles at the Country Club have been installed but were not yet active. There was one (1) two (2)-station charger installed at the north end of the Country Club's parking lot and another two (2)-station charger installed at the east end of the driving range both pending activation by Florida Power and Light.

Mayor Searcy asked Mr. Huff if there was a policy in place regarding the EV station's management and the duration for which a person can park their vehicle.

Mr. Huff explained that the EV machines were strategically positioned in locations to minimize any disruption to major parking lots.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:46 p.m.

  
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Philippa Davis, Deputy Village Clerk