

TOWN OF PALM BEACH

Information for Town Council Meeting on: November 14, 2023

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

Via: Carolyn Stone, Deputy Town Manager

Via: Jess Savidge, Administrative Manager

From: Kelly Churney, Acting Town Clerk

Re: Discussion Regarding Town Council Meeting Minutes

Date: November 8, 2023

Staff prepared this memorandum and accompanying exhibits to provide the information and data to enhance the agenda discussion on Town Council Meeting minutes.

In addition to internal data quantifying the Town's public and Town Council meetings (Exhibit A), a survey through the Florida Association of City Clerks (FACC) membership was conducted with a robust response of 46, including 22 Palm Beach County municipalities contributing. The survey sought responses to which format of minutes are used, how many public meetings are held, audio and timestamping capabilities, and the number of staff. See the attached summary table (Exhibit B) is provided for details of the summaries included below:

Statewide municipality minutes:

8 municipalities (17%) use 'action only' minutes (example attached as Exhibit C)

24 municipalities (52%) use 'summary' minutes (example attached as Exhibit D)

12 municipalities (26%) use 'hybrid summary' minutes (example attached as Exhibit E)

1 municipality (2%) uses 'transcript' minutes (example attached as Exhibit F)

● Full transcripts	1
● Summary	24
● Hybrid summary	13
● Action only	10



Palm Beach County municipality minutes extracted:

Six municipalities (27%) use 'action only' minutes (example attached as Exhibit C)

Ten municipalities (45%) use ‘summary’ minutes (example attached as Exhibit D)
Five municipalities (22%) use ‘hybrid summary’ minutes (example attached as Exhibit E)
One municipality (4%) uses ‘transcript’ minutes (example attached as Exhibit F)

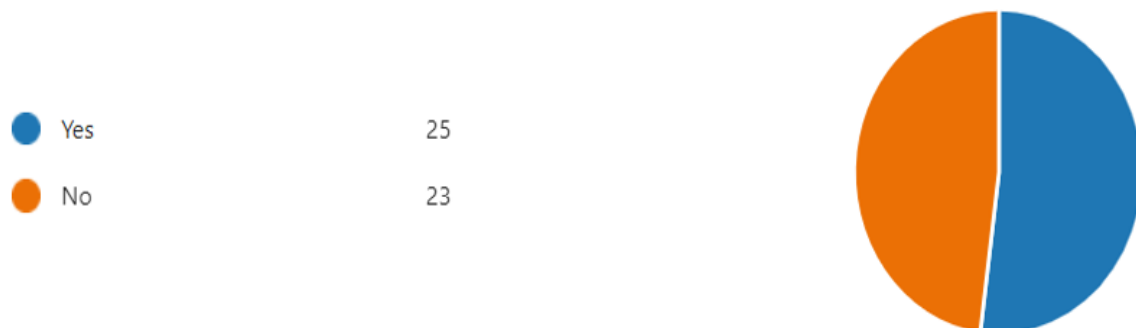
Timestamped recordings:

25 municipalities statewide (50%) have recordings that are timestamped.

23 municipalities statewide (50%) do not have timestamped recordings.

Twelve PBC municipalities (55%) have recordings that are timestamped.

Ten PBC municipalities (45%) do not have timestamped recordings.



Audio included in minutes, statewide:

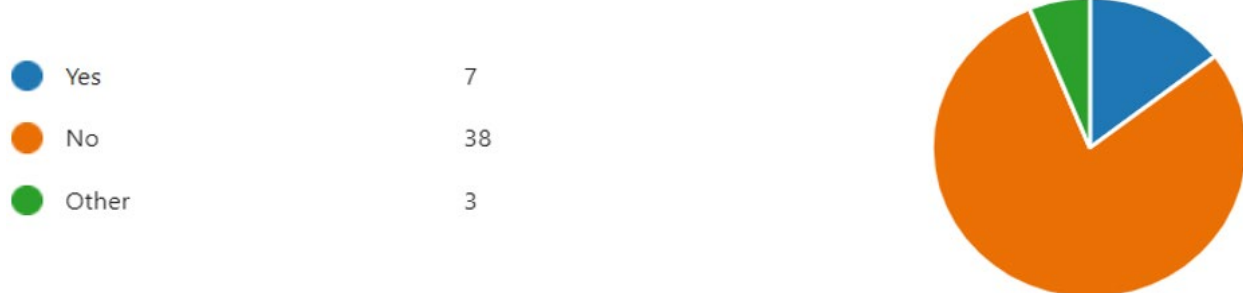


Exhibit G has been submitted as an example of hybrid action minutes.

Exhibit H has been prepared to demonstrate audio embedded into a summary directly to a past Town Council meeting.

Exhibit I briefly overviews Robert’s Rules of Orders, including meeting minutes recommendations and requirements.

Meetings 2023	
Town Council	
TCM-Regular Business	12
TCM-Development Review	12
LPA	1
TCM-Special	6
Total Town Council	31
Planning, Zoning, & Building related	
ARCOM	12
LPC	12
PZC	5
Total PZB related	29
Other	
Code Enforcement Board	12
DCPC	4
IAC	4
RAC	3
RBT	4
SHORE	4
Strategic Plan	2
Total Other	33
Town Council Committees	
BAC	3
PW	
ORS	1
Finance & Tax	1
Total Council Committees	5
Total Public Meetings	98

Meetings 2022	
Town Council	
TCM-Regular Business	12
TCM-Development Review	12
LPA	1
TCM-Special	6
Total Town Council	31
Planning, Zoning, & Building related	
ARCOM	12
LPC	12
PZC	6
Total PZB related	30
Other	
Code Enforcement Board	12
DCPC	4
IAC	4
RAC	2
RBT	4
SHORE	3
Strategic Plan	8
Total Other	37
Town Council Committees	
BAC	5
PW	2
ORS	3
Finance & Tax	1
Total Council Committees	11
Total Public Meetings	109

Meetings 2021	
Town Council	
TCM-Regular Business	12
TCM-Development Review	12
LPA	4
TCM-Special	8
Total Town Council	36
Planning, Zoning, & Building related	
ARCOM	12
LPC	12
PZC	6
Total PZB related	30
Other	
Code Enforcement Board	12
DCPC	4
IAC	5
RAC	2
RBT	4
SHORE	4
Total Other	31
Town Council Committees	
BAC	9
PW	0
ORS	6
Finance & Tax	0
Total Council Committees	15
Total Public Meetings	112

Meetings 2020	
Town Council	
TCM-Regular Business	12
TCM-Development Review	12
LPA	3
TCM-Special	7
Total Town Council	34
Planning, Zoning, & Building related	
ARCOM	12
LPC	12
PZC	6
Total PZB related	30
Other	
Code Enforcement Board	5
DCPC	3
IAC	4
RAC	5
RBT	2
SHORE	3
Total Other	22
Town Council Committees	
BAC	3
PW	1
ORS	1
Finance & Tax	0
Total Council Committees	5
Total Public Meetings	91

*247 work days per year

*247 work days per year

*247 work days per year

*247 work days per year

**Town Council meetings > 142 hours

**Town Council meetings > 147 hours

**Town Council meetings > 147 hours

**Town Council meetings > 100 hours

***through October 2023

Municipality	# Avg Monthly Public Meetings	Minute format	Recording timestamped?	Audio in Minutes?	# of staff	# of staff clerk(s)
TOWN OF MANGONIA PARK	4	Action only	No	No	4	1
City of Lake Worth Beach	4	Action only	No	Yes	4	1
Village of Golf	0	Action only	Yes	No	1	1
Town of Lantana	2	Action only	Yes	No	1.5	2
City of Hollywood	2	Action only	Yes	No	4	2
Islamorada, Village of Islands	3	Action only	Yes	Yes	2	1
Town of South Palm Beach	4	Action only	Yes	Yes	1	1
Town of Juno Beach	5	Action only	Yes	Yes	2	2
Westlake	1	Hybrid summary	No	No	2	2
Lake Clarke Shores	2	Hybrid summary	No	No	3	2
Temple Terrace	8	Hybrid summary	No	No	3.5	3
Jacksonville Beach	8	Hybrid summary	No	No	4	4
Edgewood	1	Hybrid summary	Yes	No	2.5	2
Glen Ridge	1	Hybrid summary	Yes	No	1	1
City of Fernandina Beach	2	Hybrid summary	Yes	No	4	1
Ocean Ridge	3	Hybrid summary	Yes	Yes	2	1
City of Belleview	4	Hybrid summary	Yes	No	1	1
City of Boca Raton	6	Hybrid summary	Yes	No	8	3
St. Pete Beach	7	Hybrid summary	Yes	No	3	3
Village of Wellington	4	Hybrid summary and action (website)	Yes	No	6	2
Cloud Lake	1	Summary	No	Yes	1	1
City of St Augustine Beach	2	Summary	No	No	3	1
Belleair Bluffs	2	Summary	No	No	1	1
Sebastian	2	Summary	No	No	2	2
City of Dunnellon	2	Summary	No	No	4	3
City of Lake Mary	2	Summary	No	No	2	1
Jupiter	2	Summary	No	No	4	1
Village of Royal Palm Beach	2	Summary	No	No	3	2
City of Atlantis	2	Summary	No	No	1	1
Indian Rocks Beach	3	Summary	No	No	1	1
Largo	3	Summary	No	No	3	1
Village of Palm Springs	3	Summary	No	No	2	2
Village of Palm Springs	3	Summary	No	No	2	1
Town of Lake Park	4	Summary	No	No	2	1
City of Dade City	5	Summary	No	No	2.5	2
Jupiter Island	5	Summary	No	No	1	1
Town of Hillsboro Beach	2	Summary	Yes	No	2	1
Town of Gulf Stream	2	Summary	Yes	No	1	0
City of Delray Beach	3	Summary	Yes	Yes	6	1
City of Atlantic Beach	4	Summary	Yes	No	3	2
City of Fort Walton Beach	7	Summary	Yes	No	3	2
City of Lake Wales	7	Summary	Yes	No	1.5	1
City of Venice	9	Summary	Yes	No	5	2
City of Punta Gorda	12	Summary	Yes	No	5	2
Riviera Beach	3	Full transcripts	Yes	No	5	2

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, SEPTEMBER 5, 2023 – 6:00 PM**

The meeting was called to order by Mayor Resch on the above date at 6:01 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (0:56) Present were Mayor Betty Resch, Vice Mayor Christopher McVoy, Commissioners Kimberly Stokes and Reinaldo Diaz. Also present were City Manager Carmen Davis, City Attorney Glen Torcivia and City Clerk Melissa Ann Coyne. Commissioner Sarah Malega was absent.

INVOCATION OR MOMENT OF SILENCE: (1:16) was led by Vice Mayor Christopher McVoy.

PLEDGE OF ALLEGIANCE: (2:22) was led by Mayor Betty Resch.

ADDITIONS/DELETIONS/REORDERING: (2:42)

New Business Item C, Resolution 34-2023 declaring the city a safe and welcoming haven for LGBTQIA+ community and their families, was reordered to follow the Approval of the Minutes..

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Stokes to approve agenda as amended.

Vote: Voice vote showed: Mayor Resch, Vice Mayor McVoy, Commissioners Stokes and Diaz. NAYS: None. ABSENT: Commissioner Malega.

PRESENTATIONS: (there is no public comment on Presentation items)

- A. Proclamation declaring September 2023 as National Recovery Month brought forward by Commissioner Stokes (3:16)
- B. The Recovery Community HUB coming to Lake Worth Beach: RCC/RCOs in your Community presented by Darcy Hamilton, Leadership Team Member of the Recovery Community HUB, brought forward by Commissioner Stokes (5:11)

COMMISSION LIAISON REPORTS AND COMMENTS: (16:38)

CITY MANAGER'S REPORT: (25:07)

City Manager Davis provided the following report:

- reported that the removal of the vessel at Bryant Park took coordination across many agencies

- met with Katherine Diaz, Communications Specialist of the Children's Services Council of Palm Beach County (PBC) about their investments in the City
- met with Dr. James Green, Director of PBC's Community Services Program to discuss the County's services and programs for housing and the homeless; the website thehomelessplan.com has information about resources and services
- would attend and speak at the NAPC meeting on Saturday
- attended the PBC League of Cities luncheon where there was a presentation on the Live Local legislation – LWB was given credit as an example of how a City's informational brochure could be used for other cities; she acknowledged William Waters' and his team for their work on the brochure
- met with Mallory Coffey, Director of Affiliate Development for Keep America Beautiful regarding the Beautification Program
- gave kudos to the Leisure Services team who won 15 awards at the FFEA (Florida Festival and Events Association) and to Lauren Bennett who won the Emerging Leader award

CITY ATTORNEY'S REPORT:

City Attorney Torcivia did not provide a report.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (32:05)

APPROVAL OF MINUTES: (43:54)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the following minutes:

- A. Special Meeting - August 1, 2023
- B. Regular Meeting - August 1, 2023
- C. Budget Work Session #3 - August 7, 2023

Vote: Voice vote showed: Mayor Resch, Vice Mayor McVoy, Commissioners Stokes and Diaz. NAYS: None. ABSENT: Commissioner Malega.

NEW BUSINESS: (44:28)

- C. (reordered) Resolution No. 34-2023 – Declaring the city a safe and welcoming haven for LGBTQIA+ community and their families brought forward by Mayor Resch

Mayor Resch read the resolution.

RESOLUTION 34-2023 OF THE CITY OF LAKE WORTH BEACH, FLORIDA,
DECLARING THE CITY A SAFE AND WELCOMING HAVEN FOR THE LGBTQIA+
COMMUNITY AND THEIR FAMILIES; AND PROVIDING FOR AN EFFECTIVE
DATE

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve Resolution No. 34-2023 declaring the city a safe and welcoming haven for LGBTQIA+ community and their families.

Vote: Voice vote showed: Mayor Resch, Vice Mayor McVoy, Commissioners Stokes and Diaz. NAYS: None. ABSENT: Commissioner Malega.

CONSENT AGENDA: (public comment allowed during Public Participation of Non-Agendaed items)

There were no Consent Agenda items on the agenda.

PUBLIC HEARINGS: (51:02)

A. Resolution No. 36-2023 - Establish the Refuse Services Annual Assessment for Fiscal Year 2023-2024

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 36-2023 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, RELATING TO THE PROVISION OF REFUSE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF LAKE WORTH BEACH, FLORIDA; RATIFYING AND CONFIRMING THE INTIAL ASSESSMENT RESOLUTION INCLUDING THE DETERMINATION THAT CERTAIN REAL PROPERTY IS SPECIFICALLY BENEFITED BY REFUSE SERVICES, FACILITIES AND PROGRAMS AND THE METHOD OF ASSESSING ASSOCIATED REFUSE SERVICES COSTS AGAINST REAL PROPERTY SPECIALLY BENEFITED THEREBY; ESTABLISHING OTHER TERMS AND CONDITIONS OF THE ASSESSMENTS; APPROVING THE FISCAL YEAR 2023-2024 ASSESSMENT ROLL; PROVIDING FOR COLLECTION OF THE ASSESSMENTS PURSUANT TO THE UNIFORM COLLECTION METHOD; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to approve Resolution No. 36-2023, establishing the Refuse Services Annual Assessment for Fiscal Year 2023-2024.

Vote: Voice vote showed: Mayor Resch, Vice Mayor McVoy, Commissioners Stokes and Diaz. NAYS: None. ABSENT: Commissioner Malega.

UNFINISHED BUSINESS: (51:47)

A. City of Lake Worth Beach v North H Enterprises, Inc., et al., Case No. 50-2020-CA-009354

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor McVoy to approve the mediated settlement agreement with North H Enterprises.

Vote: Voice vote showed: Mayor Resch, Vice Mayor McVoy, Commissioners Stokes and Diaz. NAYS: None. ABSENT: Commissioner Malega.

NEW BUSINESS: (52:45)

A. Transfer \$2 million of ARPA Funds for Affordable Housing to CRA. (52:47)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the transfer of \$2 million of ARPA Funds for Affordable Housing to the CRA.

Vote: Voice vote showed: Mayor Resch, Vice Mayor McVoy, Commissioners Stokes and Diaz.
NAYS: None. ABSENT: Commissioner Malega.

B. Resolution No. 35-2023 - Intent to abandon an approximately 10-foot-wide section of public right-of-way (alley) located on north of 9th Avenue South between South H Street and South Dixie Highway, and to abandon an approximately 40-foot-wide section of public right-of-way (9th Avenue South) located between South H Street and South Dixie Highway (1:04:54)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 35-2023 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER THE ABANDONMENT OF THE APPROXIMATELY 40-FOOT-WIDE 9TH AVENUE SOUTH RIGHT-OF-WAY AND THE APPROXIMATELY 10-FOOT-WIDE ALLEY RIGHT-OF-WAY LAYING BETWEEN 821 SOUTH DIXIE HIGHWAY, 901 SOUTH DIXIE HIGHWAY, 808 SOUT H STREET, 818 SOUTH H STREET, 824 SOUTH H STREET, 826 SOUTH STREET, 832 SOUTH H STREET, AND 902 SOUTH H STREET AND REVERTING BACK TO THE PROPERTY OWNER OF SAID ABUTTING PROPERTIES (PCN: 38-43-44-21-15-255-0090; 38-43-44-21-15-255-0080; 38-43-44-21-15-253-0110; 38-43-44-21-15-253-0060; 38-43-44-21-15-253-0040; 38-43-44-21-15-253-0032; 38-43-44-21-15-253-0020; AND 38-43-44-21-15-253-0010)AS DESCRIBED HEREIN; SUBJECT TO CONDITIONS; AND PROVIDING FOR RECORDING AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve Resolution No. 35-2023 - Intent to abandon an approximately 10-foot-wide section of public right-of-way (alley) located on north of 9th Avenue South between South H Street and South Dixie Highway, and to abandon an approximately 40-foot-wide section of public right-of-way (9th Avenue South) located between South H Street and South Dixie Highway.

Vote: Voice vote showed: Mayor Resch, Vice Mayor McVoy, Commissioners Stokes and Diaz.
NAYS: None. ABSENT: Commissioner Malega.

C. (reordered to follow Approval of the Minutes) Resolution No. 34-2023 – Declaring the city a safe and welcoming haven for LGBTQIA+ community and their families brought forward by Mayor Resch

D. Performance Evaluation Form for Carmen Davis (1:08:05)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the

Performance Evaluation Form as amended for Carmen Davis.

Vote: Voice vote showed: Mayor Resch, Vice Mayor McVoy, Commissioners Stokes and Diaz.
NAYS: None. ABSENT: Commissioner Malega.

UPCOMING MEETINGS AND WORK SESSIONS:

Pre-Agenda Work Session - September 8 @ 9 am
1st Budget Hearing - September 14 @ 6 pm

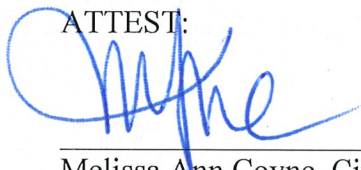
ADJOURNMENT: (1:48:00)

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor McVoy to adjourn the meeting at 7:49 PM.

Vote: Voice vote showed: Mayor Resch, Vice Mayor McVoy, Commissioners Stokes and Diaz.
NAYS: None. ABSENT: Commissioner Malega.


Betty Resch, Mayor

ATTEST:


Melissa Ann Coyne, City Clerk

Minutes approved October 3, 2023

Item time stamps correspond to the video recording of the meeting on YouTube.



**CITY OF ATLANTIS
CITY COUNCIL MEETING**
Council Chambers 260 Orange Tree Drive
Wednesday, July 19, 2023
7:00 p.m.

MINUTES

1. **Call to Order** Mayor Kaulbach called the meeting to order at 7:05 p.m.
2. **Roll Call** Present were Mayor Allan Kaulbach, Vice Mayor Keller Lanahan, Councilor Derek Cooper, Councilor Michael LaCoursiere, and Councilor Guy Motzer. Also present were City Manager Brian Moree, City Attorney Trey Nazzaro, City Clerk Kristen Puhalainen, Police Chief Robert Mangold, Public Works Director Travis Hawthorne, and Code Officer William Amason.
3. **Pledge of Allegiance**
4. **Approval of Minutes** Mayor Kaulbach introduced approval of the minutes. Motion by Councilor LaCoursiere, second by Vice Mayor Lanahan to approve the minutes of the Regular Council Meeting on June 21, 2023. Motion carried 5-0.
5. **Special Presentations**
 - a. **Sen. Bobby Powell** Senator Powell reported on the 2023 legislative session.
6. **Comments from Members of the Public** Mayor Kaulbach asked for comments from the public; there were none.
7. **Ordinances and Resolutions**

Councilor LaCoursiere recused himself from items 7a, 7b, and 7c, and left the room.

- a. **Ordinance 477 Annexation – Second and Final Reading** Mr. Nazzaro read the ordinance by title. Mr. Moree reported that the Local Planning Agency, prior to this meeting, approved consideration of this ordinance by the City Council. Motion by Councilor Motzer, second by Councilor Cooper to approve Ordinance 477 on second and final reading. Motion carried 4-0.
- b. **Ordinance 478 Set Zoning for 4866, 4880, and 4950 S. Military Trail – Second and Final reading** Mr. Nazzaro read the ordinance by title. Mr. Moree reported that the Local Planning Agency, prior to this meeting, approved consideration of this ordinance by the City Council. Motion by Vice Mayor Lanahan, second by Councilor Cooper to approve Ordinance 478 on second and final reading. Motion carried 4-0.
- c. **Ordinance 479 Comprehensive Plan Amendments – Second and Final Reading** Mr. Nazzaro read the ordinance by title. Mr. Moree reported that the Local Planning Agency, prior to this meeting, approved consideration of this ordinance by the City Council. Motion by Councilor Cooper, second by Vice Mayor Lanahan to approve Ordinance 479 on second and final reading. Motion carried 4-0.

Councilor LaCoursiere returned to the dais.

d. Resolution 23-16 Fire Assessment Final Rates Mr. Nazzaro read the resolution by title. Mr. Moree explained the history and the process to establish a fire assessment. Motion by Vice Mayor Lanahan, second by Councilor LaCoursiere to approve Resolution 23-16. There was discussion. Sandi Neubarth of Government Services Group, Inc. answered questions. Mayor Kaulbach asked for comments from the public: Ron Poretz and Yailen Busta spoke. Motion carried 4-1 with Councilor Motzer opposed.

8. Miscellaneous

a. Set Proposed millage for FY 2023-2024 at 7.4100 and schedule first Budget Hearing Mr. Moree recommended setting the maximum millage rate at 7.4100, the current rate and reported that with the passage of Resolution 23-16 it will be lowered at a Budget Hearing. Motion by Councilor LaCoursiere, second by Vice Mayor Lanahan to set the 2023-2024 maximum millage rate at 7.4100 and schedule the first Budget Hearing for September 12th at 6 p.m. Motion carried 5-0.

b. Lantana Airport Update Mr. Moree reported on the meeting the night before hosted by Palm Beach County. The safety study was addressed.

c. Strategic Planning Mr. Moree is working with staff at the University of South Florida to bring a proposal to Council at the August Council meeting. The process should start in October.

d. Budget Discussion The budget will be adjusted with the passage of Resolution 23-16 and a line item budget will be provided to Council before the August meeting.

e. Recommendation of Initial Investment Portfolio Mr. Moree reported that the Finance and Audit Committee met and voted unanimously to recommend that Council approve the proposed initial investment portfolio presented by PFM Asset Management and implement it as soon as possible. Councilor Motzer reported on the discussions of the committee. Motion by Councilor LaCoursiere, second by Vice Mayor Lanahan to approve the proposed initial investment portfolio prepared by PFM Asset Management. Motion carried 5-0.

f. Florida League of Cities Voting Delegate Mr. Moree is attending the FLC conference in August and action is required to name him the voting delegate for the City. Motion by Councilor LaCoursiere, second by Councilor Motzer to name Brian Moree as the City's voting delegate at the Florida League of Cities conference. Motion carried 5-0.

9. City Manager's Report Mr. Moree reported that the Request for Proposals for Auditing Services has been published. The Finance and Audit Committee will rank the proposals and a recommendation will be brought to Council in September. He reported that the new street signs have arrived. He is planning a presentation on the new financial disclosure requirements in August or September. He reported that the doors and windows for the guard houses are complete and that a bid has been received for the remaining improvements. Talks with a traffic engineering firm are in progress. He reported on the Lantana Road and Military Trail perimeter improvements. The license plate cameras have been replaced, and replacing the other cameras is in progress.

10. Police Chief's Report Chief Mangold gave the report for June.

11. Code Compliance Officer's Report Mr. Amason gave the code report.

12. City Attorney/League of Cities Report Mr. Nazzaro reported that the League's July 26th meeting will be in North Palm Beach, and a seminar on financial disclosure Form 6 will follow.

13. Council Comments Councilor LaCoursiere said 6th Avenue South is expected to be completed in June 2024. He requested that the passage of the fire assessment be communicated to the property owners. Councilor Motzer had no comments. Councilor Cooper had no comments. Vice Mayor Lanahan had no comments. Mayor Kaulbach thanked everyone for coming.

14. Adjourn The meeting was adjourned at 9:20 p.m.


Allan Kaulbach, Mayor




Kristen Puhalainen, City Clerk

Note: A Mechanical recording has been made of the foregoing procedures of which these minutes are a part and is on file in the office of the City Clerk.

**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, AUGUST 15, 2023**

Mayor Kuretski called the meeting to order at 7:00 P.M.

Roll Call: Mayor Jim Kuretski; Councilor Ron Delaney; Councilor Cameron May; Councilor Malise Sundstrom; Town Manager Frank Kitzerow; Town Attorney Thomas J. Baird and Town Clerk Laura Cahill.

PRESENTATION

1. CONTINUED TO 9/5/23

Florida League of Cities presenting the Florida Municipal Achievement Public Engagement Award to the Town for the Passport to Jupiter.

Councilor May asked to reorder the agenda to have the Fire and EMS Sustainability and Feasibility Study update presentation moved to after the Consent agenda. Council agreed unanimously.

2. Pearl Mae Foundation.

Mr. David Krell, Executive Director of the Pearl Mae Foundation, spoke about the Foundation's history, programs including Pearl's Pantry, senior grant program, and tuition scholarships. He also thanked the Town for its support.

CITIZEN COMMENTS

Mr. Andy Weston, resident of Dolphin Drive, spoke regarding Dolphin Drive and reviewed a letter sent from a Jupiter resident.

MINUTES

3. August 3, 2023 Town Council Special Meeting Minutes.

Councilor Sundstrom moved to approve August 3, 2023 Town Council Special Meeting Minutes, as amended; seconded by Councilor Delaney; motion passed.

Kuretski	Delaney	May	Sundstrom
Yes	Yes	Yes	Yes

CONSENT AGENDA

All items listed in this portion of the agenda are considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests; in which event, the item will be removed and considered at the beginning of the regular agenda.

- Councilor Delaney pulled item 4.
- Mayor Kuretski pulled item 8.

Councilor Delaney moved to approve the Consent Agenda, as amended; seconded by Councilor Sundstrom; motion passed.

Kuretski	Delaney	May	Sundstrom
Yes	Yes	Yes	Yes

CONSENT AGENDA

PUBLIC HEARING

4. **Ordinance 5-23, First Reading, Jupiter Medical Center Zoning District Front Setback Reduction** - Zoning text amendment to the Medical Center (MC) Zoning District, Section 27-964, entitled "Area and dimension regulations", to reduce the front setback through a waiver process. (Second Reading 9/19/23) **MOVED TO REGULAR AGENDA**
5. **Ordinance 14-23, Second Reading, Zoning Text Amendments to the Mixed-Use Development (MXD) Zoning District** – to clarify density requirements and to delete the Residential, Estate (RE) subdistrict.

Title read by Mr. Baird.

PUBLIC BUSINESS

6. **Resolution 38-23**, Approving the renewal of contract EPW 2022-12 Right of Way and Easement Maintenance with Terracon Services, Inc. (Terracon), in an amount not to exceed \$112,609.21.
7. **Resolution 39-23**, Approving the renewal of contract EPW 2022-35 Janitorial cleaning Contract for Town Hall and the Police Department facilities with Ceiling to Floor Cleaning, Inc., in an amount not to exceed \$64,047.59.
8. **Resolution 78-23**, Approving the contract award with Risk Management and Associates – Brown and Brown Public Sector for Property and Casualty Insurance for the Town with an estimated annual cost of \$2,171,402. **MOVED TO REGULAR AGENDA**
9. **Resolution 90-23**, Approving the contract award of EPW 2022-29 Lighthouse Park Concession-Restroom Building and Drop-Off Shelter Reroofing to Solarguard Roofing, Inc. in an amount not to exceed \$52,800.
10. **Resolution 91-23**, Approving the contract award of Work Order 41 of contract EPW 2016-12D with Wantman Group, Inc. for the Maplewood and Indian Creek Park Playgrounds and the Indian Creek Park Restroom Building design services in an amount not to exceed \$110,815.74.
11. **Resolution 92-23**, Approving the contract award of Work Order 28 with Kimley-Horn and Associates, Inc. (Kimley-Horn) for the construction phase services of Jupiter Community Park Improvements in an amount not to exceed \$101,686.10.
12. Approving the purchase order for nine (9) new vehicles for the Parks and Utilities Departments with an anticipated total purchase price of \$489,628.61.

END OF CONSENT AGENDA

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

4. Ordinance 5-23, First Reading, Jupiter Medical Center Zoning District Front Setback

Reduction - Zoning text amendment to the Medical Center (MC) Zoning District, Section 27-964, entitled "Area and dimension regulations", to reduce the front setback through a waiver process. (Second Reading 9/19/23)

Title read by Mr. Baird

Councilor Delaney abstained due to his wife's employment with Jupiter Medical Center.

Councilor Sundstrom moved to approve Ordinance 5-23; First Reading; seconded by Councilor May; motion passed.

Kuretski
Yes

Delaney
Abstain

May
Yes

Sundstrom
Yes

8. Resolution 78-23, Approving the contract award with Risk Management and Associates – Brown and Brown Public Sector for Property and Casualty Insurance for the Town with an estimated annual cost of \$2,171,402.

Mayor Kuretski said he would like to get more information regarding resolution and asked to continue the item for the September 5th Council meeting.

Councilor May motion to continue Resolution 78-23 to Town Council September 5, 2023 Meeting; seconded by Councilor Delaney; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Sundstrom
Yes

REGULAR AGENDA

PRESENTATION

18. Fire and EMS Sustainability and Feasibility Study update by Chief Joe Pozzo, International City Manager's Association (ICMA).

Chief Joe Pozzo, Center for Public Safety and Management (CPSM), gave a brief overview of the CPSM study and project timeline. He explained the purpose of the presentation was to give an update which included actual costs of the interlocal agreement (ILA), year one of operations estimate for Jupiter Fire Rescue (JFRD), and a fire rescue service cost comparison between Palm Beach County Fire Rescue (PBCFR) and JFRD.

Councilor May asked why there was an increase in over three million dollars added to the total reoccurring costs.

Chief Pozzo responded it was debt service costs.

Mr. Scott Reynolds, Finance Director, explained in preparing for the presentation they had made assumptions of debt service and added the amounts in the presentation.

REGULAR AGENDA

PRESENTATION

- 18.** Fire and EMS Sustainability and Feasibility Study update by Chief Joe Pozzo, International City Manager's Association (ICMA).

Councilor May asked if the move-up costs were included in the contract and built in to the millage rate.

Mr. Reynolds answered that the costs were added and not built into the millage rate.

Councilor May said he does not agree with FY23-FY26 being zero dollars.

Mr. Reynolds agreed and explained it would not be a cost to residents for the first three years while we were still in the ILA. He clarified that the debt service costs would include some up-front costs and be paid when the cutoff happens between PBCFR and JFRD.

Councilor Delaney asked about interest rates pertaining to debt service costs.

Mr. Reynolds stated rates had been going up but explained depending on what type of loan we could acquire, rates could vary greatly.

Mayor Kuretski mentioned he did not have an issue with PBCFR's level of service but was concerned with the request for a different type for contract going forward. He asked about the timeline and September 30th, 2023 being the date needed to give notice to PBCFR if they chose to start JFRD.

Mr. Baird said yes.

Mayor Kuretski stated he would like to begin efforts to start a Town of Jupiter Fire Department.

Councilor May said it was highly inappropriate due to not having a full Council and also not having 2024 financial numbers.

Councilor Sundstrom explained that the ILA can increase more than five percent due to not having a ceiling. She said losing local control allows the County to make policy decisions that could affect budget decisions and increase our costs. Councilor Sundstrom noted that after many negotiations we got the best possible, passable ILA.

Councilor Delaney agreed with Councilor Sundstrom and said the Town would save approximately 68 million dollars between Fiscal year 2026-2033. He mentioned his great relationship over the years with PBCFR, but said being a steward of Jupiter tax payer's he would be derelict in duty if he did not move forward with creating JFRD due to the cost saving. He asked what the process is going forward to notify the County.

Mr. Baird said there is a 36 month advance written notice that has to be provided.

Mayor Kuretski stated he believed enough information was given to Mr. Kitzerow to begin down the path of starting JFRD.

REGULAR AGENDA

PRESENTATION

- 18.** Fire and EMS Sustainability and Feasibility Study update by Chief Joe Pozzo, International City Manager's Association (ICMA).

Councilor May said it was unfair they were making this decision without a full Council. Councilor Sundstrom mentioned there was a deadline and the decision needed to be made timely.

PUBLIC HEARING

- 13. Resolution 42-23, Fisherman's Wharf – Quasi-Judicial** – Special Exception and Site Plan applications for a three-story office building with underbuilding parking, a two-story restaurant with outdoor dining, a tiki bar, and a private dock, on a 4.6± acre property, located approximately ¼ mile west of US Highway One, along the north side of Indiantown Road. The Town Clerk swore in eight people.

Ex-Parte Communications:

- Councilor Delaney noted phone calls with the Applicant and Mr. George Gentile Office.
- Mayor Kuretski mentioned communications with Staff regarding noise levels and parking requirements.
- Councilor Sundstrom stated she spoke with Mr. Troy Holloway and Staff regarding noise levels, parking, and roundabouts.

Mr. Troy Holloway with Gentile Holloway O'Mahoney & Associates, Inc (2GHO), representing the Applicant, gave an overview of the special exception and site plan application including location; history; site plan and North property line; pedestrian circulation plan. He reviewed the proposed architecture design, the special exception for the restaurant, coordination with residents from Water's Edge Estates, and benefits to the Town. Mr. Holloway requested modification to condition 6 to allow the Applicant to operate per Town code instead of the 10:00 P.M. close time. He also asked to modify the language in condition 8B.

Ms. Elizabeth Conley, Planner, spoke regarding the special exception and site plan application. She noted Staff's concerns of no proposed sidewalk on the West side of the traffic circle and proposed a redesign to improve pedestrian safety and calm traffic.

She also reviewed Staff's concerns and recommendations regarding parking spaces, residential impacts, noise control, environmental stewardship, signage and utilities.

Councilor Sundstrom asked if there would be signage on any parking spaces in the garage related to the offices. Mr. Holloway confirmed that the parking would be shared and no reserved spaces. She noted her concerns about maintaining privacy for the residents.

Councilor Delaney asked where dumpsters would be located and if the applicant went from the existing retaining wall with a six-foot wall. Mr. Holloway stated yes and confirmed the location of the dumpsters on the property.

REGULAR AGENDA

PUBLIC HEARING

13. Resolution 42-23

Councilor Delaney asked Staff about the 10:00 P.M. shut down time and its relation to outside dining. Ms. Conley clarified that they could remain doing business as usual inside, however outside would be closed.

Councilor Delaney and Mr. John Sickler, Director of Planning and Zoning, discussed his concerns regarding sound traveling to neighborhood and the 10:00 P.M. shut down time.

Mayor Kuretski asked who owned the retaining wall. Mr. Holloway stated the retaining wall is owned by the homeowner. He also noted the Applicant would build a wall six to eight feet from the retaining wall and put landscape on both sides of the wall.

Mayor Kuretski mentioned his concerns with adding a load to the property owners retaining wall. He also discussed his concerns regarding the applicant being allowed a greater noise limit on the property line of the resident than Harbourside.

Councilor Sundstrom *noted the residents were okay with the project, and that this was a factor in her considering it.* She suggested to keep the condition regarding the 10:00 P.M. shut down time and to add a condition to place signage in the parking garage.

LC 09/05/23

Councilor Delaney agreed with putting signage in the parking garage to assist with traffic. He also noted his support for the application.

Councilor May supported the item and agreed with the 10:00 P.M. shut down time.

Mayor Kuretski mentioned he did not support due to his concerns for noise impact and the outdoor seating being two levels.

Councilor Delaney motion to approve Resolution 42-23, as amended, adding a condition regarding parking signage; seconded by Councilor Sundstrom; motion passed.

Kuretski
No

Delaney
Yes

May
Yes

Sundstrom
Yes

14. Resolution 49-23, 1000 Town Hall Avenue (Old Town Hall) – Quasi-Judicial –

Requesting a Town-initiated Local Historic Designation for a +/- 2.4- acre property located at 1000 Town Hall Avenue.

Ex-Parte Communications:

- Councilor Sundstrom had spoken with Staff.

The Town Clerk swore in four people.

Mr. Stephen Mayer, Senior Planner noted the item was a strategic priority of the Historic Resources Board (HRB). He went on to give a brief presentation which included property location; aerial view; historical significance context; historical designation criteria; Staff considerations; and HRB recommendation.

Councilor Delaney supported the item and asked if there were any cons.

REGULAR AGENDA

PUBLIC HEARING

14. Resolution 49-23

Mr. Mayer stated the only con would be the requirement for a Certificate of Appropriateness (COA) on certain Town actions for the rest of the property, which would add additional levels of review.

Councilor Sundstrom said she was very supportive. She noted the property was Town owned; her concern about the possibility of moving the building; drainage of property due to flooding; and stormwater concerns.

Mr. Mayer stated he would not be able to speak regarding stormwater improvements but believed the COA would capture improvements.

Ms. Stephanie Thoburn, Assistant Director of Planning and Zoning noted there were not any projects proposed. She stated there had been discussions regarding resiliency in order to expand the Seminole basin onto the western section, which could provide additional stormwater capacity and water quality.

Councilor May supported the entire site.

Mayor Kuretski supported the project and stated the Town intended to keep the site as a public property. He asked Staff to clarify the COA matrix used.

Ms. Thoburn stated the COA matrix used predominately covers buildings and structural repairs. She noted new construction was a small topic but believed the stormwater improvements would fall under it. She stated Staff would need to review repairs but a change to the size and/or impact would need to be reviewed by the HRB. She said if there was a change to the site plan then it would be approved by Council.

Mayor Kuretski said a change to a playground was hard enough.

Ms. Thoburn said a playground was more kin to what was on the COA and Staff had conversations with Parks and Recreation to incorporate more historic themed equipment. She noted if it were replaced in its entirety it would go the HRB but small repairs would be approved by Staff.

Mr. Kitzerow stated he asked Staff to bring forward concerns from the Directors who were responsible for those areas regarding the COA.

Councilor Sundstrom said it was a special playground and believed public input was needed for the playground. She reiterated her concerns about the flooding and stormwater.

Mr. Kitzerow said he believed there were one or two stormwater projects currently in the planning phase.

Mayor Kuretski stated if Council wanted to make any changes then they needed to suggest language for the Resolution and asked Staff if they had any.

REGULAR AGENDA

PUBLIC HEARING

14. Resolution 49-23

Mr. John Sickler, Director of Planning and Zoning stated the Staff felt there could be more clarification on the matrix approved by the HRB. He thought clarity on what was administrative versus what items were approved by the HRB for the COA was needed. He also noted there could be an update to deal with properties more than just buildings and more detail for new construction.

Mayor Kuretski asked if that would be something the Council would decide.

Mr. Sickler noted it was not, but if the Council wanted Staff could bring it back.

Mayor Kuretski stated he thought it was appropriate in this case.

Councilor Sundstrom asked if the clarification could include the Town managing the whole property, with the direction to Staff to amend the matrix to allow for stormwater uses to be administratively approved.

Mr. Sickler said it would be a different action then approving the Resolution. He noted Council could approve the Resolution as is and then direct Staff to work with the HRB to update the matrix for the COA's. This update would include items in the COA and those which would be up for Staff review.

Ms. Thoburn asked if Council wanted to continue the item to allow Staff to continue research and meet with the new Director of Utilities to see what projects they had planned.

Mayor Kuretski asked if Ms. Thoburn had suggested to continue item.

Ms. Thoburn said yes, because she wanted to have more answers on the property for Council.

Ms. Susan Brandt, resident of Florida Avenue, felt the whole park should stay as it was and be designated as historic. She believed the retention pond needed to be re-dredged and not used as a staging area for construction on Indiantown Road.

Mr. Carlton Tassell spoke on behalf of Ms. Kiah Kohlhoff, a resident of Town Hall Avenue grows up in Jupiter and believed the park was a special place.

Mr. Brett Leone, resident of Barbados Drive, supported the designation and felt the stormwater concerns could be addressed by Staff. He thought there should be different markers identifying the history of the property.

Mayor Kuretski stated the Council was unanimous in wanting to preserve the site but believed there needed to be a practice in place which was practical. He noted Staff had recommended bringing the item back on consent with recommendations.

REGULAR AGENDA

PUBLIC HEARING

14. Resolution 49-23

Councilor Delaney motion to continue Resolution 49-23 until Staff had information to bring back under consent; seconded by Councilor Sundstrom; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Sundstrom
Yes

15. Resolution 62-23, Roger Dean Chevrolet Stadium Renovation Designation – Quasi-Judicial – Site plan amendment to renovate the existing spring training facility, construct new team clubhouses, and construct new temporary facilities during construction, on a 90± acre property, located at 4355 Stadium Drive.

Ex-Parte Communications:

- Councilor Delaney met with Mike Bauer and George Gentile at Mr. Gentile's office.
- Councilor Sundstrom met with the applicant at his office and spoke with staff
- Councilor May had a phone call with Mike Bauer and George Gentile

The Town Clerk swore in nine people.

Mr. George Gentile, with 2GHO representing Roger Dean Chevrolet Stadium (RDSCS), gave a presentation that highlighted the property's history, site data, scope of improvements, and proposed site plan.

Mr. Kirk Bauer, with Fawcely Bryant Architecture, continued the presentation by going three important components which were improving the overall fan experience; improvements to male and female locker rooms; and a new image to the stadium that coordinates with Downtown Abacoa.

Mr. Garrett Watson, Senior Planner, gave an overview of the RDSCS multi-year project.

Mayor Kuretski asked Mr. Gentile if he felt that Staff and Council were not thrilled with the project proceeding.

Mr. Gentile stated absolutely not and explained it was one of his favorite activities in the Town.

Mayor Kuretski stated the Town had always been thrilled with the project.

Councilor Delaney said he did not want to hold up project due to the grass parking situation.

Councilor Sundstrom agreed with Councilor Delaney and looked forward to going to the team stores. She *asked* if consideration could be made to incorporate seating in the plaza to the stadium for when individuals and families wait on others to arrive outside.
LC 09/05/23

Councilor May was in favor and felt the Town could figure out the parking.

REGULAR AGENDA

PUBLIC HEARING

15. Resolution 62-23

Mr. Gentile felt that everyone could work together to get the project completed.

Mayor Kuretski noted the Town had donated 25 acres of property to Palm Beach County with the expectation the quad fields would be updated for public use. He stated he expected to continue the long-time partnership.

Mr. Bauer, General Manager of Roger Dean Chevrolet Stadium, said they had recently sat down with the teams and they were open to sitting down with the Town and renegotiating the use agreement. He felt that everyone could work together and get it accomplished.

Mayor Kuretski stated parking needed to be resolved and believed the PBC engineer needed to be involved.

Mr. Baird stated the parking lot had nothing to do with the major or minor league operations. He said there was control over the tournaments and the parking lot which needed to be addressed did not slow down project.

Councilor Sundstrom stated parking needed to be addressed but not now with the motion to proceed with the project.

Councilor Delaney moved to approve Resolution 62-23, as amended, to include the whereas clause the Mayor suggested and to exclude condition 7; seconded by Councilor Sundstrom; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Sundstrom
Yes

PUBLIC BUSINESS

16. Selection of Town of Jupiter Vice-Mayor 2023-2024.

Councilor Sundstrom acknowledged Council's tradition of passing the Vice-Mayor title around and said she would feel comfortable with reinstating Councilor Delaney due to him being the Vice-Mayor immediately preceding.

Councilor Sundstrom moved to select Councilor Delaney as Town of Jupiter Vice-Mayor 2023- 2024; seconded by Councilor May.

Kuretski
Yes

Delaney
Yes

May
Yes

Sundstrom
Yes

ROUNDTABLE

17. CONTINUED TO TBA

Property Owner's Unilateral proposal to amend the Development Agreement between the Town and Crossroads 6106 LLC as successor in interest to Developer Diversified Realty (DDR) Jupiter Falls LLC also referred to as Santé Circle.

ROUNDTABLE

18. CONTINUED TO TBA

Mayor Kuretski spoke about the item being continued at the request of a Council member and the Applicant. He stated his concerns regarding last minute changes to the agenda and changes should be subject to the Council's decision.

Councilor Sundstrom stated she asked to continue the item to have more time to review.

Vice-Mayor Delaney mentioned he received an email and a phone call from the Applicant who asked for more time.

Mayor Kuretski asked to keep items on the agenda if they are requested to be continued by the Applicant so Council still had an opportunity to discuss.

REPORTS

TOWN ATTORNEY

- Jupiter Soccer Case – Mr. Baird stated the motion for summary judgement for the Jupiter Soccer Case was set for October 6, 2023 and Jupiter-Tequesta Athletic Association (JTAA) joined in the Town's motion.
- Jupiter Stadium Limited agreement – Mr. Baird mentioned the Town had already prepared an amendment to the Jupiter Stadium Limited agreement based on discussions he had with the Town Manager some time ago so he would be able to send to them pretty quickly.

TOWN MANAGER

- Agenda items – Mr. Kitzerow spoke about managing the agenda and its complexity. He also mentioned the roundtable item that was continued had nothing to do with the Applicant's request. He stated that due to the large agenda and a Council member requesting more time, he made the decision to continue the item.

Mayor Kuretski stated the item should have been continued to the next meeting since it was the Town's item.

Mr. Kitzerow agreed to have it on the next meeting.

- Termination Letter written to County - Mr. Kitzerow stated he was clear on his direction to write a letter to the County to exercise the 36-month termination option for the Jupiter Fire department and asked if there needed to be a vote to proceed.

Mr. Baird stated Council could have a vote to direct the Town Manager to send the notice of termination letter.

REPORTS

TOWN MANAGER

Vice-Mayor Delaney motion for the Town Manager to send a written letter to terminate the Interlocal Agreement with Palm Beach County Fire Rescue; seconded by Councilor Sundstrom; motion passed.

Kuretski
Yes

Delaney
Yes

May
No

Sundstrom
Yes

- Cornerstone agreement – Mr. Kitzerow stated an agreement was met regarding the Cornerstone agreement and it would be moving forward.
- Acknowledged Mr. Daniel Baird from the IS department – Mr. Kitzerow acknowledged Daniel for his hard work and the recent Staff Lunch and Learn regarding Artificial Intelligence (AI). He also mentioned the Town would be hosting an AI symposium for local government a week from Wednesday.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

MAYOR KURETSKI

- Council Vacancy - Mayor Kuretski mentioned the Council vacancy, the letter of opinion from the Town Attorney regarding the Charter and the next regular election, and the appointment process. He stated Council should decide on a process and they had received several candidates that had expressed interest in being appointed.

Councilor Sundstrom agreed about having the criteria listed out and asked for the interested candidates to provide their address, district, and contact information.

Mayor Kuretski stated the Town should notify the public for anyone who was interested to submit a letter of interest, resume, and proof of residency.

Mr. Baird stated the Council had two meetings to deliberate and appoint a candidate.

Vice-Mayor Delaney asked if the appointee had to be from District 1.

Mr. Baird stated Council could make it District specific but that was not his interpretation of the Charter.

Mayor Kuretski mentioned he preferred them to be from District 1.

Council discussed the timeline.

Mayor Kuretski suggested to receive submission by September 12, 2023. Council unanimously agreed.

Councilor May asked the Town to let the News media know since not everyone followed the Town's social media.

Mayor Kuretski mentioned Staff to reach out to who had already applied to make sure they submitted all the information.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

MAYOR KURETSKI

- Town Manager's performance evaluation – Mayor Kuretski mentioned Council had an obligation to complete the Town Manager performance evaluation for the year one period that ended May 31, 2023. He stated Council needed to decide on salary adjustment based on performance and for it to be retroactive to June 1, 2023. He shared that he thought Mr. Kitzerow effectively ran Town government well from an overall perspective while also helping deliver several dozen noteworthy achievements. He felt Mr. Kitzerow exceeded expectation on two important accountability areas and met or exceeded expectations in the other areas. He looked forward to the collaborative partnership and performance in the Town and pursuing targeted future achievements. He believed with the current Town Manager and Council that they had achieved more in the last year and a half period than any other Council and Town Manager had.

Vice-Mayor Delaney stated he agreed with everything and that Mr. Kitzerow was a great leader, quick study, and straightened out the culture with Staff. He added the Town was fortunate to have him.

Councilor Sundstrom read from the written evaluation she provided stating Mr. Kitzerow's leadership during the difficult season had been outstanding. She stated it had been a challenging year and she did not think that without the Town Manager's leadership and support they could have completed many of the strategic and operational items to such a high standard. She was grateful for the work he did.

Councilor May stated he was supportive and every interaction he had with the Town Manager had been great and had accomplished a lot in the last year and a half.

Mayor Kuretski mentioned compensation and stated he talked to the Town Attorney regarding the contracts annual cap of two and a half percent. He also mentioned having the Town Attorney amended the contract to remove the annual cap at the discretion of Council.

Councilor Sundstrom supported removing the limit and wanted to be fair.

Vice-Mayor Delaney suggested a minimum of five percent increase.

Councilor May stated he was good with five percent as it brought it in line with Town employee increases.

Mayor Kuretski stated he supported five percent annual adjustment but based upon the review, suggested a bonus in recognition of achievement.

Councilor Sundstrom asked about discussing the bonus amount and structure.

Mayor Kuretski suggested five percent with a \$10,000 one-time bonus. Vice-Mayor Delaney agreed.

Councilor Sundstrom stated she was supportive but would like more context.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

MAYOR KURETSKI

Councilor May said he was supportive but would like to discuss it with the Town Manager privately before any action was taken.

Mr. Kitzerow thanked Council and appreciated their support. He stated it was a privilege and enjoyed working with Council but could not do any of it without the Town Staff and Department Heads.

COUNCILOR SUNDSTROM

- Old Town Hall – Councilor Sundstrom spoke about Old Town Hall. She stated she did hear what the residents said regarding the playground and that she did not want much to change.
- Town Manager evaluation – Councilor Sundstrom thanked the Mayor for bringing up the Town Manager's evaluation.

Vice-Mayor Delaney also appreciated the Mayor's efforts regarding the Town Manager's evaluation.

ADJOURNMENT- 10:23 P.M.

Laura Cahill, Town Clerk

1 RIVIERA BEACH CITY COUNCIL

2 Special Meeting

3
4
5
6 - - -7 Marina Village Event Center
8 190 East 13th Street
9 Riviera Beach, Florida
10 Friday, October 15, 2021
11 6:01 p.m. - 6:26 p.m.12 - - -
13
14
15
16
17
18
19

20 IN ATTENDANCE:

21 Chair Shirley Lanier
22 Vice Chair KaShamba Miller-Anderson
23 Commissioner Julia Botel
24 Commissioner Douglas Lawson
25 Commissioner Tradrick McCoy
Mayor Ronnie L. Felder
Executive Director Jonathan Evans
City Attorney Dawn Wynn
City Clerk Claudene Anthony

1 BE IT REMEMBERED that the following Special
2 City Council Meeting was had at the Marina Village
3 Event Center on Friday, October 15, 2021, beginning at
4 6:01 p.m., with attendees as hereinabove noted, to wit:

5 - - -

6 CHAIR LANIER: Good afternoon. We are here
7 to call a Special City Council meeting for Friday,
8 October 15th, 6:01 p.m.

9 Madam Clerk.

10 CITY CLERK ANTHONY: Mayor Ronnie Felder.

11 (No response.)

12 CITY CLERK ANTHONY: Chairperson, Shirley
13 Lanier.

14 CHAIR LANIER: Here.

15 CITY CLERK ANTHONY: Chair Pro Tem KaShamba
16 Miller-Anderson.

17 VICE CHAIR MILLER-ANDERSON: Present.

18 CITY CLERK ANTHONY: Councilperson Tradrick
19 McCoy.

20 COUNCILPERSON McCOY: Here.

21 CITY CLERK ANTHONY: Councilperson Douglas
22 Lawson.

23 COUNCILPERSON LAWSON: Here.

24 CITY CLERK ANTHONY: Councilperson Julia
25 Botel.

1 COUNCILPERSON BOTEL: Here.

2 CITY CLERK ANTHONY: City Manager Jonathan
3 Evans.

4 EXECUTIVE DIRECTOR JONATHAN EVANS: Present.

5 CITY CLERK ANTHONY: City Clerk Claudene
6 Anthony is present.

7 City Attorney Dawn Wynn.

8 MS. WYNN: Here.

9 CITY CLERK ANTHONY: Thank you, Madam Chair.

10 CHAIR LANIER: Thank you.

11 We will have a moment of silence, followed by
12 the Pledge of Allegiance by Dr. Botel.

13 (Moment of silence observed. Pledge of
14 Allegiance recited.)

15 CHAIR LANIER: Are there any additions,
16 deletions or substitutions for this agenda?

17 EXECUTIVE DIRECTOR JONATHAN EVANS: None from
18 staff, Madam Chair.

19 COUNCILPERSON McCOY: Yes, can we delete item
20 number one? I mean that the Mayor did call this, and
21 he's not here himself, so --

22 COUNCILPERSON BOTEL: One presumes you're
23 being facetious.

24 COUNCILPERSON McCOY: No, I'm very serious.
25 And that's for discussion, so I mean that's not

1 facetious, but more -- oh, I withdraw that; I withdraw
2 that.

3 CHAIRPERSON BOTEL: Withdrawn.

4 CHAIR LANIER: Are there any disclosures by
5 Council in regards to the item that's listed on this
6 agenda?

7 COUNCILPERSON McCOY: (Inaudible.)

8 CHAIR LANIER: A motion to adopt the agenda?

9 COUNCILPERSON BOTEL: So moved.

10 COUNCILPERSON LAWSON: Second.

11 CHAIR LANIER: There is no consent agenda.

12 CITY CLERK ANTHONY: Madam Chair, we need to
13 call the motion --

14 CHAIR LANIER: Oh, for the approval of the --
15 yes.

16 I'd also like to recognize the Mayor, who is
17 now at the dais.

18 Call the question for the approval of the
19 agenda.

20 CITY CLERK ANTHONY: Councilperson McCoy.

21 COUNCILPERSON McCOY: No.

22 CITY CLERK ANTHONY: Councilperson Botel.

23 COUNCILPERSON BOTEL: Yes.

24 CITY CLERK ANTHONY: Councilperson Lawson.

25 COUNCILPERSON LAWSON: Yes.

1 CITY CLERK ANTHONY: Pro Tem Miller-Anderson.
2 VICE CHAIR MILLER-ANDERSON: Yes.
3 CITY CLERK ANTHONY: Chair Lanier.
4 CHAIR LANIER: Yes.
5 CITY CLERK ANTHONY: That motion is approved,
6 with Councilperson McCoy dissenting.
7 CHAIR LANIER: Item number one.
8 CITY CLERK ANTHONY: Discussion and
9 deliberation to announce a closed session meeting for
10 Ladi March Goldwire versus City of Riviera Beach, case
11 number 9-18-CV-081285.
12 CHAIR LANIER: Can I get a motion?
13 CITY CLERK ANTHONY: Madam Chair, you do not
14 need a motion for discussion.
15 MS. WYNN: Madam Chair, I just need to
16 announce it.
17 CHAIR LANIER: All right, very good. Go
18 ahead, Madam Attorney.
19 MS. WYNN: Pursuant to Florida Statute
20 286.011(8)(d), public meetings and records, and a
21 desire to obtain advice concerning litigation, I'm
22 requesting a time that the City Council is available
23 for a closed executive session in the matter of Ladi
24 March Goldwire versus the City of Riviera Beach, case
25 number 9-18-CV-81285.

1 Outside counsel, along with the City
2 Attorney, is seeking a closed door session with Council
3 to discuss settlement of attorneys' fees and costs.
4 Therefore, I would like to know if the Council is
5 available for a closed executive session on Monday,
6 October 18th, 2021, at 6:00 p.m.

7 COUNCILPERSON McCOY: Madam Chair.

8 CHAIR LANIER: Yes, go ahead.

9 COUNCILPERSON McCOY: So a couple things.
10 I'm not available on Monday. In fact, we've had, in
11 some fashion or another, four, I guess, official
12 attendances to some meeting of some sort this week.
13 And, you know, unless there's something that is going
14 to be said or come out that we haven't heard already, I
15 just don't understand what else we need to go into
16 closed session for, because we've had, you know,
17 several, I want to say at least six hours of
18 conversation regarding this item in closed session
19 alone, and then at least another couple hours in a
20 public meeting. So I don't understand the need for and
21 I wouldn't support it. And not only that, I'm not
22 available.

23 CHAIR LANIER: Thank you, sir, for your
24 comments.

25 VICE CHAIR MILLER-ANDERSON: Madam Chair.

1 CHAIR LANIER: Yes, go ahead.

2 VICE CHAIR MILLER-ANDERSON: I'm available.

3 CHAIR LANIER: I'm also available.

4 COUNCILPERSON BOTEL: I'm available.

5 CHAIR LANIER: Mr. Lawson.

6 COUNCILPERSON LAWSON: Yes, Madam Chair.

7 COUNCILPERSON BOTEL: Are you available?

8 COUNCILPERSON LAWSON: For the meeting?

9 COUNCILPERSON BOTEL: Monday.

10 COUNCILPERSON LAWSON: I'll be available.

11 CHAIR LANIER: Very good.

12 MS. WYNN: Therefore, the closed executive
13 session will be held on the 18th day of October 2021 at
14 6 p.m. at the Marina Event Center, 190 East 13th
15 Street, Riviera Beach, Florida, 33404, in the case of
16 Ladi March Goldwire versus the City of Riviera Beach,
17 case number 9-18-CV-81285.

18 Those persons in attendance will be City
19 Attorney Dawn Wynn and/or Lina Busby, Senior Assistant
20 City Attorney, Special Counsel Don Stephens, Esquire,
21 of Olds and Stephens, Mayor Felder, Members of the City
22 Council, City Manager Jonathan Evans. The subject
23 matter of the closed executive session shall be
24 restricted to the discussion of the settlement of
25 attorneys' fees and costs.

1 COUNCILPERSON McCOY: Madam Chair.

2 CHAIR LANIER: Yes, go ahead.

3 COUNCILPERSON McCOY: So Ms. Wynn, I'm
4 actually not going to be in town. Would I be able to
5 participate remotely?

6 MS. WYNN: Yes, sir.

7 COUNCILPERSON BOTEL: Madam Chair.

8 CHAIR LANIER: Yes, go ahead.

9 COUNCILPERSON BOTEL: With the caveat that
10 you can participate, but not vote. Am I right?

11 MS. WYNN: No voting occurs -- generally no
12 voting occurs at closed sessions. However, if they do
13 occur, Mr. McCoy would not be able to participate in
14 the voting.

15 COUNCILPERSON McCOY: But --

16 VICE CHAIR MILLER-ANDERSON: Madam Chair.

17 CHAIR LANIER: Yes, go ahead.

18 VICE CHAIR MILLER-ANDERSON: I think there's
19 been a time when I was sick and I was unable to -- I
20 wasn't allowed to do the closed executive session
21 telephonically.

22 CHAIR LANIER: I remember that as well.

23 VICE CHAIR MILLER-ANDERSON: So that is not
24 (inaudible).

25 MS. WYNN: Since I have been here, Madam Pro

1 Tem?

2 CHAIR LANIER: Yes, yes.

3 VICE CHAIR MILLER-ANDERSON: Yes.

4 CHAIR LANIER: Yes.

5 MS. WYNN: I'm sorry, I don't recall that.

6 Okay. Do you remember -- do you recall what case that
7 was in?

8 VICE CHAIR MILLER-ANDERSON: No.

9 MS. WYNN: Okay.

10 VICE CHAIR MILLER-ANDERSON: But I can go
11 back and look, but that definitely occurred.

12 COUNCILPERSON McCOY: Well, Madam Chair.

13 CHAIR LANIER: Yes, go ahead, sir.

14 COUNCILPERSON McCOY: It doesn't -- I don't
15 want to be there in the first place, so you don't have
16 to worry about it. If there's, you know, concerns that
17 it wasn't allowed, then, you know, I'll just even
18 withdraw even asking.

19 CHAIR LANIER: Thank you, sir.

20 Any other questions in regards to the
21 announcement?

22 COUNCILPERSON BOTEL: Madam Chair.

23 CHAIR LANIER: Yes, go ahead.

24 COUNCILPERSON BOTEL: There are still some
25 pieces of information that I would like to see before

1 we have a closed session. I'm wondering if this is an
2 appropriate time to ask for those.

3 CHAIR LANIER: Yes, go ahead.

4 COUNCILPERSON BOTEL: Could we -- do we have
5 copies of the attorneys' fees that we're being asked to
6 vote on, copies of any billing records or other papers
7 that you've been provided with as part of that
8 attorneys' fees request?

9 MS. WYNN: I will check with Mr. Stephens.
10 We will confer and see if the law allows us to provide
11 those, and if so, we will provide them to you,
12 Dr. Botel, to all of you.

13 COUNCILPERSON BOTEL: Okay.

14 VICE CHAIR MILLER-ANDERSON: Madam Chair.

15 CHAIR LANIER: Yes, go ahead.

16 VICE CHAIR MILLER-ANDERSON: You're asking
17 for fees that the plaintiff, the attorneys' fees for
18 the plaintiff?

19 COUNCILPERSON BOTEL: Yes, because we're
20 being asked to spend \$255,000, plus 60, and I just want
21 to know what that constitutes, you know. Originally it
22 was 400 some thousand. I want to know do they -- did
23 they break that billing down by charge or by -- how is
24 it broken down, what were their hourly rates, all the
25 typical things that you would want to look at before

1 you make a determination as to whether or not this is
2 an appropriate fee.

3 VICE CHAIR MILLER-ANDERSON: Okay, I
4 wasn't -- I just wanted to know which one you were
5 talking about, just clarify it.

6 And I was going to go back to Ms. Wynn. If
7 we're the ones that's being asked to pay that or
8 consider that amount, why would it not be legal for us
9 to get it?

10 MS. WYNN: I just need to double-check. I'm
11 just not sure, Madam Pro Tem.

12 VICE CHAIR MILLER-ANDERSON: Okay, all right.

13 COUNCILPERSON BOTEL: And the other thing I'd
14 like to know -- I'm sorry. Madam Chair.

15 CHAIR LANIER: Yes, go ahead.

16 COUNCILPERSON BOTEL: We've been told by
17 the -- well, you told us that the insurance company
18 said that they would not pay any more fees after, I
19 think it was October 8th. I want to know the specific
20 sections of our insurance agreements the carrier
21 believes to be justification for that, for that
22 declaration that they're not going to any longer pay
23 us. I mean it just doesn't seem right if we're paying
24 it. We've been paying into our insurance bills all
25 this time, and now all of a sudden they're not going to

1 represent us any longer.

2 VICE CHAIR MILLER-ANDERSON: Madam Chair.

3 CHAIR LANIER: Yes, go ahead.

4 VICE CHAIR MILLER-ANDERSON: I think
5 probably, Ms. Wynn, could you please advise us if this
6 is something we need to be talking about right now,
7 because some of this stuff, I don't know that this is
8 publicly said. So please let us know --

9 MS. WYNN: Right, the discussion --

10 VICE CHAIR MILLER-ANDERSON: -- if there are
11 some things we need to hold off on until Monday.

12 MS. WYNN: That's correct. The discussion
13 tonight needs to be limited to the closed executive
14 session.

15 But Dr. Botel, you and I can talk after.
16 Whatever information I provide to you I will provide to
17 the balance of the Council.

18 COUNCILPERSON BOTEL: Okay.

19 CHAIR LANIER: And I'll also put my request
20 in writing for what I need for the session for Monday
21 as well.

22 MS. WYNN: Thank you.

23 CHAIR LANIER: Any other questions in regards
24 to this session?

25 Because this is the only issue that is on the

1 agenda, we do have public comments. Please be reminded
2 the City Council has adopted rules of decorum governing
3 public conduct during official meetings which has been
4 posted at the front desk. In an effort to preserve
5 order, if any of the rules are not adhered to, the
6 Council Chair may have any disruptive speaker or
7 attendee removed from the podium, from the meeting
8 and/or the building, if necessary. Please govern
9 yourselves accordingly.

10 Public comment shall begin at 7:30 p.m.
11 unless there is no further business of the City
12 Council, which in the event, it shall begin sooner. In
13 addition, if any of the items are being considered
14 after 7:30 or at 7:30, then comments from the public
15 shall begin immediately after the item has been
16 concluded. Any person who would like to speak during
17 public comments, please fill out a public comment card
18 located at the front desk, and give it to the staff
19 before the public comment section is announced.

20 Madam Clerk.

21 CITY CLERK ANTHONY: Madam Chair, Members of
22 the Board, the acceptance of public comment cards is
23 now closed.

24 Cindy March, Margaret Shepherd, Bessie Brown.

25 MS. MARCH: Good evening. I want to

1 elaborate also on the statement that Tradrick McCoy had
2 made a statement of. You all don't have closed
3 sessions more than one time, if I'm not mistaken. You
4 all going to mess around. No insurance company going
5 to want to pick you up. You all have too many lawsuits
6 on your hands already, and this is just a personal
7 vendetta since day one.

8 Lanier, you even went over and beyond and
9 called the insurance company yourself directly and said
10 don't pay Ladi March Goldwire, and now you wonder why
11 you don't have a job with the County? What goes
12 around, comes around.

13 You all going to have to be careful. You
14 have a lawyer that you all hired. You have a City
15 Manager that you all brought back here. You say you
16 didn't care what it cost, bring him back. He's not
17 only our City Manager, he's our CRA Director as well.
18 So if you all not going to listen to them, who are you
19 all going to listen to? You all going to mess around,
20 and the City is not going to be able to heal because of
21 KaShamba, Lanier and Botel throw rocks, hide their
22 hands.

23 What you all so against Ladi March? Why?
24 She couldn't have been too bad of a person to bring
25 \$13 million into the City. Come on, her work spoke for

1 itself. She even went to jail. She even lost a
2 \$700,000 contract. If you want the transcript, get the
3 transcript, but trust and believe you going to open up
4 a whole can of worms that's going to be able to bring
5 back that whistleblower case, going to be able to bring
6 back that Jennifer Cassin (phonetic) case.

7 If you want to be hypothetical with
8 (inaudible) as far as the amount or what you paying the
9 lawyer, ask about the private lawyer that you paid
10 \$600,000 to. Who paid for that fee?

11 Come on, let's get realistic. You all say
12 you all want to move this city forward, and I know I
13 can be like I'm a (inaudible). I'm aggravated. And I
14 want to move the -- see you all move the City forward,
15 but you all need to be removed. If you're not going to
16 do what we voted you all in to do, then you need to
17 leave. Point simple blank as that.

18 Your whole file was out there on social
19 media, and it would have still been out there, but Ladi
20 March Goldwire asked them don't do that. Even though
21 it was done to me, don't do it to Lanier. You reap
22 what you sow.

23 We don't need to be elaborating on this no
24 more. We don't have too many closed session, too many
25 open session and nothing getting done, so why do you

1 have a City Manager? Why do you have a lawyer? And
2 I'm quite sure she know her job. It's like you
3 question her job.

4 Botel, if you wanted to be the lawyer for the
5 City, you should have filled out an application.
6 Point-blank simple as that. You, Lanier and KaShamba
7 going to cost this City a whole lot of money. And
8 before I close, KaShamba, your job is even on the line
9 with the accounting, so be mindful what you do to
10 others.

11 CITY CLERK ANTHONY: Margaret Shepherd,
12 Bessie Brown --

13 CHAIR LANIER: Thank you for your comments.

14 CITY CLERK ANTHONY: -- William Wyly.

15 MS. SHEPHERD: Margaret Shepherd, Riviera
16 Beach.

17 I'm kind of confused. She said that KaShamba
18 worked for the County? I don't think so. You come up
19 here and give misinform, it makes you look kind of
20 stupid. Get the facts. And I think we're here to get
21 the facts.

22 I do have a problem with continuing closed
23 executive sessions, because once you all come out of
24 the executive sessions, then on the dais you all start
25 vetting it all over again. I remember when Pamala

1 Hannah Ryan, she kept instructing the Council that what
2 they're doing, you're giving the other side the upper
3 hand what you're thinking. And I've had lawyers, and
4 the first thing they instructed me, don't answer no
5 questions. That's what you hired me for. So I came
6 out victorious because I obeyed my attorney.

7 I really don't know what's going on. I
8 really hope that this ends. I hope that we can -- I
9 don't know about healing, because it look like once we
10 start trusting, there's something breaking loose on
11 another ending.

12 I want to implore you to know one thing, that
13 I hope when you go into this executive session that you
14 all come out with some type of way you're going to end
15 this discretion, because to me, it's all over the
16 paper, they continue to call us losers, and it's just a
17 bad taste that we continue with the same thing.

18 So I just -- that's just the way I feel. I
19 think for the first time I have to agree with Tradrick.
20 To continue to come here and beat this horse?

21 And I thank Mr. Wyly for allowing me to
22 debate with him, because he said yes, keep on with the
23 lawsuit, keep on with it. So it was just refreshing to
24 hear a young person talk about it and get their views,
25 and then you get the older set of people and say they

1 want it to end. So where do we go from here? We have
2 to come to some type of agreement. Thank you.

3 Mr. Lawson, may I say congratulations, sir.
4 I wish you and Jade well. Thank you.

5 CHAIR LANIER: Thank you for your comments.

6 CITY CLERK ANTHONY: Bessie Brown, William
7 Wyly, Mary Brabham.

8 MS. BROWN: Good evening, Council.

9 I just have to say Mrs. Botel asked for all
10 the paperwork and the stuff about paying the attorney
11 fees. Were you all given the same information for the
12 other attorney, for Attorney Stephens? So I don't
13 understand. With whatever information you've been
14 given, you should have been able to make the decision.
15 But I'd like to know do you have the same kind of
16 information from Mr. Stephens' bill?

17 CHAIR LANIER: Thank you for your comments.

18 CITY CLERK ANTHONY: William Wyly, Mary
19 Brabham.

20 MR. WYLY: Good evening, Board. My name is
21 William Wyly, a lifelong resident here in Rivera Beach,
22 and also tonight a concerned citizen.

23 This case is long overdue, like we spoke of,
24 and needs to be concluded. It needs to be finished
25 ASAP. But this case is not of a personal vendetta or

1 some attack on a past employee. This case, as
2 important as it is, is going to set a precedent for
3 future cases to come. Any employee that gets fired for
4 legitimate reasons or even reasons that's upheld in
5 court will be subject to the City to be able to pay
6 their legal fines.

7 This case was settled for \$60,000 and given
8 no clear-cut evidence to support that, so the City has
9 filed a motion to challenge that amount. We should
10 have set a motion to challenge that amount. The ball
11 got dropped somehow, and now we're in a situation to
12 now we're back in court.

13 We pay \$60,000 for the case, \$255,000 for the
14 lawyers and \$200,000 for insurance deductible. It's
15 just like getting in a car wreck, you have to pay a
16 \$500 deductible, they pay the rest of it off. So we
17 have to pay the insurance company a deductible. So
18 over half a million dollars for a case we won doesn't
19 make any sense, not at all, in no way whatsoever.

20 For the people on the Council who support
21 this payout, I would let you know that this is not in
22 the best interests of the City. And your job as
23 Council is to protect the City, the land, the finances
24 and this community. There's no gray area when it comes
25 to that. The judge threw out all motions made in this

1 case pertaining to the firing, so this recommendation
2 for any payout is unacceptable and will change all
3 future terminations at the City of Riviera Beach.

4 Mr. Evans and this City, this is why it's
5 important to have the right people in the right
6 positions to be able to make the right decisions.

7 Thank you.

8 CHAIR LANIER: Thank you for your comment,
9 sir.

10 CITY CLERK ANTHONY: Mary Brabham.

11 MS. BRABHAM: Mary Brabham. Can you all hear
12 me?

13 CHAIR LANIER: Yes, ma'am.

14 MS. BRABHAM: Mary Brabham, Riviera Beach.

15 First of all, residents, get up and vote.
16 Get up and vote like you never have voted before.

17 I would like to say on October the 16, which
18 is tomorrow, it is Boss Day. And I'm going to say
19 thank you for all the bosses that are in here that
20 governs everyone.

21 And City Manager Mr. Evans, you are the boss
22 of this entire City. You work hard at being a terrific
23 boss. And what it does gets you, well, for one thing,
24 this card which says: Happy Boss Day to a hardworking
25 and terrific boss. That's for you, Mr. Evans. You are

1 the CEO of this (inaudible).

2 Okay, I'm going to make some -- clear up some
3 things here, because you can go back in the files and
4 pull it. Mr. Evans was brought back here because the
5 court said that Mr. Evans could come back here. The
6 court ruled in favor of Mr. Evans, along with the City.
7 So when we stand up here, get the facts.

8 All of that that happened in 2017, we went
9 back in the courthouse. The court -- Mr. Evans is here
10 because of the court, the ruling court system. This is
11 why he is here, because it was flaws then, and you
12 continuously do the same thing. When it's made mention
13 about the City does not get in the way of we lose
14 cases, we just won, we just stopped a \$60 million case
15 that was brought for from a victim in the City here,
16 and it pertained to our Police Department. Go look it
17 up. October the 13, a \$60 million case.

18 And other cases that Ms. Brabham can stand up
19 here and tell you all about. Sometimes we have to do
20 the actions that we need to do in order to bring who we
21 are and bring clarity to these things here. Go look it
22 up. Other cases Ms. Brabham can give you too. But I
23 wanted to just to give you an update on that one.
24 \$60 million lawsuit that he had against the City, and
25 the City's came out unscaled. Am I right, Attorney?

1 Smile then. That's one thing there.

2 Another thing is all of these here meetings
3 like this, come on, whoever called them, and stop this
4 foolishness. Stop this foolishness. As a Board,
5 whatever decision is going to be made, do it. Like I
6 said before, we will live with it.

7 But all of these special meetings here, all
8 you're doing is making yourself looking bad in the
9 public, because the public is tired of you all. I can
10 tell you, the public is absolutely fed up with some of
11 you all. Even the politicians, they are fed up.
12 They're fed up.

13 CHAIR LANIER: Thank you for your comments.

14 MS. BRABHAM: Thank you.

15 CITY CLERK ANTHONY: Madam Chair, Members of
16 the Board, that concludes public comment.

17 CHAIR LANIER: Do we have any discussions by
18 the City Manager?

19 EXECUTIVE DIRECTOR JONATHAN EVANS: No, Madam
20 Chair. Thank you.

21 CHAIR LANIER: Any discussion by the City
22 Attorney?

23 MS. WYNN: No, Madam Chair. Thank you.

24 CHAIR LANIER: Any City Council committee
25 reports?

1 We'll start with the Mayor. Any comments,
2 sir?

3 MAYOR FELDER: No comments, Chair.

4 CHAIR LANIER: Any comments from Councilman
5 Lawson?

6 COUNCILPERSON LAWSON: No, Madam Chair.

7 CHAIR LANIER: Any comments from Councilman
8 McCoy?

9 COUNCILPERSON McCOY: No.

10 CHAIR LANIER: Any comments from Councilwoman
11 Botel?

12 COUNCILPERSON BOTEL: No.

13 CHAIR LANIER: Any comments from Councilwoman
14 Miller-Anderson?

15 VICE CHAIR MILLER-ANDERSON: No.

16 CHAIR LANIER: And this meeting is
17 adjourned.

18 (Whereupon, at 6:26 p.m., the proceedings
19 were concluded.)
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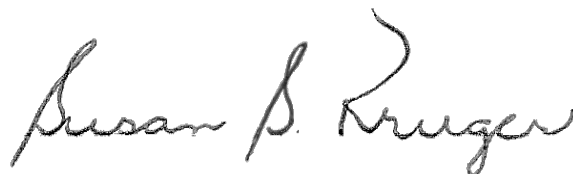
C E R T I F I C A T E

THE STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

I, Susan S. Kruger, do hereby certify that
I was authorized to and did report the foregoing
proceedings, and that the foregoing pages comprise a
true and correct transcription of my stenotype notes
taken of the proceedings.

The certification of this transcript does
not apply to any reproduction of the same by any
means unless under the control and/or direction of
the certifying reporter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 11th day of January, 2022.



Susan S. Kruger

1 ADJOURNMENT

2 The Special City Council Meeting was
3 adjourned at 6:26 p.m. The minutes were approved by
4 the City Council on _____.

5
6
7 _____
8 Shirley Lanier, Chairperson

9
10 _____
11 Jonathan Evans, City Manager
12
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APPROVED:

RONNIE L. FELDER
MAYOR

SHIRLEY D. LANIER
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

KASHAMBA MILLER-ANDERSON
CHAIR PRO TEM

TRADRICK MCCOY
COUNCILPERSON

JULIA A. BOTEL, Ed.D
COUNCILPERSON

DOUGLAS A. LAWSON
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

T. MCCOY _____

K. MILLER-ANDERSON _____

S. LANIER _____

J. BOTEL _____

D. LAWSON _____

DATE APPROVED: **FEBRUARY 2, 2022**

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, August 8, 2023

7:00 PM

Village Hall - Council Chambers

Village Council

*Anne Gerwig, Mayor
Michael Napoleone, Vice Mayor
John T. McGovern, Councilman
Michael Drahos, Councilman
Tanya Siskind, Councilwoman*

1. CALL TO ORDER

Mayor Gerwig called the meeting to order at 7:00 p.m.

Council Members present: Anne Gerwig, Mayor; Michael Napoleone, Vice Mayor; John T. McGovern, Councilman; Michael Drahos, Councilman; and Tanya Siskind, Councilwoman.

Advisors to the Council: Jim Barnes, Manager; Laurie Cohen, Attorney; Tanya Quickel, Deputy Village Manager; Ed De La Vega, Assistant Village Manager; and Chevelle D. Addie, Village Clerk.

2. PLEDGE OF ALLEGIANCE

Mayor Gerwig led the Pledge of Allegiance.

3. INVOCATION

Deacon Bob Rodriguez, St. Therese de Lisieux Catholic Church, delivered the invocation.

4. APPROVAL OF AGENDA

Mr. Barnes indicated staff recommended approval of the Agenda as presented.

A motion was made by Vice Mayor Napoleone, seconded by Councilman McGovern, and unanimously passed (5-0), to approve the Agenda as presented.

5. PRESENTATIONS AND PROCLAMATIONS

A. [23-5882](#) PROCLAMATION COMMEMORATING PALM BEACH STATE COLLEGE FOR 90 YEARS OF SERVICE TO PALM BEACH COUNTY

Mr. Barnes introduced the item.

Ms. Addie read the Proclamation into record.

Carolyn Williams, Palm Beach State College (PBSC) Board Chair, gave comments and thanked the Village for their support.

PBSC President Ava Parker gave comments.

Kimberly Lancaster, PBSC, provided statistics regarding Palm Beach State College.

The Village Council commended Palm Beach State College and thanked them for their service to the community and their partnership.

B. [23-5879](#)

RESOLUTIONS ADOPTING THE BUDGETS AND ASSESSMENT RATES FOR THE ACME IMPROVEMENT DISTRICT, WELLINGTON SOLID WASTE COLLECTION AND SADDLE TRAIL PARK NEIGHBORHOOD IMPROVEMENT DISTRICT; AND A RESOLUTION ADOPTING THE BUDGET FOR THE LAKE WELLINGTON PROFESSIONAL CENTRE.

I. RESOLUTION NO. AC2023-04: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT ADOPTING THE DISTRICT BUDGET AND NON-AD VALOREM ASSESSMENT ROLL AS PROVIDED HEREIN; LEVYING OF THE NON-AD VALOREM ASSESSMENTS FOR THE DISTRICT AND APPOINTING AN AUTHORIZED REPRESENTATIVE OF THE DISTRICT FOR CERTIFICATION OF THE DISTRICT'S NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

II. RESOLUTION NO. R2023-42: A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE SOLID WASTE COLLECTION PROGRAM BUDGET AND NON-AD VALOREM ASSESSMENT ROLL AND LEVYING THE NON-AD VALOREM ASSESSMENTS FOR SOLID WASTE COLLECTION AND DISPOSAL WITHIN THE JURISDICTIONAL BOUNDARIES OF WELLINGTON; PROVIDING FOR RATES AND APPOINTING AN AUTHORIZED REPRESENTATIVE OF WELLINGTON TO CERTIFY THE SOLID WASTE COLLECTION NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

III. RESOLUTION NO. R2023-43: A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE LAKE WELLINGTON PROFESSIONAL CENTRE BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; AND PROVIDING AN EFFECTIVE DATE.

IV. RESOLUTION NO. R2023-44: A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE SADDLE TRAIL PARK NEIGHBORHOOD IMPROVEMENT DISTRICT NON-AD VALOREM ASSESSMENT ROLL AS PROVIDED HEREIN; LEVYING OF THE NON-AD VALOREM ASSESSMENTS FOR THE AREA AND APPOINTING AN AUTHORIZED REPRESENTATIVE OF

WELLINGTON FOR CERTIFICATION OF THE AREA'S NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Addie read the Resolutions by title.

Ms. Quickel presented to Council the four resolutions adopting the budgets and rates for FY 2024 for Acme, Solid Waste, Lake Wellington Professional Centre, and Saddle Trail. She also reviewed the proposed FY 2024 Budgets, Budget Objectives, and Rates & Assessments accordingly.

Council provided comments regarding the ACME assessment.

Ms. Quickel responded to Council's questions.

Public Hearing:

A motion was made by Vice Mayor Napoleone, seconded by Councilman McGovern, and unanimously passed (5-0), to open the Public Hearing.

There being no public comments, a motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to close the Public Hearing.

A motion was made by Vice Mayor Napoleone, seconded by Councilman McGovern, and unanimously passed (4-1; Mayor Gerwig dissenting), to approve Resolution No. AC2023-04 as presented.

A motion was made by Vice Mayor Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0), to approve Resolution No. R2023-42 as presented.

A motion was made by Vice Mayor Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0), to approve Resolution No. R2022-43 as presented.

A motion was made by Vice Mayor Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2022-44 as presented.

Council commended Ms. Quickel and her team for developing a great budget.

C. [23-6000](#) PRESENTATION OF THE 2023 RESULTS OF THE NATIONAL COMMUNITY SURVEY

Mr. Barnes introduced the item.

Brandon Barnett thanked Tim Stillings for his feedback and for his assistance in the development of the survey and acknowledged his colleague Kristen. He referenced the National Community Survey, which was hosted on Polco. Mr. Barnett provided an overview of the survey, highlighted benchmark comparisons and presented a summary of the key findings and results. He referenced the six "E's".

Council provided comments regarding the survey report.

Mr. Barnett responded to Council's questions and comments regarding the survey.

Mr. Barnes provided follow up comments about the survey.

6. **CONSENT AGENDA**

Mr. Barnes stated there were no comment cards on the Consent Agenda.

Mr. Barnes indicated staff recommended approval of the Consent Agenda as presented.

A motion was made by Vice Mayor Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve the Consent Agenda as presented.

Public Comment on Non-Agendaed Items:

1. Carol Brody spoke regarding code compliance.

A. [23-6038](#) MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF JULY 11, 2023

This item approved on Consent.

B. [23-5850](#) AUTHORIZATION TO 1) AWARD A CONTRACT FOR THE TROPOS SOLAR POWER EXPANSION PROJECT AND 2) EXECUTE A TASK ORDER FOR CONSTRUCTION PHASE SERVICES FOR THE TROPOS SOLAR POWER EXPANSION PROJECT

This item approved on Consent.

- C. [23-5962](#) AUTHORIZATION TO 1) RENEW AN EXISTING SOLE SOURCE AGREEMENT TO PROVIDE GEOGRAPHIC INFORMATION SYSTEMS (GIS) LICENSING, MAINTENANCE AND SUPPORT; 2) CONTINUE UTILIZING A CONSULTANT TO PROVIDE GIS SUPPORT, DEVELOPMENT AND INTEGRATION; AND 3) AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR GIS CLOUD HOSTING SERVICES
- This item approved on Consent.
- D. [23-5725](#) AUTHORIZATION TO AWARD A CONSTRUCTION MANAGER AT RISK CONTRACT FOR THE AQUATICS FACILITY
- This item approved on Consent.
- E. [23-5851](#) AUTHORIZATION TO AWARD A CONTRACT FOR THE WELLINGTON ENVIRONMENTAL PRESERVE (SECTION 24) BOARDWALK REFURBISHMENT PROJECT
- This item approved on Consent.
- F. [23-6039](#) RATIFICATION OF EMERGENCY PURCHASE ORDERS AND AUTHORIZATION TO AWARD CONTRACTS TO MAINGUY LANDSCAPE SERVICES AND WELLINGTON PROFESSIONAL LAWN CARE FOR LANDSCAPE SERVICES
- This item approved on Consent.
- G. [23-5897](#) RESOLUTION NO. R2023-25 (QUERCUS LANE TRAFFIC CONTROL ILA)
- A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR TO EXECUTE A NEW INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY TO REPEAL AND REPLACE THE PRIOR TRAFFIC CONTROL AND QUERCUS SIGNAL MAINTENANCE AGREEMENTS, FOR THE PURPOSE OF UPDATING THE PARTIES' TRAFFIC CONTROL FUNCTIONS, DUTIES AND MAINTENANCE AUTHORITY OVER CERTAIN ROADS, AND TO ALLOW FOR INSTALLATION AND MAINTENANCE OF CAMERAS, GOLF CART TRAFFIC CONTROL DEVICES, AND DECORATIVE ART WRAPS ON SIGNAL CONTROL CABINETS LOCATED ON TRAFFIC SIGNAL POLES MAINTAINED BY PALM BEACH COUNTY WITHIN WELLINGTON'S MUNICIPAL BOUNDARIES; AND PROVIDING AN EFFECTIVE DATE.
- This item approved on Consent.
- H. [23-6031](#) RESOLUTION NO. R2023-45 AMENDING THE FISCAL YEAR 2022/2023 GOVERNMENTAL CAPITAL FUND BUDGET TO APPROPRIATE PROCEEDS OF THE PUBLIC IMPROVEMENT

REVENUE BONDS, SERIES 2023, TO FUND FINANCING COSTS AND THE WELLINGTON COMMUNITY PARK IMPROVEMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

I. [23-6034](#)

RESOLUTION NO. R2023-34 FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, FLORIDA FOREST SERVICE URBAN AND COMMUNITY FORESTRY GRANT AGREEMENT AND RESOLUTION NO. R2023-35 BUDGET AMENDMENT TO ALLOCATE SAID GRANT

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL RATIFYING RESOLUTION NO. R2023-34 APPROVING AND AUTHORIZING THE DEPUTY VILLAGE MANAGER TO EXECUTE URBAN AND COMMUNITY FORESTRY GRANT AGREEMENT 29922 WITH THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, FLORIDA FOREST SERVICE; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. R2023-35 AMENDING THE FISCAL YEAR 2022-2023 BUDGET FOR THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, FLORIDA FOREST SERVICE URBAN AND COMMUNITY FORESTRY GRANT FUNDS AWARDED FOR THE COMPLETION OF THE TREE PLANTING; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

J. [23-6036](#)

RESOLUTION NO. R2023-46 (HAZARD MITIGATION GRANT PROGRAM FUNDING)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, APPROVING AND AUTHORIZING THE VILLAGE MANAGER OR DEPUTY VILLAGE MANAGER TO EXECUTE AND SUBMIT THE APPLICATION AND ALL NECESSARY DOCUMENTS RELATED TO THE HAZARD MITIGATION GRANT PROGRAM AND APPROVING THE RECEIPT OF FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

This item approved on Consent.

K. [23-6045](#)

RESOLUTION NO. R2023-47 (DEPARTMENT OF STATE, DIVISION OF ARTS AND CULTURE GENERAL SUPPORT PROGRAM GRANT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF

STATE, DIVISION OF ARTS AND CULTURE FOR THE PURPOSE OF RECEIVING A GRANT UNDER PROVISIONS OF THE GENERAL SUPPORT PROGRAM GRANT FOR AMPHITHEATER PROGRAMMING; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

L. [23-6046](#)

A. RESOLUTION NO. R2023-49 FOR THE DEPARTMENT OF STATE, DIVISION OF ARTS AND CULTURE FACILITIES GRANT

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF STATE, DIVISION OF ARTS AND CULTURE FOR THE PURPOSE OF RECEIVING A GRANT UNDER PROVISIONS OF THE FACILITIES GRANT FOR THE MARJORIE STONEMAN DOUGLAS NATURE, ARTS & CULTURAL CENTER; AND PROVIDING AN EFFECTIVE DATE.

B. RESOLUTION NO. R2023-50 FOR THE BUDGET AMENDMENT APPROPRIATING THE DEPARTMENT OF STATE, DIVISION OF ARTS AND CULTURE FACILITIES GRANT FUNDING IN THE AMOUNT OF \$500,000.

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE FISCAL YEAR 2022-2023 OPERATING BUDGET FOR THE DEPARTMENT OF STATE, DIVISION OF ARTS AND CULTURE FACILITIES GRANT AWARDED FOR THE MARJORIE STONEMAN DOUGLAS NATURE, ARTS & CULTURAL CENTER; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

M. [23-6053](#)

RESOLUTION NO. R2023-51 (ANNUAL LISTING OF PROCLAMATIONS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR TO EXECUTE CERTAIN PROCLAMATIONS FOR FISCAL YEAR 2023/2024; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

N. [23-6054](#)

RESOLUTION NO. R2023-52 (REGULAR COUNCIL MEETING SCHEDULE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING A SCHEDULE FOR REGULAR COUNCIL MEETINGS FOR 2023/2024; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

7. PUBLIC HEARINGS

- A.** [23-6015](#) ORDINANCE NO. 2023-12 (AMENDMENTS TO CHAPTERS 1, 2, 3, 9, 20, AND 22 OF WELLINGTON'S CODE OF ORDINANCES)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON CODE OF ORDINANCES, MORE SPECIFICALLY, TEXT AMENDMENTS TO MODIFY CERTAIN PROVISIONS IN CHAPTER 1 (GENERAL PROVISIONS), CHAPTER 2 (ADMINISTRATION), CHAPTER 3 (ALCHOLIC BEVERAGES), CHAPTER 9 (ENVIRONMENT), CHAPTER 11 (MORTGAGED PROPERTY REGISTRATION), CHAPTER 20 (STREETS, SIDEWALKS AND OTHER PLACES), AND CHAPTER 22 (TRAFFIC & VEHICLES) AS CONTAINED HEREIN; TO FACILITATE IMPROVED EFFICIENCY FOR THE CITATION METHOD OF CODE COMPLIANCE; FOR CLARIFICATION OF PROVISIONS BY ADDING, MODIFYING, OR ELIMINATING CONFUSING LANGUAGE, INCLUDING DEFINITIONS; MODIFYING PROVISIONS TO BE CONTEMPORARY OR TO COMPLY WITH CHANGES IN STATE LAW ADOPTED DURING THE 2023 LEGISLATIVE SESSION; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Addie read the Ordinance by title.

Mr. Basehart stated this was initiated by comments from the Palm Beach County Sheriff's Office (PBSO) and staff also clarified additional items in the Code regarding definitions and violations.

Ms. Cohen spoke regarding the provision for golf carts.

Public Hearing

A motion was made by Vice Mayor Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0), to open the Public Hearing.

There being no public comments, a motion was made by Councilman Drahos, seconded by Vice Mayor Napoleone, and unanimously passed (5-0), to close the Public Hearing.

A motion was made by Councilwoman Siskind, seconded by Vice Mayor Napoleone, and unanimously passed (5-0), to approve

Ordinance No. 2023-12 (Amendments to Chapters 1, 2, 3, 9, 20, and 22 of Wellington's Code of Ordinances) as presented on first reading.

8. REGULAR AGENDA

A. [23-6003](#) PRESENTATION BY 10BY20 LLC., FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF PADEL COURTS

Mr. Barnes introduced the item.

Mr. De La Vega presented this item.

Carlos Lerena, 10BY20 CFO/Entrepreneur, introduced Fernando Fiksman, the Chairman of the Board, who briefly showed Council a partner video of Ramon Ayala (Daddy Yankee). He then introduced Daveed Navaro (sp) to discuss the project.

Mr. Guillermo spoke regarding the PADEL Ecosystem, partnerships and clubs. In addition, he responded to the Village Council's questions.

Mr. De La Vega stated staff is looking for Council authorization, if Council is interested in this, to advertise for 21 days to meet statutory requirements to ascertain if there is anyone else who is interested in submitting a proposal since this was an unsolicited proposal.

The Village Council gave comments.

Mr. Guillermo spoke regarding padel, the design/layout and tennis courts.

Alba Galan, Padel School Director in Spain and retired professional Padel player, gave comments.

The Village Council gave comments.

There was Council direction to move forward with the advertisement.

B. [23-6044](#) DIRECTION REGARDING PROPOSALS RECEIVED FOR THE DEVELOPMENT OF WELLINGTON GREEN PARK

Mr. Barnes introduced the item.

Mayor Gerwig recused herself, passed the gavel to Vice Mayor Napoleone and left the dais.

Mr. De La Vega briefly reviewed the six proposals that were received for

the development of Wellington Green Park.

Councilman Drahos asked what is the site currently being used for and can that use be transferred to another location.

Vice Mayor Napoleone asked that Mr. Barnes provide a history of the site.

Councilman McGovern asked what had the site been used for previously.

Mr. Barnes explained the history of the site.

Councilman Drahos inquired about whether or not developing the site would prevent free/open play use of the site.

Vice Mayor Napoleone asked what direction is staff looking for from Council tonight regarding the site.

Mr. Barnes explained the potential process based on Council direction.

There was further discussion with staff and Council regarding the site and proposals.

Public Comment:

1. Steve Traynor spoke regarding "Project Lighthouse" for the Wellington Green Park site. He read a statement into record.
2. Dillon ? spoke regarding Wellington Green Park. He stated it is priceless.
3. Roberto Rivera, Dan Enterprises, LLC., spoke regarding their proposal for the Wellington Green Park site.
4. Howell Long spoke regarding Wellington Green Park and how it is currently being used.
5. Robert Ryers spoke regarding the "Project Lighthouse" proposal for the Wellington Green Park site. He read a statement into record.

Councilman Drahos read the cards into the record of those who did not wish to speak.

Vice Mayor Napoleone asked what could be done at Greenbriar park to accommodate what is happening currently at the Wellington Green site.

Mr. Barnes discussed Greenbriar and Olympia Parks and what could be done at those parks regarding open play options.

Councilman McGovern asked when could Council expect to receive a report regarding the parks. He said he is concerned by what he has heard from the residents tonight regarding open play and fields.

Mr. Barnes discussed maintenance and planning for accommodations for open play.

The Village Council spoke regarding open play and the proposals.

There was Council consensus (with Mayor Gerwig recused) to speak with the six proposers who provided Letters of Interest, with clarification and direction for them to come back within a specified timeframe (after staff puts this back out to them) with a final and best offer with the parameters that sets forth the code permitted 22 units per acre (anything above that should be tied to community benefits), including affordable/workforce housing, and a straight purchase not lease.

Mr. Barnes stated staff looks at the use of the park and showed Council a graphic from 2023 Street Light data of the daily use of Wellington Green Park.

9. PUBLIC FORUM

There were no comment cards submitted for public forum.

10. ATTORNEY'S REPORT

MS. COHEN: Ms. Cohen presented the following report:

Ms. Cohen stated she had nothing to report.

11. MANAGER'S REPORT

MR. BARNES: Mr. Barnes presented the following report:

The next Council Meeting will be held on Tuesday, September 5, 2023 at 7:00 p.m. The Agenda Review Meeting will be held on Thursday, August 31, 2023.

Mr. Barnes informed Council about the Florida Department of Environmental Protection (FDEP) Florida Recreational Development Assistance program (FRDAP) grant the Village received.

Councilman McGovern thanked staff for finding the grants.

12. COUNCIL REPORTS

VICE MAYOR NAPOLEONE: Vice Mayor Napoleone presented the following report:

Vice Mayor Napoleone asked about the September and November Council meeting dates.

Mr. Barnes stated he would have the dates placed on Council calendars.

Vice Mayor Napoleone reminded everyone that school starts on Thursday and to be safe on the road.

COUNCILMAN DRAHOS: Councilman Drahos presented the following report:

Councilman Drahos waived comment.

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

Councilman McGovern stated August 16, 2023 is the final PZAB meeting for the Wellington North and South applications.

Councilman McGovern stated school starts on Thursday and asked everyone to be cautious and safe on the roadways.

Councilman McGovern congratulated the S.W.A.G. program graduates and thanked.

Councilman McGovern stated the 9/11 Memorial Remembrance Ceremony would be held at 6:00 p.m. on September 11, 2023.

Councilman McGovern stated the Village's Hispanic Heritage Month Celebration will be held on Saturday, September 16, 2023 at the amphitheater from 5:00 p.m. to 10:00 p.m.

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

Councilwoman Siskind wished everyone happy first day of school.

MAYOR GERWIG: Mayor Gerwig presented the following report:

Mayor Gerwig stated she will attend the Florida League of Cities' (FLC) conference.

Mayor Gerwig inquired what is done to recognize the employers who participate in the SWAG program and how do we find those partners. She asked that a letter be written to be signed on behalf of the Village Council.

There was further discussion regarding S.W.A.G.

Mr. Barnes stated staff will do a concerted outreach with the business community for next year.

Mayor Gerwig stated Mr. Juckett will meet with her at the amphitheater in the morning and explained that Stacy Somers has been working on a TV show and tomorrow she will highlight Scott's Place and the amphitheater.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 10:40 P.M.

1. Phipps Plaza Park Donation
H. Paul Brazil, P.E., Director of Public Works

Director Brazil provided background information on the item. He said as a condition of their approval of the Carriage House, Town Council was to accept a donation for the improvement of the park in the center of Phipps Plaza. The Carriage House representatives have submitted a potential plan, and the Town Council, as the park owner, is being asked to accept the plan. If accepted, the Town Council will also be accepting a donation of \$300,000. Subsequently, the plan will be presented to the Landmarks Preservation Commission and then back to the Town Council for final approval.

Maura Ziska was present on behalf of Carriage House. Paula Bickford, 135 Gulfstream Rd, addressed the Town Council regarding the restoration of Plaza Circle at Phipps Plaza. She made several suggestions, including a flowery layered colorful entry and a hedge to protect the parking area. Dustin Mizell, Landscape Architect, presented the landscape site plan for the restoration project.

The council members made several suggestions, including using nectar plants, adding some benches to the garden, using Bahamian Coffee rather than Wild Coffee plants, and using a native plant such as Jasmine rather than Bougainvillea. Concern was raised over whether the property owners adjacent to the property had been contacted, and Ms. Bickford responded that they were pleased with the project. The maintenance requirements of the upgraded landscaping were a concern, and Mr. Mizell responded that it is not an elaborate design and is not ornamental, so the upkeep should be very reasonable. The materials used were discussed.

A motion was made by Council Member Cooney and was seconded by Council Member Araskog to accept the donation of \$300K and refer the Site Plan Review to the Landmarks Preservation Commission. On roll call, the Motion passed unanimously.

This issue was discussed for 41 minutes. Please see [this link](#) for direct access to a recording of the full discussion.

B. New Business

1. Commercial Motion Picture Application
Kirk W. Blouin, Town Manager

Bill Metzger, 277 Esplanade Way, recommended the Town Council's endorsement of the production of a television series, which he felt would positively depict Palm Beach. Mr. Metzger serves on the Volunteer Board of Directors for the Palm Beach County Film and Television Commission

and has the support of Michelle Hillary, Film Commissioner.

Leah Sokolovsky, a Career Film and Television Professional in Palm Beach County, would be the supervising manager of this project. Ms. Sokolovsky gave an overview of the series and stated that the Town Council is being asked for permission to shoot a portion of the series in the Town of Palm Beach with as minimal an impact on the town as possible.

The council raised multiple concerns, including the privacy of the town's residents, traffic impacts, safety, conflicts with current construction projects, and general lack of benefit to the town.

The consensus of the Town Council was to deny this application.

This issue was discussed for 22 minutes. Please see [this link](#) for direct access to a recording of the full discussion.

Robert's Rules of Order

A Brief Overview

How to Make and Vote on Motions

- 1** • Member makes a **clearly worded motion to take action or a position.**
 - "I move..."
 - Motions recorded in minutes
- 2** • **Motion must be seconded.**
 - "Second!"
 - A second allows discussion to occur; it does not signify approval.
 - A motion without a second does not move forward.
- 3** • **Facilitator restates the motion.**
 - "It is moved and seconded that..."
 - Provides clarity
- 4** • **Discussion/debate occurs.**
 - Maker of motion starts discussion.
 - Amendments may be offered - return to step 1 to amend motion: "I move to amend the motion by..."
- 5** • Facilitator closes discussion and **states the question/asks for a vote.**
 - "The question is on the adoption of the motion that..."
 - Motion repeated word-for-word
- 6** • Facilitator provides **voting directions:**
 - e.g. hand vote, secret ballot, straw poll, etc.
- 7** • Facilitator announces the **result of the vote:**
 - "The ayes have it, and the motion is adopted" or
 - "The noes have it, the motion is lost."
 - Recorded in minutes

Why follow Robert's Rules of Order?

- Allows for democratic speech and action
- Preserves order
- Rights of the organization supersede the rights of individual members
- Facilitates group decisions

Meeting Agendas

1. Approval of Previous Meeting Minutes
2. Reports (from officers, committees, task forces)
3. Unfinished Business
4. New Business - items brought forward by motion procedure

Meeting Minutes (when using Robert's Rules of Order)

- Minutes are a legal record of meetings.
- Minutes are a record of what is done at a meeting, not what is said.

Minutes should include:

1. Name, date and location of meeting
2. List of attendees (note presence of a quorum)
3. Time meeting was called to order
4. Conflict of Interest & Antitrust Avoidance Affirmation
5. Approval of previous meeting minutes
6. Motion text and name of maker
7. Status/results of motions
8. Time meeting was adjourned

Minutes do not include:

- Discussion
- Personal opinion
- Name of seconder of a motion is not necessary
- Motions withdrawn
- Entire reports (rather attach to minutes)

Motion

- A motion is a formal proposal by a member that the group take a certain action or position.
- A main motion is required to begin the decision making process.
- A motion occurs prior to discussion

To Do This	Motion	You Say This	Debate Allowed?	Vote Required?
Introduce Business	Main	"I move that..."	Yes	Majority
Second a Motion	Second	"Second!"	No	No
Change the Wording or add Clarity of a Motion	Amend	"I move to amend the motion by..." (adding words; striking out words; substitute words)	Yes	Majority
Send to Committee	Commit /Refer	"I move the motion be referred to..."	Yes	Majority
Postpone Action until a Specific Time	Postpone	"I move the motion be postponed until..." (provide specific time on agenda /next meeting date)	Yes	Majority
Postpone Action until an Unspecified Time	Lay on the Table	"I move to lay the motion on the table."	No	Majority
Limit Debate	Limit Debate	"I move that the debate on this motion be limited to (one) speech of (two) minutes for each member."	No	Two-thirds
End Debate or Request a Vote	Previous Question	"I move the previous question."	No	Two-thirds
Take Intermission	Recess	"I move to recess for (time)."	No	Majority
Close Meeting	Adjourn	Adjourn "I move to adjourn."	No	Majority