



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON JULY 9, 2024

I. CALL TO ORDER AND ROLL CALL (01:51)

The Town Council Meeting was called to order at 9:30 a.m. On roll call, all council members were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE (02:16)

Deputy Town Clerk Gayle-Gordon gave the Invocation and President Lindsay led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA (02:55)

The following modifications were made to the agenda:

- 1) Item No. XI.B.4. RESOLUTION NO. 067-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Requesting Formal Approval to Reject Previously Awarded Resolution No. 146-2022, Approving RFQ No. 2023-01, Request for Qualifications, CMAR for Phipps Ocean Park Improvement to Burkhardt Construction Inc.

TIME CERTAIN: 11:30 AM

H. Paul Brazil, P.E., Director of Public Works

- 2) Item No. XI.C.2. Discussion on Ocean Vista Standards and Regulation
Bobbie D. Lindsay, Town Council President
Backup attached

IV. APPROVAL OF AGENDA (04:25)

Motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to approve the agenda, as

amended. On roll call, the Motion passed unanimously.

V. [RECOGNITIONS \(04:42\)](#)

- A.** Recognition of Fernando Wong's Service on the Landmarks Preservation Commission (LPC) from May 2019 to May 2024.

Mayor Moore recognized Fernando Wong for his service on the Landmarks Preservation Commission and presented him with a plaque.

VI. [PRESENTATIONS \(06:51\)](#)

- A.** County Commission Update by Vice Mayor Maria Marino, District 1

Palm Beach County Commission Vice Mayor Maria Marino gave an update. She spoke about the county budget, millage rate, the infrastructure surtax, and a possible transportation surtax in the future. She also discussed other issues and initiatives at the county level.

Additional inquiries from Council Members to Ms. Marino included property taxes, traffic plans, 1% sales tax and infrastructure surtax.

Council President Lindsay thanked County Commission Vice Mayor Marino for her role in assisting the Town of Palm Beach with bridge openings.

A brief discussion ensued about environmental issues in the county.

- B.** [Presentation by Dorothy Jacks, Palm Beach County Property Appraiser \(41:19\)](#)

Palm Beach County Property Appraiser, Dorothy Jacks made a presentation to the Town Council regarding property assessments.

A brief discussion ensued about the age of condominium buildings constructed decades ago and the potential for those properties to be sold to uber developers for redevelopment.

Council Member Araskog asked about taxable property values. Ms. Jacks explained how values are determined. The Property Appraiser aims for values at 80 to 85 percent of true market value because the Appraiser values properties in mass.

VII. [COMMENTS OF MAYOR DANIELLE H. MOORE \(1:06:38\)](#)

Mayor Moore recognized employees who achieved milestones of service as follows:

Monica Quint, Telecommunicator (PD) 10 years;
Michael Marx, Battalion Chief (FR) 20 years.

Kirt Konopasek, Irrigation and Spray Technician, (PW) retired after 15 years of service. Joseph Guelli, Police Captain (PD) entered the DROP in July after 19 years of service.

Mayor Moore announced that Council Member Moran had completed the training for Elected Municipal Officials conducted by the Florida League of Cities and presented her with the Certificate of Completion.

Mayor Moore announced that March was Employee Appreciation Month, and the Town was one of two municipalities that had earned the Sun Sentinel's Top Workplace award. She thanked the Police and Fire Foundation for their support of the town's public safety employees. She also thanked all the donors to the Mayor's General Employee Appreciation Fund and stated that so far, there had been 20 donations to the fund. The Mayor implored all residents to have hurricane preparedness measures in place and to sign up for the Town's Alerts and News Releases.

Mayor Moore mentioned the recent passing of Dudley Moore, who had served on the Landmarks Preservation Commission; Peter Sommers, former President of the Everglades Club, and Richard Lese, Manager of the Everglades Club.

VIII. COMMENTS OF TOWN COUNCIL MEMBERS (1:14:17)

Council Member Araskog mentioned she had felt badly because of something she said to Dustin Mizell at the last Development Review meeting. She clarified that he was not involved in the turf that had been installed at a house and which had to be removed.

Council Member Araskog also felt that two people were hurt by some things that were said about board appointments at the last Town Council meeting. She specifically mentioned Maisie Grace and James Murphy. She felt these two people were owed an apology.

IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE (1:52:36)

No one indicated a desire to speak.

X. APPROVAL OF CONSENT AGENDA (1:19:38)

The following items were pulled and heard under Item No. XI.A.:

X.B.2. RESOLUTION NO. 070-2024

X.B.3. RESOLUTION NO. 071-2024

X.B.5. RESOLUTION NO. 075-2024

X.B.6. RESOLUTION NO. 076-2024

X.B.8. RESOLUTION NO. 078-2024

Motion was made by Council Member Araskog and seconded by Council Member Moran to approve the Consent Agenda, as amended. On roll call, the Motion passed unanimously.

A. MINUTES

1. Town Council Meeting Minutes
Kelly Churney, Acting Town Clerk
 - a. June 10, 2024, Special Town Council Meeting Minutes
 - b. June 11, 2024, Town Council Meeting Minutes
 - c. June 12, 2024, Town Council Development Review Meeting Minutes
 - d. June 25, 2024, Special Town Council Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of June 26, 2024.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 062-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Change Order to Earth Balance Corporation for Phase 2 Invasive Plant Removal at Phipps Ocean Park in the Amount of \$32,500 and Establishing a new award amount of \$141,950.
Dean Mealy, II Procurement and Contract Manager
2. RESOLUTION NO. 070-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for Designation, and/or the De-Designation of the Historic/Specimen Trees at 304 Maddock Way Providing an Effective Date.
*H. Paul Brazil, P.E., Director of Public Works – **Pulled***
3. RESOLUTION NO. 071-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding the 2024 FDEP Beach Management Agreement Cell-Wide Hardbottom Monitoring and 2024 Hardbottom Map to Coastal Protection Engineering LLC in the Amount of \$169,200.14 and Establishing a Project Budget in the amount of \$194,500.
*Dean Mealy, II Procurement and Contract Manager – **Pulled***

4. RESOLUTION NO. 072-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding the Beach Management Agreement for the Mid-Town Nourishment Project & 2022 Palm Beach Harbor Disposal Project to Coastal ECO-Group, Inc. in the Amount of \$136,199 and Establishing a Project Budget in the Amount of \$159,199.
Dean Mealy, II Procurement and Contract Manager
5. RESOLUTION NO. 075-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding ITB No. 2024-23, Phase 5S and Phase 3S, Milling and Paving Improvements to M&M Asphalt Maintenance Inc. DBA, All County Paving, in the amount of \$2,374,763.90 and establishing a project budget in the amount of \$2,700,636.
*Dean Mealy, II Procurement and Contract Manager - **Pulled***
6. RESOLUTION NO. 076-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Purchase Order to Chen Moore and Associates for Paving Oversight for Phase 5S and Phase 3S in the Amount of \$221,770 and Establishing a project budget in the Amount of \$261,770.
*Dean Mealy, II Procurement and Contract Manager - **Pulled***
7. RESOLUTION NO. 077-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, requesting approval to modify Resolution No. 130-2023 to include the third ranked firm Alpha1 Staffing as tertiary awardee to provide Temporary Labor Services.
Dean Mealy, II Procurement and Contract Manager
8. RESOLUTION NO. 078-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Insituform Technologies, LLC for 2024 CIPP Lining Basin E6, E8 and E10 in an Amount not to Exceed \$150,000 for a new award authorization of \$2,240,494.
*Dean Mealy, II Procurement and Contract Manager - **Pulled***

XI. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

1. [RESOLUTION NO. 070-2024 \(1:21:53\)](#) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for Designation, and/or the De-Designation of the Historic/Specimen Trees at 304 Maddock Way Providing an Effective Date.

H. Paul Brazil, P.E., Director of Public Works

Mr. Brazil explained there is a specimen tree that is growing into the seawall. There is a requirement to raise and repair the seawall, and there was no way to do the work without a negative impact on the tree. He said that relocating the tree would not be cost-effective, and the tree may not survive. Two trees are required for replacement when a specimen tree is removed or destroyed. The property owner has worked with the City's arborist to find two similar replacement trees of specimen quality. The arborist has also assisted in finding suitable sites for the trees to be planted. The new trees would be designated specimen trees and be part of the program. Mayor Moore asked for confirmation that the replacement trees would be designated as specimen trees.

Council Member Cooney would have liked a photo of the existing tree but was supportive of the request. He asked if there was a site plan of the property to show where the new trees would be planted. He noted that Lake Trail users enjoy the shade the existing tree provides.

Council President Lindsay also added that she visited the site with the builder. She said there were two buttonwood trees that had fallen over on the Lake Trail. The trees are alive, but not healthy. One of the trees was designated. She thought the photos in the backup of the replacement trees were a good size and upright, but she encouraged the owner to place the two new trees where the buttonwood trees were.

Mr. Brazil suggested deferral of this item to allow staff to bring a site plan back to the Town Council on August 13th.

Motion was made by Council Member Cooney and seconded by Council Member Araskog to defer Resolution No. 070-2024 to the August 13, 2024 Town Council Meeting. On roll call, the Motion passed unanimously.

This discussion lasted approximately 8 minutes. To listen, please click the link on the agenda topic above.

2. [RESOLUTION NO. 071-2024 \(1:28:59\)](#) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding the 2024 FDEP Beach Management Agreement Cell-Wide Hardbottom Monitoring and 2024 Hardbottom Map to Coastal Protection Engineering LLC in the Amount of \$169,200.14 and Establishing a Project Budget in the amount of \$194,500.

Dean Mealy, II Procurement and Contract Manager

Council President Pro Tem Crampton said ephemeral hardbottom is a problem for the town, particularly in the south end. He asked how staff monitors for a femoral hardbottom and expressed frustration with the fluctuation in the hardbottom. Mr. Brazil explained the efforts in developing the dataset, physical diving, and high-resolution photography. He explained the process, which is not a precise science.

Council President Lindsay said in the winter months, there is more hardbottom. She asked if the data is collected at certain times of the year. Mr. Brazil thought the data was collected in the summer, but whatever time the data is collected is the same every year. He stated the process is regulated.

Motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to approve Resolution No. 071-2024. On roll call, the Motion passed unanimously.

This discussion lasted approximately 6 minutes. To listen, please click the link on the agenda topic above.

3. [RESOLUTION NO. 075-2024 \(1:34:27\)](#) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding ITB No. 2024-23, Phase 5S and Phase 3S, Milling and Paving Improvements to M&M Asphalt Maintenance Inc. DBA, All County Paving, in the amount of \$2,374,763.90 and establishing a project budget in the amount of \$2,700,636.

Dean Mealy, II Procurement and Contract Manager

Patricia Strayer, Town Engineer, explained the milling and paving improvements project. She spoke about the bids, which were significantly less than anticipated. She also discussed construction services for paving with Chen Moore and Associates. She said Phase 5 poles should be down by October 1, when paving can start. Also included are sidewalk and curb replacement.

A brief discussion ensued about the cost of the project. Ms. Strayer stated time and materials, as well as the fact that a great deal of coordination is required for the project. Council Member Cooney asked why the consultant costs of overseeing the paving was so high and emphasized the importance of effective coordination with residents. Ms. Moran commented that the town needs to pay more attention to paving, and Mayor Moore agreed, especially in the

high-density midtown area. The Mayor added that future generations will be grateful for the undergrounding. Ms. Strayer commented that the project will be finished in 2027.

Motion was made by Council Member Moran and seconded by Council President Pro Tem Crampton to approve Resolution No. 075-2024. On roll call, the Motion passed unanimously.

4. [RESOLUTION NO. 076-2024 \(1:34:27\)](#) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Purchase Order to Chen Moore and Associates for Paving Oversight for Phase 5S and Phase 3S in the Amount of \$221,770 and Establishing a project budget in the Amount of \$261,770.
Dean Mealy, II Procurement and Contract Manager

Motion was made by Council Member Moran and seconded by Council President Pro Tem Crampton to approve Resolution No. 076-2024. On roll call, the Motion passed unanimously.

Res. Nos. 075-2024 and 076-2024 were discussed together and lasted approximately 14 minutes. To listen, please click the link on the agenda topic above.

5. [RESOLUTION NO. 078-2024 \(1:48:23\)](#) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Insituform Technologies, LLC for 2024 CIPP Lining Basin E6, E8 and E10 in an Amount not to Exceed \$150,000 for a new award authorization of \$2,240,494.
Dean Mealy, II Procurement and Contract Manager

Mr. Brazil explained details of the Resolution, noting that the Town pays for the treatment of groundwater that has leaked into the sewer pipes. Lining the pipes will stop the infiltration of groundwater into the pipes. He noted this project is being done with federal grant money and the funds must be encumbered into the existing purchase order.

Motion was made by Council Member Araskog and seconded by Council Member Cooney to approve Resolution No. 078-2024. On roll call, the Motion passed unanimously.

This discussion lasted approximately 3 minutes. To listen, please click the link on the agenda topic above.

Clerk's Note: A recess was taken at 11:21 a.m.

B. Old Business

1. [Town-wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status \(2:17:08\)](#)

H. Paul Brazil, P.E., Director of Public Works

Patricia Strayer, Town Engineer, provided an update regarding the project. A brief discussion followed. Some topics discussed included costs associated with the project and rights of way buffering and landscaping. Feedback from several councilmembers requested no more surprises on locations of large switch cabinets or chicanes in the right-of-way. Ms. Strayer stated that next month she would bring an exhibit that shows where the switches are located in Phase 7 south. Council Member Cooney expressed concern about a chicane on Oleander Avenue. Ms. Strayer pointed out the easement problems on Atlantic Avenue and 151 Bradley Place.

This discussion lasted approximately 14 minutes. To listen, please click the link on the agenda topic above.

2. [RESOLUTION NO. 061-2024 \(2:31:42\)](#) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding the GMP for Phase 7 South to Burkhardt Construction in the amount of \$11,442,769.58 and establishing a project budget in the amount of \$13,159,184.

Dean Mealy, II, Procurement and Contract Manager

Motion was made by Council Member Araskog and seconded by Council Member Moran to approve Resolution No. 061-2024. On roll call, the Motion passed unanimously.

This item was included in the Town-wide Undergrounding discussion which lasted approximately 14 minutes. To listen, please click the link on the agenda topic above.

3. [RESOLUTION NO. 063-2024 \(2:32:07\)](#) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving a purchase order to Kimley-Horn and Associates, Inc. for Construction Phase Services

for Phase 7 South Undergrounding in the amount of \$376,765 and establishing a project budget in the amount of \$433,279.

Dean Mealy, II, Procurement and Contract Manager

Motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran to approve Resolution No. 063-2024. On roll call, the Motion passed unanimously.

This item was included in the Town-wide undergrounding discussion which lasted approximately 14 minutes. To listen, please click the link on the agenda topic above.

Clerk's Note: A recess was taken at 11:21 a.m. The meeting reconvened at 11:30 a.m.

4. [RESOLUTION NO. 067-2024 \(1:53:24\)](#) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Requesting Formal Approval to Reject Previously Awarded Resolution No. 146-2022, Approving RFQ No. 2023-01, Request for Qualifications, CMAR for Phipps Ocean Park Improvement to Burkhardt Construction Inc.

TIME CERTAIN: 11:30AM

H. Paul Brazil, P.E., Director of Public Works

Mr. Brazil explained that the Town Council, at staff's recommendation, conditionally awarded a Guaranteed Maximum Price (GMP) to Burkhardt Construction. The condition was that the Preservation Foundation of Palm Beach (Preservation Foundation) agreed with the GMP and would sign the grant agreement. The grant agreement has not been signed because the Preservation Foundation was uncomfortable with the amounts in the agreement. Those bids have now expired. The existing GMP that the Town Council conditionally approved is no longer valid. Procedurally, that GMP needs to be formally rejected. Staff requested the authority to modify the resolution to clarify that only the GMP is being rejected. Burkhardt Construction, as the qualified Construction Manager-at-Risk (CMAR), is not being rejected. The Preservation Foundation and town staff are in agreement that the best course of action is to keep Burkhardt Construction as the CMAR, reject the bids that Burkhardt received in developing the GMP, and have Burkhardt solicit new bids after staff and the Preservation Foundation have had a chance to look at the existing plans. Mr. Brazil requested that the Town Council defer the Resolution presented.

Amanda Skier, Preservation Foundation, introduced Jason Zubatkin, owner's representative. Previously, Kimley-Horn was the project manager, and the Preservation Foundation never received all of the information necessary to evaluate the GMP. Ms. Skier asked the Town Council to consider granting approval for the Preservation Foundation personnel to start meeting with town staff, Public Works, and Burkhardt Construction to begin the rebidding process. Mr. Brazil stated that staff needs to receive a proposal from Burkhardt and have a purchase order in place in order to legally work with Burkhardt Construction or Kimley-Horn. Mr. Brazil responded.

Mayor Moore expressed concern that the Town Council moved too quickly in March without adequate information. She wanted to make sure that the process was following the same process that is used for every other project. She noted that procurement is a statutory process.

Motion was made by Council Member Araskog and seconded by Council Member Moran to defer Resolution No. 067-2024 to the August 13, 2024 Town Council Meeting. On roll call, the Motion passed unanimously.

This discussion lasted approximately 24 minutes. To listen, please click the link on the agenda topic above.

C. New Business

1. [Beach Access and Donation for Restoration with Lake Worth Beach \(2:32:54\)](#)
H. Paul Brazil, P.E., Director of Public Works

Mr. Brazil stated there have been challenges with getting sand onto Reach 8. Trucks have to bring in the sand. He said historically one of the condominiums has graciously allowed the Town to use their property for access. However, they have said that they do not wish to participate anymore. The staff has asked Lake Worth Beach staff to consider allowing access. They have asked for improvements such as handicapped access to the beach. Town Staff counter-offered an \$80,000 donation to Lake Worth Beach to make their improvements, which was accepted. Mr. Brazil stated that the Town receives FEMA and state grants of approximately \$450,000 for a project that will cost approximately \$1.2 million. The plan is to gain access through Lake Worth Beach's southern property line and down through the dune vegetation. At any site, the dune vegetation would have to be restored. Mr. Brazil recommended support of the donation and is hopeful that a long-term relationship has been

initiated with Lake Worth Beach to collaborate with the Town on beach nourishment that benefits both municipalities.

Council President Pro Tem Crampton thanked the residents of 3360 who have tolerated trucks transporting sand using their parking lot. He was pleased with the arrangement being made with Lake Worth Beach and stated support for the project.

Council Member Cooney thanked Lake Worth Beach and supported the request.

Council Member Moran also thanked Lake Worth Beach and supported the request. She did ask if there was any concern about this one-time donation turning into an annual budget item.

Mr. Blouin, Town Manager, spoke in support of the project and stated the new location is more efficient. The arrangement makes sense for Lake Worth Beach and the Town of Palm Beach. He did not expect there to be donation requests every time the access is used to haul sand onto the beach for restoration.

Mayor Moore was supportive of the project and thanked the Mayor of Lake Worth Beach for her willingness to work with the Town.

Council Member Araskog thanked Lake Worth Beach's Mayor and City Commission for their willingness to assist.

Public Comment

Ronald Matzer, 3120 S. Ocean Blvd., on behalf of the Citizens' Association, thanked the Mayor, Town Council and staff for the efforts being made.

Motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to approve the beach access and donation for restoration with Lake Worth Beach. On roll call, the Motion passed unanimously.

This discussion lasted approximately 11 minutes. To listen, please click the link on the agenda topic above.

2. [Discussion on Ocean Vista Standards and Regulation \(2:43:12\)](#)
Bobbie D. Lindsay, Town Council President

Director Brazil presented this item where public beach access is located at La Puerta Way. Staff has worked with the neighbors for years in terms of aesthetics and maintenance. Annually, the Town's

contractor trims vegetation. The Town's contractor, Zimmerman Tree Service, was sent to do trimming with instructions to perform trimming that is normally done. Zimmerman cut down everything to approximately 3-4 feet in height. Mr. Brazil said no one should ever remove more than one third of a Seagrape in any given year. This error has changed the vista drastically. He apologized to the residents and is working with them to try and find a way to restore the area.

Council Member Araskog said that the vistas keep getting ruined in the subject area. There are some properties where the vegetation is being grown taller than is allowed, and even if one-third of the height was trimmed, the vegetation would still be too tall. She was hopeful that council members could influence the property owners who are not keeping the vistas in compliance with the height requirements.

Council Member Moran thought there was an agreement to allow residents to exceed the vista in the section where the vegetation is taller than what would typically be allowed.

Council President Lindsay shared some history about the area of El Pueblo. She said the residents have historically had twelve to fifteen feet wide vistas and have worked in coordination with the town. She also noted that the ordinance was not aimed at these properties. She asked the Town Council to consider exempting the subject area. Joanne O'Connor, Town Attorney, stated that if the council reached consensus, the ordinance could be modified to include some exclusion language.

Council Member Cooney was open to consideration but would want to see the exclusions narrowly tailored. He said there are some smaller privately owned parcels, and he would not want to see those interfere.

Mayor Moore suggested sending this request to the Ordinances, Rules and Standards Committee for discussion and consideration and town council agreed by consensus to send to ORS.

This discussion lasted approximately 15 minutes. To listen, please click the link on the agenda topic above.

Clerk's Note: A lunch recess was taken at 12:30 p.m. The meeting was reconvened at 1:20 p.m.

D. Time Extensions and Waivers

1. [Waiver of Town Code Section 18-237, For Building Permit](#)

[Extension at 3360 S. Ocean Boulevard, for permit number B-22-97335 \(2:59:01\)](#)

Wayne Bergman, Director of Planning, Zoning and Building

Mr. Bergman stated that a request had been submitted for a second permit time extension to complete concrete repairs. The original extension was granted in December 2023 and was set to expire on June 20, 2024.

There was discussion about the request for Saturday work, the impact on neighbors, and the possibility of working more hours Monday through Saturday before the season begins.

Maria Orecharoza, Board President of 3360 S. Ocean Boulevard, stated that the adjacent building is the Meridian, which follows the same construction schedule. She stated there had been no complaints.

Following a discussion about noise and concern for residents in the area during season, it was suggested that longer daytime hours be allowed for Monday through Saturday. Ms. Sandra, Carousel Development and Restoration, stated she would speak with the workers to suggest longer hours from Monday to Saturday. However, she did not know if nine-hour workdays were realistic, given the summer temperatures.

Motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to grant the waiver of work hours for Monday to Saturday from 8AM to 5PM until the first Monday before Thanksgiving Day provided that no complaints are received and after which work hours will return to seasonal hours of Monday to Friday from 9AM to 5PM and Saturday from 9AM to 4PM. On roll call, the Motion passed unanimously.

This discussion lasted approximately 14 minutes. To listen, please click the link on the agenda topic above.

2. [Waiver of Town Code Section 18-237, For Building Permit Extension at 1025 N. Lake Way, for permit B-22-96565 \(3:13:06\)](#)

Wayne Bergman, Director of Planning, Zoning and Building

Mr. Bergman explained the request for a time extension to complete

construction of a new two-story single-family residence. The request is to extend the permit by five months, from December 1, 2024.

Motion was made by Council Member Cooney and seconded by Council Member Moran to approve the request for time extension at 1025 N. Lake Way. On roll call, the Motion passed unanimously.

This discussion lasted approximately 2 minutes. To listen, please click the link on the agenda topic above.

3. [Waiver of Town Code Section 18-237, For Building Permit Extension at 172 S Ocean Boulevard, for permit number B-23- 97764 \(3:14:53\)](#)

Wayne Bergman, Director of Planning, Zoning and Building

Mr. Bergman explained the request for a time extension to complete renovations. The request is to extend the permit by three months.

Motion was made by Council Member Cooney and seconded by Council Member Araskog to approve the time extension at 172 S. Ocean Boulevard. On roll call, the Motion passed unanimously.

This discussion lasted approximately 4 minutes. To listen, please click the link on the agenda topic above.

4. [Waiver of Town Code Section 18-237, For Building Permit Extension at 441 Seaview Avenue, for permit number B-22-97563 \(3:18:23\)](#)

Wayne Bergman, Director of Planning, Zoning and Building

Mr. Bergman explained the request for a time extension to complete renovations. The request is to extend the permit by six months.

Motion was made by Council Member Araskog and seconded by Council Member Cooney to approve the time extension at 441 Seaview Avenue and to extend the permit by six (6) months. On roll call, the Motion passed unanimously.

This discussion lasted approximately 3 minutes. To listen, please click the link on the agenda topic above.

XII. ORDINANCES

A. Second Reading

1. Proposed Ordinance to Amend the Town Code at Chapter 82 Relative to Personnel and Employee Benefits

[ORDINANCE NO. 024-2024 \(3:21:11\)](#) An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 Of The Town Code Of Ordinances Relating To Personnel, At Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision I, In General, By Amending Section 82-99, Deferred Retirement Option Program For Firefighters; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Gillian Barth, Director of People and Culture

Town Attorney O'Connor read the Ordinance by title only. She stated some minor revisions were made to the Ordinance to confirm participation.

Motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran to adopt Ordinance No. 024-2024 on Second Reading. On roll call, the Motion passed unanimously.

This discussion lasted approximately 1 minute. To listen, please click the link on the agenda topic above.

B. First Reading

1. Proposed Ordinance to Amend the Town Code at Chapter 77 Relative to the Public Employees Relations Commission ("mini-PERC")

[ORDINANCE NO. 026-2024 \(3:22:41\)](#) An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Ordinance No. 6-80, Appendix A – Public Employee Relations To The Town Code Pursuant To The Provisions Of Section 447.603 Florida Statutes, Chapter 77-343, By Amending Section 1.006 To Provide For The Completion And Retention Of Membership Authorization Forms, The Revocation Of Membership In Employee Organizations And Providing For Certain Exemptions Thereto; By Amending Section 1.007 To Expand The Definition Of Public Safety

Employees; By Amending Section 1.008 To Modify The Required Financial Statements From Audited Statements To Those Prepared By A Licensed Independent Certified Public Accountant; And By Amending Section 1.021 To Provide New Prohibitions On Unions Or Their Representatives Offering Compensation Or Things Of Value To Public Officers, As Defined By Florida Ethics Law; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Joanne O'Connor, Town Attorney

Town Attorney O'Connor read the Ordinance by title only. She explained the amendment to ensure that the town's ordinance is compliance with state law.

Motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to approve First Reading of Ordinance No. 026-2024. On roll call, the Motion passed unanimously.

This discussion lasted approximately 2 minutes. To listen, please click the link on the agenda topic above.

XIII. ANY OTHER MATTERS

XIV. ADJOURNMENT

Motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to adjourn the July 9, 2024 Town Council Meeting at 1:46 PM. On roll call, the Motion passed unanimously.

APPROVED:

Bobbie D. Lindsay, Town Council President

ATTEST:

Pat Gayle-Gordon, Deputy Town Clerk

Date