



# TOWN OF PALM BEACH

## Town Clerk's Office

### MINUTES OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, NOVEMBER 12, 2024

I. **CALL TO ORDER AND ROLL CALL (00:15)**

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

II. **INVOCATION AND PLEDGE OF ALLEGIANCE (00:29)**

Acting Town Clerk Churney gave the Invocation, and Council President Lindsay led the Pledge of Allegiance.

III. **MODIFICATIONS TO THE AGENDA (01:17)**

Council President Lindsay made the following modifications to the agenda: She indicated that Resolutions 142-2024 and 147-2024 were pulled from the consent agenda and placed under Old Business c. and d. She noted that Resolution 151-2024 was placed under consent. She also mentioned two-time certain items at 11:00 a.m. and 2:00 p.m. Ms. Churney mentioned that the Review of Request from Palm Beach Gardeners and Landscape Association was deferred to December 10, 2024.

IV. **APPROVAL OF AGENDA (03:47)**

**A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to approve the amended agenda. On roll call, the motion passed unanimously.**

V. **BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS (04:52)**

A. Presentations by the Applicants and Appointments to the Landmarks Preservation Commission  
*Kelly Churney, Acting Town Clerk*

Council President Lindsay passed the gavel to Council President Pro Tem Crampton since her sister was an applicant.

The following applicants presented their credentials to the Town Council: Kim Coleman, Henry Ittleson, Isabella Gonzalez and Jane Lindsay Scott.

**A motion was made by Council Member Cooney and seconded by Council Member Araskog to appoint Kim Coleman as an alternate member to the Landmarks Preservation Commission. On roll call, the motion passed unanimously.**

- B.** Presentations by the Applicants and Appointments to the Shore Protection Board  
*Kelly Churney, Acting Town Clerk*

The following applicants presented their credentials to the Town Council: Lawrence Kaplan, Peter Matwiczzyk, Ronald Matzner and Peter McKelvy.

**A motion was made by Council Member Cooney and seconded by Council Member Araskog to appoint Peter Matwiczzyk, Ronald Matzner and James McKelvy as regular members to the Shore Protection Board. On roll call, the motion passed unanimously.**

**VI. [COMMENTS OF MAYOR DANIELLE H. MOORE \(41:52\)](#)**

Mayor Moore noted that the season had begun in the Town, especially with the heavy traffic. She noted that every effort was being made to conclude all roadwork before Thanksgiving.

Mayor Moore announced the November milestones for years of service with the Town: Stuart Grimes (FR), 20 years; Christopher Machate (FR), 10 years; Taylor Molinaro (FR), 10 years; Nicole Downie (PD), 5 years; Mark Bresnahan (REC), 5 years; Tina Funk (PD), 5 years. She announced the employees that had entered the DROP program: Eric Szehner (PW), 22 years and Jody Sronce (FR), 17 years.

**VII. [COMMENTS OF TOWN COUNCIL MEMBERS \(46:13\)](#)**

Council Member Moran congratulated fellow Palm Beacher, Donald Trump, on his presidential win.

Council Member Crampton asked Mr. Brazil to let everyone who were working on the roads know that residents of Island Road have been very pleased with the quality of work and the friendliness of the workers. He further noted that the new white parking stickers were currently on sale. He directed residents to the Town

website for additional information. Bob Miracle, Deputy Town Manager, added that for town residents who have a ParkMobil sticker, they may exercise the option to pay for two additional hours through the park mobile app.

Council Member Araskog spoke about the disruptive traffic, and the impact it is having on businesses in Town, particularly employees that work in the Town. She worried about the economy and expressed her concerns. She wished everyone a Happy Thanksgiving.

Council Member Cooney, Chair of the Town's Public Safety Committee, announced an upcoming breakfast on Friday at the Four Seasons, both the Police Chief and the Fire Chief will be in attendance. He asked if items, such as the installation of Christmas lights, could be scheduled during off times rather than during rush hour traffic. He also warned against aggressive driving in the Town.

Council President Lindsay noted that if a resident with an RPP sticker is renewing their parking sticker, they can go online and get one sticker to serve both purposes. She wished everyone a Happy Thanksgiving.

**VIII. [COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE \(58:09\)](#)**

Mr. Colin Goldsmith, business owner, and resident of Royal Palm Beach, FL, emphasized the importance of retaining Mayor Moore, Councilmember Cooney and Councilmember Araskog in current positions. He proposed several measures to address local concerns. Mr. Goldsmith suggested issuing an emergency declaration to address economic and time-related impacts, aiming to expedite solutions. He recommended a 60-day trial period allowing landscaping services to commence at 8:00 a.m. This adjustment would enable maintenance teams to arrive on the island before peak morning traffic, potentially alleviating congestion. Mr. Goldsmith advocated for involving members of the landscaping community in meeting with the Ordinances, Regulations and Standards (ORS) committee over the next 60 days. This collaboration aims to develop solutions to the traffic challenges, especially considering the upcoming holiday season. He proposed reinstating the Responsible Vendor Program, a voluntary initiative to be piloted with landscapers and their associations. This program could foster better compliance and cooperation between vendors and the town, benefitting the community as a whole. Mr. Goldsmith stated his commitment to assisting in the improvement of traffic flow and vendor relations in the Town of Palm Beach.

Council President Pro Tem Crampton welcomed the new ideas and expressed gratitude to the landscaping business owners for their positive attitude. He acknowledged that they had some good ideas that could contribute to a larger solution to traffic challenges.

Council Member Araskog recommended changing the hours of operation for landscaping companies under a state of emergency rather than sending a discussion item to the ORS. She said her preference would be to use a Declaration of Use.

Council Member Cooney supported the suggestion, particularly considering the election results. He noted that during the first term of the Trump Presidency, the town implemented measures to address challenges and expressed openness to exploring solutions that would help maintain the community's quality of life.

Council President Pro Tem Crampton also thought this idea would extend to coordination between staff departments. He emphasized the need for an internal communications plan to make sure all departments work together collaboratively.

**A motion was made by Council Member Moran and seconded by Council Member Cooney to modify the agenda to place the consideration of adjusting landscaping hours under Any Other Matters. On roll call, the motion passed unanimously.**

**A motion was made by Council Member Araskog and seconded by Council Member Cooney to modify the agenda for a time certain of 2:30 p.m. for the addition the consideration of adjusting landscaping hours under Any Other Matters. On roll call, the motion passed unanimously.**

DJ Fairbanks, 138 Chilean Avenue, wondered if the citizens should weigh in and contribute to the documentation of traffic issues.

Skip Aldridge, resident of 2295 S. Ocean Blvd. and President of the Harbor House, encouraged the Town Council to consider approval of the Capital Grant Agreement for Phipps Ocean Park.

Anita Seltzer, 44 Cocoanut Row, spoke about the election cycle that was adopted at the request of the Supervisor of Elections office. She noted the long cycle and wondered if the election could be moved, or the caucus could be moved to accommodate a shorter cycle.

Many of the Town Council members agreed with Ms. Seltzer's concerns. They asked Town Manager Blouin to bring the item back with the reasons the date was originally changed as well as any associated costs that could affect the date change.

*Clerk's note: A short break was taken at 10:50 a.m. The meeting resumed at 11:00 a.m.*

**IX. [APPROVAL OF CONSENT AGENDA \(2:02:58\)](#)**

**A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to approve the amended consent agenda. On roll call, the motion passed unanimously.**

**A. MINUTES**

1. Town Council Meeting Minutes  
*Kelly Churney, Acting Town Clerk*
  - a. October 8, 2024, Town Council Meeting Minutes
  - b. October 15, 2024, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of October 23, 2024.  
*Wayne Bergman, Director of Planning, Zoning and Building*

**B. RESOLUTIONS**

1. RESOLUTION NO. 143-2024 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Awarding RFQ No. 2024-31 And Establishing A Pool Of Qualified Firms To Perform Facility Maintenance And Improvement Services To The Following Firms, Sheer Enterprises, Inc., East Coast Construction Group, Total Image Inc., Boulder Construction, LLC., Master Builders Development Group, Inc., RMJ Contractors, Encop, Inc. And Dresworkshop, LLC.  
*Dean Mealy, II Procurement and Contract Manager*
2. RESOLUTION NO. 144-2024 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Awarding ITB No. 2024-35, Police Department Uniforms To Blue Line Innovations In The Annual Amount Of \$60,000 And Establishing A Five-Year Award In The Amount Of \$300,000 Based On Satisfactory Performance, Mutual Agreement And Budget Authorization  
*Dean Mealy, II Procurement and Contract Manager*
3. RESOLUTION NO. 145-2024 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To NeoGov In The Amount Of

\$275,000 For FY25 And FY26 To Support People And Culture For Recruitment, On-Boarding, Performance Management  
*Dean Mealy, II Procurement and Contract Manager*

4. RESOLUTION NO. 148-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving a Purchase Order to Flagler Technologies for Server Equipment and Supporting Peripherals that Operate the Virtual Computer and Data Storage Environment in the Amount of \$580,102.65 and Approving a Project Budget in the Amount of \$600,000

*Dean Mealy, II Procurement and Contract Manager*

5. RESOLUTION NO. 149-2024 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving Acceptance Of Donated Gym Equipment For North Fire In The Amount Of \$35,521.56 From The Palm Beach Police And Fire Foundation

*Dean Mealy, II Procurement and Contract Manager*

6. RESOLUTION NO. 151-2024 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Award Of Design Services For Marina Compactor Relocation To Chen Moore And Associates In The Amount Of \$79,430, Approving A Contingency In The Amount Of \$12,000 And Approving A Project Budget In The Amount Of \$91,430

*Dean Mealy, II Procurement and Contract Manager*

**Clerk's note: This item was pulled from consent and heard under X. Regular Agenda, A.**

7. Proposed resolution will provide a fee for a Planning Verification Letter, modifying the fee for a Waiver of Construction Hours, and correcting Scrivener's errors.

RESOLUTION NO. 146-2024 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Adopting Revised Fees Related To The Planning, Zoning & Building Department

*Wayne Bergman, Director of Planning, Building & Zoning*

### C. OTHER

1. Donation Acceptance - Mr. Raul Cesan and the Cesatam

Foundation  
*Nicholas Caristo, Chief of Police*

2. Request to Consider Ordinance Nos. 015-2024; 034-2024, at the November 13, 2024, Public Hearing Prior to 5:00 PM  
*Wayne Bergman, Director of Planning, Zoning & Building*
3. Town-Wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status  
*H. Paul Brazil, P.E., Director of Public Works*
4. Authorization for 332 South County Road – Use of Right-of-Way During Season  
*H. Paul Brazil, P.E., Director of Public Works*  
**Clerk’s note: This item was pulled from consent and heard under X. Regular Agenda, A.**
5. Authorization for 160 Royal Palm Way – Use of Right-of-Way During Season  
*H. Paul Brazil, P.E., Director of Public Works*  
**Clerk’s note: This item was pulled from consent and heard under X. Regular Agenda, A.**

**X. REGULAR AGENDA**

**A. Matters Pulled From Consent Agenda: If needed**

1. [RESOLUTION NO. 151-2024 \(2:05:04\)](#) A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Award Of Design Services For Marina Compactor Relocation To Chen Moore And Associates In The Amount Of \$79,430, Approving A Contingency In The Amount Of \$12,000 And Approving A Project Budget In The Amount Of \$91,430  
*Dean Mealy, II Procurement and Contract Manager*

Council Member Araskog expressed concern that many of the residents were not in Town. She thought the process should continue in season and wished to extend the discussion for two months.

Mr. Brazil stated that the Town Council directed the staff to move the garbage truck in season, for a period of time.

**A motion was made by Council Member Cooney and seconded by**

**Council President Pro Tem Crampton to approve Resolution No. 151-2024. On roll call, the motion carried unanimously.**

2. [Authorization for 332 South County Road – Use of Right-of-Way During Season \(2:07:50\)](#)

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

Mr. Brazil stated that a scaffolding would be set up with the ability to allow pedestrians to walk underneath. He stated it would not affect traffic, and the work needed to be done.

Mayor Moore stated that construction had been ongoing for 30 years in this building. She thought the building was in poor condition and wondered why the work was being completed at this time. She wondered if there was a building permit for the work to be completed.

Town Manager Blouin thought there was an ongoing code enforcement case for this building.

Council Member Cooney agreed with Mayor Moore and thought the building was in deplorable condition. He was happy that some code cases had been activated and was supportive of any meaningful action to protect the structure or make any forward progress.

Council Member Cooney wondered whether parking could be limited rather than causing additional impacts to the area. Council Member Moran thought it may be helpful if delivery times could be restricted.

**A motion was made by Council Member Cooney and seconded by Council Member Moran to grant authorization for the use of the right-of-way at 332 South County Road with the condition that a meeting be held within a week between the Public Works staff and the contractor to develop a coordinated delivery schedule to minimize negative impacts to the adjacent area. On roll call, the motion carried unanimously.**

3. [Authorization for 160 Royal Palm Way – Use of Right-of-Way During Season](#)

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

Council Member Araskog wondered if any parking spaces would be used. Director Brazil responded and explained the additional time requested. Council Member Araskog wanted to make sure that the traffic would not be affected by the request.

**A motion was made by Council Member Araskog and seconded by Council Member Cooney to grant the authorization for the use of right-of-way at 160 Royal Palm Beach during the season. On roll call, the motion carried unanimously.**

**B. Old Business**

1. [Coastal Management Update: \(2:16:35\)](#)

a. Approval of Beach Renourishment Public Awareness Signs and Coastal Program Update

Town Engineer Patricia Strayer introduced the Town's new Coastal Coordinator, Sara Gutekunst.

Sara Gutekunst provided details about her education and background.

Ms. Strayer spoke about the primary objectives of the Shore Protection Board. One of their main objectives has been communications. A sub-consultant has been working with the Board to develop communications for three upcoming beach renourishing projects. For one of the projects, signage is being proposed for the areas of Phipps Ocean Park and Lake Worth Beach. Ms. Strayer said the signs have to be approved by the Town Council. She also mentioned that flyers would be distributed to condominiums and private properties in the areas. She discussed details of the three projects.

Council Member Cooney wondered if signage would be added in the public access points in the north end. Mr. Brazil stated he would seek opportunities in the north end. Council Member Cooney asked that the QR Code be regularly updated with the project status.

Council Member Araskog asked how many signs would be erected in the south end. Ms. Strayer responded.

Ms. Strayer stated that they were still working with the Army Corps of Engineers for the FCCE Project and looking to implement that project next November. There were twelve easements that were considered noncompliant for the beach renourishment project. Two of the twelve have been obtained and there are ongoing

negotiations on two other easements. The Army Corps of Engineers is waiting to see what comes out of Water Resources Development Act (WRDA) for easement language because of several projects throughout Florida, and issues arising from easement language. She said the Town of Palm Beach will have to obtain easements before April or May.

Council Member Moran asked why hurricanes Ian and Nicole were being listed. Ms. Strayer stated that was for funding purposes. Council Member Moran also asked that staff be considerate when placing signage.

Council Member Cooney commented about the program and stated that those who stand in the way of the beach renourishment project could impair the town's ability to protect upland properties in the future.

Council President Lindsay asked about cleaning of the harbor in the north end. Ms. Strayer said the north end would not be starting earlier. Mr. Brazil said the sand would be harvested first, then the Corps would begin dredging. Ms. Strayer said the intent for harvesting the sand would be one to two weeks before the dredge process begins.

Council President Lindsay called for public comment.

Ronald Matzner, 3120 S. Ocean Blvd., asked when the QR codes would be available. He also noted that the Citizens Association would make flyers available for the residents on the south end.

Council Member Araskog asked about the concern with the QR codes in public domains. Mr. Blouin responded.

**A motion was made by Council Member Moran and seconded by Council Member Cooney to approve the beach renourishment signage as presented. On roll call, the motion passed unanimously.**

b. Interlocal Agreement with the City of Lake Worth Beach for Beach Nourishment Project Reach 8

Mr. Brazil stated that Town Council had conceptually approved the idea of an \$80,000 donation to Lake Worth Beach for improvements of beach access at their public park, for use of the southernmost entrance road at the Lake Worth Beach Park.

He said that the proposed Interlocal Agreement had been reviewed and approved by Town Attorney O'Connor. He noted that any state cost sharing for Reach 8 would be because of the beach access at Lake Worth Beach.

**A motion was made by Council Member Araskog and seconded by Council Member Cooney to approve the Interlocal Agreement with the City of Lake Worth Beach for Beach Nourishment Project Reach 8. On roll call, the motion passed unanimously.**

c. RESOLUTION NO. 142-2024 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Awarding ITB No. 2024-37, Dune Restoration - Truck Haul To Sea And Shoreline LLC. In The Amount Of \$1,342,500, Approving A Contingency In The Amount Of \$300,000 And Approving A Project Budget In The Amount Of \$1,642,500 And Authorizing Waivers For The Following Town Code Of Ordinances For Truck Hauling And The Phipps Ocean Park Nourishment, Section 42-198, Section 42-199 And Sections 42-226 Through 229

Ms. Strayer read Resolution No. 142-2024 by title. She indicated that would allow 24/7 work.

Council President Lindsay called for public comment. No one indicated a desire to speak.

**A motion was made by Council Member Araskog and seconded by Council Member Cooney to approve Resolution No. 142-2024. On roll call, the motion passed unanimously.**

d. RESOLUTION NO. 147-2024 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To Applied Technology & Management, Inc. For Construction Administration For The Phipps Nourishment Project In The Amount Of \$353,270, Approving A Contingency In The Amount Of \$53,000 And Approving A Project Budget In The Amount Of \$406,270

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

Ms. Strayer read Resolution No. 147-2024 by title. She indicated that this would be for the construction oversight of the Phipps Ocean project and truck hauling.

Council President Lindsay called for public comment. No one indicated a desire to speak.

**A motion was made by Council Member Cooney and seconded by Council Member Moran to approve Resolution No. 147-2024. On roll call, the motion passed unanimously.**

2. [Bradley Place Corridor Capacity Improvements from Royal Poinciana Way to Sunrise Avenue \(2:40:18\)](#)

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

Mr. Brazil explained that Town Council previously authorized a warrant analysis for Sunrise Avenue and the Bradley Place corridor. The question was whether a traffic signal was warranted, and it turns out that it was; the traffic signal was one step in possibly mitigating failed traffic in the area.

Jason Debrincat, Assistant Director of Public Works, presented some additional steps that may be taken to further mitigate failed traffic in the subject area. He gave a presentation which consisted of an introduction, and three options.

Option 1 – Proposed Restriping (Royal Poinciana Way to Sunset Avenue)

Option 2 – Adding lanes within right of way

Option 2a – Lane extensions to Sunrise

Option 2b – Reestablish loading zone

Option 2c – Two lanes southbound

Option 3 – Adding lanes requiring additional right of way (Bradley Park modification)

Mayor Moore noted a discussion about whether or not Sunset would become two-way again. Mr. Brazil said that would be part of the discussion.

Council Member Cooney noted that the proposed restriping could legalize southbound traffic driving over the turning lane.

Mr. Brazil noted that there would be no loss of parking with the restriping.

***There was a consensus of the Town Council to approve Option 1,***

***the restriping of Royal Poinciana Way to Sunset Avenue before Thanksgiving, with the striping to be completed at night.***

Mr. Debrincat reviewed future options, as well as implementing the warrant analysis and traffic signal. There was discussion about the concept and future options as Mr. Debrincat progressed through the presentation.

Mr. Brazil noted that this presentation was a preview of options and what it would take to truly increase capacity. He said staff would return to the Town Council with pedestrian concerns that need to be folded into the plan, parking, and cost-effective solutions.

Mr. Blouin, Town Manager, stated that the exercise was about establishing priorities. He said priority was to help traffic in that general area, even if it means creating more lanes and more capacity.

Council Member Cooney shared his perspective as someone who works in the subject area of town. He noted that when the area goes to paid parking, a lot of the employees who regularly park in the free spaces will no longer use those parking spaces.

3. [Discussion on Commercial Motion Picture Making Ordinance \(3:13:11\)](#)

ORDINANCE NO. 036-2024 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 22 - Businesses, By Repealing Article IV – Commercial Motion Picture Making And Simultaneously Adopting A New Article IV – Filming Operations To Regulate The Issuance Of Permits For Filming Or Photography On Or Affecting Town Property And Filming Or Photography That Impacts Or Requires Town Services; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

*Joanne O'Connor, Town Attorney*

Town Attorney Joanne O'Connor read Ordinance No. 036-2024. She outlined some of the changes that had been made to the ordinance, and the reasons for the changes.

Hannah Rubin, Attorney with Jones Foster, was also present to address questions or concerns about the ordinance.

Council Member Cooney thanked everyone for the changes.

Council Member Araskog asked how wardrobe changes would be addressed, and if caught changing if the operation could be shut down. Town Attorney O'Connor stated it would be hard to catch if they were only filming for one day, but the Town Manager could revoke the permit. Council Member Araskog thought it should be changed to say the Police Department, Code Enforcement or the Town Manager could revoke the permit. Attorney O'Connor said she could clarify the language and proceed to second reading.

Council President Lindsay called for public comment.

Bill Metzger, 277 Esplanade Way, supported the changes made by the Town Council. He also recommended a \$10 million dollar insurance policy.

**A motion was made by Council Member Araskog and seconded by Council Member Cooney to defer the first reading of Ordinance No. 036-2024 to November 13, 2024. On roll call, the motion passed unanimously.**

*Clerk's note: A lunch break was taken at 1:00 p.m. and the meeting resumed at 1:47 p.m.*

4. [Phipps Ocean Park Capital Grant and Operating Agreement \(1:31:14\)](#)

**TIME CERTAIN: 11:00AM**

*Carolyn Stone, Deputy Town Manager*

RESOLUTION NO. 152-2024: A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Phipps Ocean Park Capital Grant And Operating Agreement, And Two 75-Year Ground Leases With The Preservation Foundation Of Palm Beach, Inc.

Ms. Stone reviewed the changes to the agreement since the May 2024 meeting.

Council Member Araskog asked if the Town would be liable in a situation where the project was left unfinished, and if that were the case, if the contractor would be required to return the project to its original state. Janis Cheezem of Akerman, said the agreement included a detailed process for deductive changes to the project.

Council President Pro Tem Crampton supported the project. He asked about the numbers in the memorandum under funding and fiscal impact. Ms. Stone clarified that the funding had not been changed. She said the funding that had been discussed and approved by the Town Council would be included in the budget as part of the regular budgeting process. Council President Pro Tem Crampton asked about oversight of the project. Mr. Brazil stated the project would fall under Public Works and would be managed by Public Works staff. He added that the Palm Beach Preservation Foundation would also have a seat at the table. He noted that this project would be handled just like every other capital project in the town. Council President Pro Tem Crampton expressed appreciation to the Board of Directors and donors because without them, this project would not be moving forward.

Council Member Moran supported the project with gratitude.

Council President Lindsay thought the project was terrific and thought the park needed the facelift.

Public Comment:

Peter Wilson, 2275 S. Ocean Blvd and President of The Reef, was pleased with the upcoming renovation and stated it was needed. He indicated that The Reef was excited about the upcoming changes. He indicated that The Reef would like to get vegetation replanted where the Town generously removed some invasive vegetation in the park. He noted that the removal had occurred last year and the view from The Reef was now barren.

Lawrence Kaplan, 2299 Ibis Isle Road, thanked the Town Council for their support of the project. He thought the current state of the park had been forgotten and was now inconsistent with the conditions in Palm Beach. He saw the potential in the park and was excited about the enhancements.

Kate Gubelmann, 265 Tradewind, Drive, thought the park would fulfill all the directives from The Garden Club of America. She stated she hoped to make the Little Red Schoolhouse a better learning center with the many students that come through each year.

Brittain Damgard, 117 Wells Road, urged the Town Council to commit to the revitalization project.

Liza Pulitzer, 263 El Pueblo Way, spoke favorably about her memories

of the times spent in Phipps Ocean Park as a young person. She thought the changes would be wonderful for future generations.

Beatrice Guthrie, 140 El Mirasol, thanked the Preservation Foundation for taking on the project and thought the changes would be wonderful.

Rick Salvador, 3300 S. Ocean Blvd. and the Vice Chair of the Citizens Association, spoke on behalf of many of his association members, and his fellow board members in support of the project.

**A motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to approve Phipps Ocean Park Capital Grant and Operating Agreement and the associated ground leases. On roll call, the motion carried unanimously.**

Amanda Skier, The Preservation Foundation of Palm Beach, thanked the Town Council for their support and stated the foundation members were excited about the project. She thanked everyone that spoke in favor of the project.

Attorney O'Connor read Resolution No. 152-2024.

**A motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to approve Resolution No. 152-2024. On roll call, the motion carried unanimously.**

### **C. New Business**

1. Review of Request from Palm Beach Gardeners and Landscape Association

***Clerk's note: This item was deferred to December 10, 2024, at the approval of the agenda, item IV.***

*Clerk's note: A short break was taken at 1:51 p.m. and resumed at 2:00 p.m.*

2. [Update on Paramount FLUEDRA Proceeding and Authorization of Town Representative at Mediation \(3:42:28\)](#)

**TIME CERTAIN: 2:00 PM**

*Seth Behn, Esq., Lewis Longman Walker*

Attorney Seth Behn of Lewis Longman Walker reviewed the proceedings that will take place during the mediation on the Paramount.

Council Member Araskog thought that Council President Lindsay

would be most appropriate to attend. She further asked if the public would have an opportunity to participate should the discussion go further. Mr. Behn responded.

Council Member Cooney agreed and thought Council President Lindsay should represent the Town Council.

**A motion was made by Council Member Cooney and seconded by Council Member Araskog to authorize Council President Lindsay to represent the Town at the mediation for the Paramount FLUEDRA Proceeding on November 14, 2024. On roll call, the motion passed unanimously.**

Council President Lindsay called for public comment.

Anita Seltzer, 44 Cocconut Row, asked if the proceedings would be online for participation, or at least online for viewing. She wondered if the town would have a court reporter during the event. She also asked if the Civic Association would be able to broadcast the public portion of the meeting. Attorney O'Connor said there were no plans to broadcast the mediation. She noted that the judge did address whether the public would be permitted to participate in terms of providing comment and she said no. Council Member Cooney stated that if the judge were amenable to broadcast that ninety-minute session, it may be beneficial to keeping the public informed. However, that would be up to the judge.

Mr. Behn said ultimately the judge would make a decision whether or not to broadcast the public portion of the meeting. He said no external commentary would be accepted.

Attorney O'Connor spoke about the structure of the mediation and how it would be handled.

## **XI. ORDINANCES**

### **D. Second Reading**

1. [Proposed Ordinance to Amend Chapter 82 of the Town Code Relative to Employee Benefits \(3:30:50\)](#)

**ORDINANCE NO. 032-2024** 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 III, Firefighters; Amending Section 82-95, Amount Of Pension – Firefighters; Amending Section 82-119 Deferred Retirement Option Program For Police Officers; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

*Gillian Barth, Director of People and Culture*

Mayor Moore read Ordinance No. 032-2024 on second reading by title only.

Council President Lindsay called for public comment. No one indicated a desire to speak.

**A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to adopt Ordinance No. 032-2024 on second reading. On roll call, the motion passed unanimously.**

2. [Proposed Ordinance to Amend the Town’s Budget Adopted for the Fiscal Year Commencing on October 1, 2023 \(3:32:02\)](#)

ORDINANCE NO. 033-2024 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Providing For An Amendment To The Town's Budget Adopted For The Fiscal Year Commencing October 1, 2023, And Providing An Effective Date.

*Bob Miracle, Deputy Town Manager - Finance and Administration*

Mayor Moore read Ordinance No. 033-2024 on second reading by title only.

Council President Lindsay called for public comment. No one indicated a desire to speak.

**A motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran to adopt Ordinance No. 033-2024 on second reading. On roll call, the motion passed unanimously.**

*Clerk's note: A short break was taken at 2:20 p.m. and resumed at 2:30 p.m.*

**XII. ANY OTHER MATTERS (4:03:21)**

Discussion on landscape hours was added for a time certain at 2:30 p.m.

Mr. Blouin, Town Manager, stated that one of the requests was to go back to the 8:00 a.m. start time. The midtown area would be avoided, essentially working within the estate section of the town. Anywhere between Hammond and Atlantic Avenues would be off base because of the smaller properties and the landscapers would need to coordinate with the homeowners. Mr. Blouin felt that changing the time would help with morning traffic.

Council President Lindsay asked if they came on to the island earlier if they would vacate the island earlier.

Scott Lewis of Scott Lewis Landscaping stated his company would leave earlier if they entered the island earlier.

Colin Goldsmith said that he had spoken to many of the companies who were using smaller trucks. One problem that they experience is traffic on the island.

Mr. Lewis thought a short-term change would be ideal, and remaining changes could be vetted through the Ordinances, Regulations and Standards Committee.

Police Chief Nick Caristo thought an 8 a.m. start time would work but he did not believe a 4:30 p.m. end time would be ideal since that time was right at rush hour. He also suggested having all landscaping trucks use the north bridge.

Council Member Araskog wondered who would monitor modified hours. Mr. Blouin said there would have to be a focus on code enforcement and patrol.

Council Member Moran wondered if 7 a.m. to 3 p.m. would work better, although she was not sure it would be well received. She also thought this should be applied townwide. She wondered if a radical approach to obtain a nice result would be better, especially on a trial basis.

Mayor Moore wondered if the hours of 10 a.m. to 6 p.m. would be better.

Mr. Brazil stated that he also had crews on the island and thought that earlier hours would be better.

Mr. Blouin asked if the hours of 7:00 a.m. to 2:30 p.m. could be considered. Mr. Goldsmith stated that he could not even imagine starting a lawn mower at 7:00

a.m., he asked for consideration of 7:30 a.m. at the absolute earliest.

Council President Pro Tem Crampton thought that some data was needed, to be analyzed, subsequently coming up with solutions for presentation to the Town Council for consideration.

Council Member Cooney did not want to cause additional afternoon traffic. He was supportive of an early start.

Council Member Araskog had a problem with the afternoon traffic. She thought that Town employees should be able to come on the island earlier.

Council Member Moran was good with a 7:30 a.m. start time. She appreciated the reduction in landscape truck sizes, but she still thought the number of trucks should be limited based on the size of the property.

Mr. Goldsmith said his company had been working through the process of separating and creating root optimization. He said he and his office manager had been trying to come up with the best way to move around the town and make everyone happy. He said if someone was doing maintenance with three trucks in front of a property, that was excessive and wasteful. He agreed with Council Member Moran that one truck should be enough at the smaller sites.

Jennifer Hofmeister Drew, Planner III, stated that a more comprehensive traffic and parking management strategies study was underway. She discussed how any change in hours could affect the data being collected and the associated impacts.

Council Member Cooney asked that whatever staff members get involved they should get out in the community and experience the issues. He said if a more coordinated effort is made, it would be best to keep it as simple as possible.

Mr. Goldsmith stated he would look forward to working with staff. He said that is why the Responsible Vendor Program would help add money and streamline some of the processes through coordinated effect and piloting something to protect the lifestyle of the town. He thought the idea could be expanded but should begin with landscapers.

Council President Pro Tem Crampton thought employment of the Declaration of Use process more aggressively may be appropriate. It could require construction workers to be shuttled onto the island. He also suggested that Mr. Brazil taking a fresh look at Public Works projects, particularly those that would close streets. He thought timing for those projects should be considered.

Council Member Cooney noted concern that there were some Declaration of Use Agreements that were not being enforced.

Council Member Araskog had concerns about the proposed finished time being 3:30 p.m.

**A motion was made by Council Member Cooney and seconded by Council Member Moran that on an emergency basis due to extreme traffic, defer authority to the Town Manager and his discretion, to adjust landscapers' hours and Public Works projects to the hours of 7:30 a.m. to 3:30 p.m., Monday through Friday, to revisit the issue in December and with the Town Manager's ability to terminate the hours at any time. On roll call, the motion passed unanimously.**

XIII. **ADJOURNMENT (5:04:23)**

**A motion was made by Council Member Cooney and seconded by Council Member Araskog to adjourn the meeting at 3:31 p.m. The motion carried unanimously, 5-0.**

APPROVED:

\_\_\_\_\_  
Bobbie D. Lindsay, Town Council President

ATTEST:

\_\_\_\_\_  
Kelly Churney, Acting Town Clerk  
Date: \_\_\_\_\_