



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON

Tuesday, May 14, 2019

I. CALL TO ORDER AND ROLL CALL

The regular Town Council meeting was called to order on Tuesday, May 14, 2019, at 9:30 a.m. in the Town Council Chambers. On roll call, all elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Town Clerk Dominguez gave the invocation. Council President Moore led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA

Item XIII. 6. A., Resolution No. 15-2019 was withdrawn from the agenda.

IV. APPROVAL OF AGENDA

Motion was made by Council Member Crampton, and was seconded by Council Member Lindsay, to approve the agenda, as modified above. On roll call, the motion passed unanimously.

V. PRESENTATIONS

A. Legislative Session Update [Michael "Mike" Caruso, District Representative]

Florida Representative Caruso provided an update on the budget, bills and amendments that passed and failed during the 2019 Legislative Session.

In response to questions from the Town Attorney, Mayor and Town Council Members, Mr. Caruso provided his observations on the perceived attempts by the state to encroach upon municipal home rule and the passage of certain house bills that affect local governments pertaining to private property rights and impact fees.

Discussion ensued regarding the passage of the school safety bill, the Fund Florida Forever Campaign, prevention of future septic tank installations and reforming the state's open carry gun laws.

B. Presentation on Royal Poinciana Playhouse [Alexandra Patterson, Up Markets]

Ms. Patterson provided an update on the search for a potential operator for the Royal Poinciana Theater.

Mayor Coniglio thanked Ms. Patterson for her report and invited her to come back in September for another update.

C. Seventy-five (75) Palm Trees for Palm Beach Project [Ned Barnes and John David Corey, Palm Beach Civic Association]

Ned Barnes, Palm Beach Civic Association President and John David Corey, Palm Beach Civic Association Beautification Committee Chair, provided a brief overview of the Palm Trees for Palm Beach project and presented a check for \$112,500 as an endowment for the installation and maintenance of the palm trees.

Mayor Coniglio and the Town Council expressed their appreciation to the Palm Beach Civic Association and accepted the endowment.

VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

A. Presentations by Investment Advisory Committee Applicants [Kirk W. Blouin, Town Manager]

Clerk's Note: There were no presentations given by the applicants for the Investment Advisory Committee.

B. Appointments to the Investment Advisory Committee [Kirk W. Blouin, Town Manager]

Motion was made by Council Member Araskog, and was seconded by Council Member Crampton, to reappoint Dr. Michael Andrews, David McDonald and Chris Storkerson to the Investment Advisory Committee. On roll call, the motion carried unanimously.

C. Presentations by Landmarks Preservation Commission Applicants [Kirk W. Blouin, Town Manager]

The following applicants presented their qualifications:

Jamie Gordon
J. David Seay
Fernando Wong

D. [Appointments to the Landmarks Preservation Commission \[Kirk W. Blouin, Town Manager\]](#)

Motion was made by Council Member Araskog, and was seconded by Council President Pro Tem Zeidman, to approve the appointment of Fernando Wong as an alternate member to the Landmarks Preservation Commission. On roll call, the motion carried unanimously.

VII. [COMMENTS OF MAYOR GAIL L. CONIGLIO](#)

Mayor Coniglio recognized and thanked the Town Clerk's Office in honor of Municipal Clerks Week and the Public Works department in honor of National Public Works Week.

VIII. [COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER](#)

Council Member Crampton presented the Town's most recent Financial Dashboard Report.

Council Member Araskog spoke regarding safety issues from large trucks traversing the narrow streets in the North end.

Discussion ensued regarding various strategies for managing truck traffic such as: installing surveillance cameras and limiting the amount of certain types of trucks through cooperative efforts with Public Works, Planning and Zoning, and the Code Enforcement departments.

It was the consensus of the Town Council to add a discussion regarding truck traffic regulation under Any Other Matters.

IX. [COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE](#)

Diane Buhler, Friends of Palm Beach, displayed a week's worth and a day's worth of straws that she collected from the Town's beaches. She spoke regarding the success of a recent awareness event hosted by the Gruss Family in support of her organization. She also announced that wire baskets for picking up trash from the beaches will be installed near two private beach access areas in Town.

Simon Taylor, 234 Oleander Ave., spoke regarding the current trends with mixed-use cultural arts centers and stated that the reports they are receiving from UpMarkets align with the trends in New York and other artistic communities in the United States.

John Grzebien, 300 S. Ocean Blvd., spoke regarding the recent news article about the 4th of July sponsorship request from the City of West Palm Beach for their fireworks display and requested the Town Council consider allocating the money towards beach clean-ups and restoration efforts instead.

X. [APPROVAL OF CONSENT AGENDA](#)

Item X. B. 3. Resolution No. 34-2019 and Item X. C. 3. were pulled from the Consent Agenda and placed under Item XI. C. 3. Items Pulled From Consent.

A. MINUTES

1. Town Council Meeting Minutes, *Kathleen Dominguez, Town Clerk*
 - a. April 4, 2019, Special Town Council Meeting Minutes
 - b. April 9, 2019, Town Council Meeting Minutes
 - c. April 10, 2019, Local Planning Agency Meeting Minutes
 - d. April 10, 2019, Development Review Town Council Meeting Minutes
 - e. April 10, 2019, Special Town Council Meeting Minutes - closed door session
 - f. April 23, 2019, Special Town Council Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of April 24, 2019 [Josh Martin, Director of Planning, Zoning and Building]

B. RESOLUTIONS

1. RESOLUTION NO. 32-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Ranking of Invitation To Bid No. 2019-18, For E-1 Sanitary Pump Station Upgrade Improvement To Hinterland Group, Inc. in the Amount of \$247,400 and a Project Budget of \$284,510. [Dean Mealy, Purchasing Manager]
2. RESOLUTION NO. 33-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order to Virtra For a Training Simulator For Police In the Amount of \$234,528.30. [Dean Mealy, Purchasing Manager]
3. RESOLUTION NO. 34-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement Agreement Between the Town of Palm Beach and Florida Power and Light (FPL) at 265 Palmo Way for Access, and Maintenance of FPL Equipment. [H. Paul Brazil, P.E., Director of Public Works] – *Pulled from Consent*

C. OTHER

1. Waiver to Town Code for Extended Construction Hours and Lane Closure for AT&T to Construct a Fiber Line and Make Connection in Royal Palm Way at Cocoanut Row [H. Paul Brazil, P.E., Director of Public Works]
2. Designation of Voting Delegate and Alternate(s) to the Palm Beach County League of Cities, Inc. [Kathleen Dominguez, Town Clerk]

3. Request by the City of West Palm Beach for Town Sponsorship in the Amount of \$12,000 for the City's Fourth on Flagler Event [Kirk W. Blouin, Town Manager]
4. Request to Consider Ordinance No. 17-2019 at Public Hearings Prior to 5:00 p.m. [Josh Martin, Director of Planning, Zoning & Building]

XI. BOARD/COMMISSION ANNUAL REPORT

A. Annual Report of the Code Enforcement Board [Matthew Natale, Chair]

Chair Natale provided an overview of the report, which included a list of properties with outstanding fines and liens.

Mayor Coniglio spoke regarding the limited jurisdiction of the Code Enforcement Board with homesteaded properties.

Town Manager Blouin spoke regarding the role of the Code Enforcement Board and stated that staff will do everything they legally can to address the long list of properties with outstanding daily fines and bring them into compliance.

Warren Belmar, 130 Sunrise Ave., encouraged the Town Council to consider asking the Town Attorney to draft a memorandum that explains how the new Property Maintenance Code applies to the role of the Code Enforcement Board officials. He also pointed out that the comments made earlier about the “health, safety and welfare of the community” should also be applied to the proposed groin rehabilitation project.

Motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Araskog, to accept the Code Enforcement’s Board annual report. On roll call, the motion passed unanimously.

XII. COMMITTEE REPORTS

A. Report of the Ordinances, Rules and Standards Committee Meeting Held on April 4, 2019 [Julie Araskog, Chair]

Chair Araskog provided the highlights of the ORS meeting.

Motion was made by Council Member Crampton, and was seconded by Council Member Lindsay, to approve the report of the April 4, 2019, Ordinances, Rules, and Standards Committee meeting. On roll call, the motion passed unanimously.

XIII. REGULAR AGENDA

A. Old Business

1. Town Marina Project Update [H. Paul Brazil, P.E., Director of Public Works]

Gordon Thomson, Baird and Associates, presented a status report on the engineering and design process for the Town Marina Project, which included a possible May 1, 2020 construction start date and November 30, 2021 project completion date.

In response to a question from Council Member Crampton, Director Brazil spoke regarding the Town's efforts to address parking and traffic issues generated by the construction crew in that area.

Town Manager Blouin also addressed Mr. Crampton's comments by stating that staff will present solutions for managing the traffic impact and other concerns brought forward by the residents to the Town Council at a future meeting.

Discussion ensued regarding the project timeline, implementing the Town dock project in a phased approach, and concerns with the construction completion date encroaching upon season.

2. [Town-wide Undergrounding Project](#)

a. [Review of Project and Dashboard, Summary of Project Status](#) [Steve Stern, Project Manager]

Project Manager Stern provided a project status update, announced the next coffee with the crew meeting dates, significant correspondence ready for distribution to affected property owners, construction progress in the North and South end, and the design and easement progress.

Discussion ensued regarding critical path easements, recommendations for explaining power outages and interruptions to residents, and the easement issues affecting the timeline for the project design for Phases 2 and 3 South.

(Clerk's Note: Item XIII. C. 1. was taken out of order and heard after the above item)

3. [Proposed Town Sponsorship of Business Association Special Event during the Veteran's Day Holiday Weekend in November 2019 to be Hosted by the Main Street Association, with the Palm Beach Rotary Foundation as Event Provider](#) [Josh Martin, Director of Planning, Zoning and Building]

Richard Zaretsky, President of the Rotary Club of Palm Beach, presented the revised application with Bradley Park as the new event location. He explained that the residents who live near the Bradley Park area were notified of the hearing and that they will work with staff on finalizing the site plan layout so that it meets all the required conditions.

In response to a question from Mayor Coniglio, Mr. Zaretsky confirmed that there were no objections received from the residents after sending the notification letter.

Council Member Araskog expressed concerns with setting a precedent and requested placing time limits on the use of the Public Address (PA) systems.

Motion was made by Council Member Crampton, and was seconded by Council President Pro Tem Zeidman, to approve the Town's sponsorship of the event with the condition that amplified Public Address (PA) systems be prohibited prior to 9:30 a.m. On roll call, the motion passed unanimously.

4. [Update to the Town's Compensation Study \[Danielle Olson, Director of Human Resources\]](#)

Director Olson provided a summary of the tentative changes to date.

She presented the statistical actuarial impact on the retirement plan changes for police, fire and general employees in the 75th percentile. She also explained that the actuarial impact with the final figures will be available on May 22, 2019 and presented for further discussion with the Retirement Board of Trustees at the June 11th Town Council meeting.

Discussion ensued regarding the potential changes to the retirement plan and the potential salary adjustment numbers that will be addressed during the June Town Council meeting.

5. [Coastal Update: \[H. Paul Brazil, P.E., Director of Public Works\]](#)

a. [Town of South Palm Beach Dune Construction Project](#)

Rob Weber, Coastal Program Manager, provided an overview of the Town of South Palm Beach's request for inclusion in the Town's dune restoration project.

Motion was made by Council Member Crampton, and was seconded by Council Member Araskog, to approve the inclusion of the Town of South Palm Beach within the boundaries of the Inlet to Inlet agreement for the dune restoration project. On roll call, the motion passed unanimously.

b. [Shore Protection Board Recommendation for the Town-wide Groin Rehabilitation Program](#)

Coastal Program Manager Weber presented an overview of the Townwide Groin Rehabilitation Program.

In response to questions from Council Member Crampton, Public Works Director Brazil spoke regarding the funds allocated to Phase 1, project timelines and priority locations for the year 2020.

Discussion ensued regarding the various liabilities, project budget, estimated costs, and the risks versus the benefits associated with the program.

In response to a question from Mayor Coniglio, Coastal Program Manager Weber spoke regarding the cost and materials used for the Midtown Beach Re-nourishment Project in comparison to the entire program.

Warren Belmar, Shore Protection Board member, spoke regarding public safety issues associated with the dilapidated groins. He suggested that the Town Attorney make a list of the legal issues associated with the project and opine on it at a future meeting.

It was the consensus of the Town Council to direct staff to present the costs for the groin rehabilitation program for the midtown public beach area only and to research how other coastal communities handle repairs and rehabilitation for groins located at private beaches vs. public beaches.

It was the consensus of the Town Council to direct the Town Attorney to update the memorandum on liability issues for the groin rehabilitation program for future consideration.

c. **New Ten-year Budget (For Discussion only)**

Council President Moore reminded the Town Council members and staff that the current Coastal Program Budget will be ending in the year 2023 and encouraged everyone to start thinking about a new ten-year plan.

Mayor Coniglio pointed out that the current established program is working and suggested the Town keep the same approach.

In response to a question from Mayor Coniglio, Public Works Director Brazil provided the Town's position on the best approach for creating the new ten-year plan.

It was the consensus of the Town Council to direct staff to provide the anticipated costs and scope for developing a separate budget to address the intra-coastal resiliency issues identified in the Woods Hole Study and a copy of the executive summary of the study.

(Clerk's Note: The Town Council recessed for lunch after discussing the above items.)

6. RESOLUTION NO. 15-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Long-term Ground Lease of 5976 Okeechobee Boulevard, West Palm Beach, Florida to AHS Residential. [Kirk W. Blouin, Town Manager]

(Clerk's Note: This item was withdrawn from the agenda.)

7. Discussion Regarding Unregulated On-Street Parking Spaces on North County Road and Bradley Place [Jay Boodheshwar, Deputy Town Manager]

(Clerk's Note: The Town Council reconvened the meeting after their lunch recess with the exception of Council Member Araskog whose absence was excused for the remainder of the meeting).

Deputy Town Manager Boodheshwar provided an overview of the daily on-street parking issues occurring on N. County Road and the near-by streets near Bradley Place. He provided potential solutions for regulating all 83 parking spaces by implementing timed-parking rules with placards and/or meters.

Discussion ensued regarding potential unintended consequences, appropriate time limits and solutions for managing the parking spaces while accommodating the residents.

Motion was made by Council Member Lindsay, and was seconded by Council President Pro Tem Zeidman, to implement a hybrid-pilot parking program for managing all 83 unregulated parking spaces with two-hour time limits and placard parking with a revisit date in April 2020. On roll call, the motion passed 4 to 0, with Council Member Araskog absent.

B. New Business

1. RESOLUTION NO. 36-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Bid Waiver, Contract Execution and Purchase Orders for the Procurement of Lucy, for a Work Management System for Public Works for \$388,300, contingent upon future budget funding approval. [Dean Mealy, Purchasing Manager]

Public Works Director Brazil provided an overview of the resolution.

Motion was made by Council Member Crampton, and was seconded by Council President Pro Tem Zeidman, to approve Resolution No. 36-2019. On roll call, the motion passed 4 to 0, with Council Member Araskog absent.

2. RESOLUTION NO. 37-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Recommendation of the Selection Committee for Dockage System Design and Manufacturing, RFP No. 2019-15, Which Pre-Qualified Three Firms; Bellingham Marine, EMG USA LLC and SF Marina Systems USA. [Dean Mealy, Purchasing Manager]

Public Works Director Brazil provided an overview of the resolution and the selection committee members.

Motion was made by Council Member Crampton, and was seconded by Council President Pro Tem Zeidman, to approve Resolution No. 37-2019. On roll call, the motion passed 4 to 0, with Council Member Araskog absent.

3. RESOLUTION NO. 38-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Rechten International Trucks, Inc. for the Purchase of One 2019 International Dump Truck; And Approval To Fund the Project from the Equipment Replacement Fund in the Amount of \$88,688 for a Total Budget of \$92,000. [Dean Mealy, Purchasing Manager]

Public Works Director Brazil provided an overview of the resolution.

Motion was made by Council Member Crampton, and was seconded by Council President Pro Tem Zeidman, to approve Resolution No. 38-2019. On roll call, the motion passed 4 to 0, with Council Member Araskog absent.

C. Matters Pulled From Consent Agenda:

1. RESOLUTION NO. 34-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement Agreement Between the Town of Palm Beach and Florida Power and Light (FPL) at 265 Palmo Way for Access, and Maintenance of FPL Equipment. [H. Paul Brazil, P.E., Director of Public Works] – *Pulled from Consent*

(Clerk's Note: This item was taken out of order and heard after Item XIII.A.2. a.)

Project Manager Steven Stern and Town Engineer Patricia Strayer provided an overview of the resolution and the need for the easement.

Discussion ensued regarding the quantity of equipment and the impact to the aesthetics of the park.

In response to a question from Council Member Lindsay, Town Engineer Strayer explained how the Town has exhausted their options for the best location that will meet Florida, Power and Light's power needs.

Lynn George, 249 Mocking Bird Trail, expressed concern with the information she was provided regarding the number of transformer boxes needed to power her home.

Motion was made by Council Member Araskog, and was seconded by Council President Moore, to approve Resolution No. 34-2019 with the condition that staff work with Kimley-Horn and Florida Power and Light to improve the design and present it to the Town Council. On roll call, the motion passed 4 to 1, with Council President Pro Tem Zeidman dissenting.

2. Request by the City of West Palm Beach for Town Sponsorship in the Amount of \$12,000 for the City's Fourth on Flagler Event [Kirk W. Blouin, Town Manager]

Mayor Coniglio commented on the benefits and entertainment value the fireworks bring each year to the residents and their families. She also commented on the need to maintain good inter-governmental relations with the City of West Palm Beach.

John Grzebien, 300 S. Ocean Blvd., spoke regarding environmental concerns and the need to allocate more funds to beach nourishment. He encouraged the Town Council to consider these concerns when the decision comes back next year.

Motion was made by Council Member Crampton, and was seconded by Council Member Lindsay, to approve the City of West Palm Beach's request for Town sponsorship for \$12,000 for their annual 4th on Flagler fireworks display. On roll call, the motion passed 4 to 0, with Council Member Araskog absent.

XIV. ORDINANCES

A. Second Reading

1. [ORDINANCE NO. 8-2019 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 114 Taxation, Article II, Local Business Tax, At Section 114-43, Schedule, So As To Amend The Fees Delineated For Each Business, Profession Or Occupation; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date. \[Josh Martin, Director of Planning, Zoning & Building\]](#)

Motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Lindsay, to adopt Ordinance No. 8-2019, on second and final reading. On roll call, the motion passed 4 to 0, with Council Member Araskog absent.

B. First Reading

1. [ORDINANCE NO. 21-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 42, Environmental, Article IX, Fertilizer-Friendly Use, Section 42-372 "Definitions" and Section 42-376, "Timing Of Fertilizer", Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date. \[H. Paul Brazil, P.E., Director of Public Works\]](#)

Council Member Lindsay explained that this ordinance is a companion piece to a previous ordinance passed in December that amends Chapter 42 regarding the sections on friendly practices for fertilizer use.

Director Brazil clarified the intent of the ordinance, which is to define the timing of any fertilizer use to prevent its application during the rainy season.

In response to a question from Council President Moore, Director Brazil spoke regarding the use of slow release fertilizers used to protect properties with large lawns, parks and golf courses.

It was the consensus of the Town Council to revise Ordinance No. 21-2019 so that it reflects language that addresses golf courses and bring it back for first reading at the May 15, 2019, Town Council Meeting.

2. [ORDINANCE NO. 22-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 102, Solid Waste, Article I, in General, at Section 102-5 Deposit in Unauthorized Place, by Revising Verbiage to Read “No Person Shall Deposit or Cause to be Deposited any Refuse in any Place not Authorized for Disposal. The Public Works Director or Their Designee Shall Determine the Authorized Location for Collection and Disposal. Garbage Placed for Collection in an Unauthorized Place will not be Collected and Procedures Set Forth in Section\(s\) 102-48 and 102-7 will be Administered” Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date. \[H. Paul Brazil, P.E., Director of Public Works\]](#)

Director Brazil provided an overview of the ordinance, which is to clarify the authorized places for depositing commercial and residential waste materials for pick-up.

Motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Crampton, to approve Ordinance No. 22-2019 on first reading. On roll call, the motion passed 4 to 0, with Council Member Araskog absent.

3. [ORDINANCE NO. 23-2019 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 42, Environment, To Include A New Article IX, Division 2, Titled Prohibition Of Single Use Plastic Straws; Prohibiting The Distribution Of Plastic Straws; Providing Penalties For Any Such Distribution; Providing For Conflicts; Providing For Severability; Providing For Codification; And Providing An Effective Date. \[Jay Boodheshwar, Deputy Town Manager\]](#)

Deputy Town Manager Boodheshwar provided an overview of the ordinance and the House Bill vetoed by Governor Ron DeSantis that would prohibit municipalities from passing a local ban on single-use plastic straws. He also relayed Council Member Araskog's request to combine this proposed ordinance with Ordinance No. 24-2019 banning single-use plastic bags.

Town Attorney Randolph spoke regarding the difference between the two proposed ordinances as they relate to the State's approval status and legal controversy.

Discussion ensued whether or not the two ordinances should be combined.

It was the consensus of the Town Council to defer Ordinance No. 23-2019 to the May 15, 2019 Town Council meeting and allow the Town Attorney to make the appropriate revisions where necessary.

4. [ORDINANCE NO. 24-2019 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 42, Environment, To Include A New Article IX, Titled Prohibition Of Polystyrene Containers And Single Use Carry Out Plastic Bags; Prohibiting The Use Of Expanded Polystyrene Containers And Single Use Carry Out Plastic Bags Within The Corporate Limits Of The Town; Providing For Penalties And Amending Section 2-439 Of The Town Code Relating To Citation Fine Schedule; Providing For Codification; Providing An Effective Date. \[Jay Boodheshwar, Deputy Town Manager\]](#)

It was the consensus of the Town Council to defer Ordinance No. 24-2019 to the May 15, 2019 Town Council meeting and allow the Town Attorney to make the appropriate revisions where necessary.

5. [ORDINANCE NO. 25-2019 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 106, Article VII, Section 106-257, Subsection \(1\) Of The Town Code Of Ordinances Titled Regulations Relating To Special Events; Providing For A Prohibition On The Use Of Phipps Plaza Park For A Special Event Due To The Close Residential Proximity Of This Public Space; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date. \[Jay Boodheshwar, Deputy Town Manager\]](#)

Deputy Town Manager Boodheshwar provided an overview of the ordinance and its intent.

Mayor Coniglio expressed concerns with limiting residents' use of a public park and green space.

Discussion ensued regarding the location and size of the park, its proximity to the residents of Phipps Plaza Park, and the Declaration of Use Agreement with the Carriage House as it relates to holding special events.

Deputy Town Manager Boodheshwar spoke regarding the current language in the Town Code that allows staff to deny special events that could adversely affect greenspace and prevent overuse.

Town Manager Blouin explained the scrutiny involved with the entire special event review process.

A motion was made by Council Member Crampton to approve Ordinance No. 25-2019. The motion died for lack of a second.

XV. ANY OTHER MATTERS

1. Request to send the safe and correct use of pesticides to the Ordinances, Rules and Standards (ORS) Committee for study.

Council Member Lindsay brought up complaints received from residents regarding their neighbor's pesticide spray drift encroaching in nearby yards and the Lake Trail. She also expressed concerns with pesticide applications near schools and areas where children are present.

It was the consensus of the Town Council to direct staff to research alternative solutions for enforcing safe and correct pesticide applications and report back to the Town Council next month.

Town Manager Blouin spoke regarding the Town's priorities, resources and budget as they relate to previous meeting discussions and ideas shared by residents when it comes to solving issues in the Town. He commented that it is not always possible to implement programs and provide solutions to every problem without changing priorities, increasing tax dollars and increasing the budget.

XVI. ADJOURNMENT

There being no further business, the Town Council meeting of May 14, 2019 adjourned at 4:00 p.m.

Danielle H. Moore, Town Council President

Kathleen Dominguez, Town Clerk

Date