



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON

Wednesday, August 14, 2019

I. [CALL TO ORDER AND ROLL CALL](#)

The regular Town Council meeting was called to order on Wednesday, August 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](#)

The following modifications were made to the Agenda:

- Resolution No. 69-2019 was added to the Consent Agenda as Item IX. B. 5
- Ordinance Nos. 33-2019 and 34-2019 were taken from the Development Review Meeting agenda and added to the Regular Meeting agenda under Committee Reports as Item X., A., 2. and 3.
- A correction was made to the title of Ordinance No. 36-2019
- A discussion on the previous vote to implement paid parking on the 100 block of Sunrise Avenue from the July 11, 2019, Special Town Council Meeting was added under Any Other Matters as Item XVI. 1.

IV. [APPROVAL OF AGENDA](#)

Motion was made by Council Member Araskog, and was seconded by Council President Pro Tem Zeidman, to approve the agenda, as amended above. On roll call, the motion passed unanimously.

V. PRESENTATIONS

A. Palm Beach County Gold Star Families Memorial Monument

Lauren Berkson, President of the Palm Beach County Gold Star Families Memorial Foundation, provided an overview of the organization and its purpose. She presented a proposal to place a 12 x 16 square foot bronze plaque in Memorial Park as a monument to honor the families of fallen service men and women.

It was the consensus of the Town Council to direct staff to work with Ms. Berkson on presenting her project to the Landmarks Preservation Commission for approval at their next meeting.

VII. COMMENTS OF MAYOR GAIL L. CONIGLIO

Mayor Coniglio congratulated Police Officer Scott Duquette on his upcoming retirement. She reminded the residents about the lane closures on Sunrise Avenue near Bradley Place beginning August 26 and warned everyone to be cautious while traveling through the area.

Mayor Coniglio commented on the recent mass shooting incidents in El Paso, Texas and Dayton, Ohio. She proposed contacting the state and federal Legislature about prohibiting the sale of assault rifles, bump stocks for civilian use, and include a copy of Resolution No. 40-2018 in her communication.

It was the consensus of the Town Council to direct the Mayor to write a letter to the state Legislature on behalf of the Town requesting the prohibition of assault rifle sales, bump stocks for civilian use, and restate Resolution No. 40-2018.

VIII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

Council Member Araskog agreed with the Mayor's position on addressing the regulation of gun sales with the state Legislature. She shared a message delivered from a young girl during a Youth Day church program about the fears and anxieties kids have today when attending church, school and other daily activities because of the active shooter problem in America. She commented on the diminishing ficus benjamina plants in her neighborhood and how beautiful the North end looks without the utility poles. She thanked the staff for all of their hard work with the underground conversion.

Council Member Crampton acknowledged and congratulated Pension Administrator Bill Hanes on his upcoming retirement. He commended him on his knowledge of government pension services and benefits and wished him well.

Council President Pro Tem Zeidman also congratulated Pension Administrator Bill Hanes on his upcoming retirement and complimented him on his knowledge and hard work over the years. She thanked Police Chief Nick Caristo for writing a letter to Senator Bobby Powell about the need to close the loophole with Florida's open carry of firearms laws.

Council Member Lindsay agreed with the Mayor's comments about addressing gun sale laws with the state. She spoke about the challenges with securing right-of-way easements from property owners for utility boxes and encouraged neighbors to work together to resolve their easement disputes. She suggested that residents involved in these disputes visit the North end to view the hidden transformer boxes and the low impact they have to the aesthetics on the streets.

Council President Moore expressed some of the residents' dismay over the recent decision to implement paid parking on the 100 block of Sunrise Avenue and requested to add this matter to the agenda under *Any Other Matters* for further discussion.

It was the consensus of the Town Council to add a discussion about the Sunrise Avenue parking program to the agenda under Item No. XVI. *Any Other Matters*.

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

Diane Buhler, Friends of Palm Beach, spoke regarding the health hazards of sargassum seaweed and requested that Town staff coordinate any seaweed removal plans with her so she can remove trash and debris from the seaweed before it is collected. She also spoke regarding the Florida Retail Federation and Florida Restaurant & Lodging Association's request to the Town to repeal the plastic bag ban ordinance and urged the Town to stand their ground.

Andrew Roddy, 231 Kenlyn Road, spoke in support of the plastic bag ordinance, the ease of reusable canvas bags, climate change, environmental concerns and the large amount of sargassum seaweed on the Town's shoreline. He reported finding screws and nails on the streets and in tires from construction debris and suggested fines for construction companies that fail to secure their equipment properly and clean up their areas diligently. He spoke regarding the need to reduce carbon levels in the earth's atmosphere and recommended the Town consider banning all gas powered landscaping equipment and switch to battery and electric powered lawn equipment only.

In response to Mr. Roddy's comments above, Council Member Crampton shared that the City of West Palm Beach's Strategic Plan has a goal to make the city carbon neutral by 2050. He suggested the Town Council consider a similar goal and discuss this at a future meeting.

Warren Belmar, 130 Sunrise Ave., spoke regarding the unintended consequences to the nearby churches, condominium owners, and local businesses of the 100 block of Sunrise Avenue from the paid parking program. He expressed his dismay with the presentation of

the paid parking program expansion during last month's budget workshop, and requested the Town Council reconsider their previous vote and allow residents time to provide input.

Drew Martin, Loxahatchee Group Sierra Club, spoke regarding the importance of cleaning up litter and the large amount of construction debris in Palm Beach. He suggested the Town issue fines to contractors with unsecured truckloads. He thanked the Town Council for passing an ordinance banning the application of fertilizers during the rainy season and requested the Town consider an ordinance addressing water waste during rainfalls and penalties for homeowners with broken sprinkler systems.

In response to Mr. Martin's comments above, Council Member Araskog spoke in support of an ordinance that addresses penalties for unsecured truckloads and road debris, for future discussion.

Laurel Baker, Palm Beach Chamber of Commerce, thanked the Palm Beach Police department for providing a Civilian Active Shooter Event training to the Chamber members on September 10, 2019 at the South Fire Rescue Station. She commented on the recent decision to expand metered parking on particular streets and her hope that the new parking fees go towards Town beautification. She spoke regarding the parking challenges local businesses on South County Road face because of the residential permit parking program in that area. She recommended that staff study the previous parking study documents and implement those recommendations when exploring new parking policies in order to avoid the application of inconsistent parking practices throughout Town.

Linda Smith, provided information on the various Caribbean nations that have banned Styrofoam and polystyrene plastics and spoke in support of continuing the local ban on plastics.

Alison Reed, 1520 N. Ocean Blvd., spoke regarding a previous meeting she had with Public Works Director Paul Brazil and Town Engineer Patricia Strayer on correcting an issue she had with the placement of streetlights in her neighborhood. She described some new problems that have occurred with the replacement lights and requested a resolution to fix the problem.

Council President Moore requested staff work with Ms. Reed on finding a solution to the streetlight issue.

Tom Warnky, Surfrider Foundation, spoke in support of keeping the ordinance banning single use plastic bags. He presented information about public safety and health hazards associated with polystyrene and the worldwide effort to ban polystyrene plastic.

Simon Taylor, 234 Oleander Ave., expressed concerns with restricting paid parking options on certain streets by use of a mobile parking app only.

X. [APPROVAL OF CONSENT AGENDA \(SEE NOTE 5\)](#)

Motion was made by Council Member Araskog, and was seconded by Council President Pro Tem Zeidman, to approve the Consent Agenda, as presented. On roll call, the motion passed unanimously.

A. MINUTES

1. Town Council Meeting Minutes
Kathleen Dominguez, Town Clerk
 - a. July 9, 2019, Town Council Meeting Minutes
 - b. July 10, 2019, Development Review Town Council Meeting Minutes
 - c. July 11, 2019, Special Town Council Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of July 24, 2019.

B. RESOLUTIONS

1. RESOLUTION NO. 62-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Gym Source USA LLC for Fitness Equipment To Be Utilized in the Morton and Barbara Mandel Recreation Center in the Amount of \$132,329 From the Capital Improvement Fund (307) Which will be Split Between the Mandel Foundation, Friends of Recreation and the Town, and Establishing a Budget of \$140,000.
Dean Mealy, Purchasing Manager
2. RESOLUTION NO. 65-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute an Agreement for Mutual Fire/Rescue Assistance Between the City of West Palm Beach and the Town of Palm Beach.
Dean Mealy, Purchasing Manager
3. RESOLUTION NO. 66-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Interlocal Agreement Between Palm Beach County and the Town of Palm Beach for the Reimbursement of Emergency Medical Services (EMS) Grant Equipment and Authorizing the Application for Funds from the Palm Beach County EMS Program in the Amount of \$25,000 and Establishing a Budget of \$25,000 in Fiscal Year 2019 to be Used for the Purchase of Fire Armor Ballistic Protective Gear and Authorizing the Town Manager to Execute this Purchase on Behalf of the Town; Such Funds Shall Not Supplant Existing EMS Budget.
Darrel Donato, Fire Rescue Chief
4. RESOLUTION NO. 67-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the Designation of the Following Trees as Historic or Specimen Trees at 1 Whitehall Way, 386 Hibiscus

Avenue, 100 Four Arts Plaza and Phipps Plaza, Providing an Effective Date.
H. Paul Brazil, P.E., Director of Public Works

5. RESOLUTION NO. 69-2019 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Of Palm Beach Master Fee Schedule By Including New Vegetative Special Collection Fees, And Providing An Effective Date. Paul Brazil, P.E., Director of Public Works
H. Paul Brazil, P.E., Director of Public Works

XI. COMMITTEE REPORTS

(Clerk's Note: Ordinance No. 30-2019, was taken out order and placed under Item No. XI. Committee Reports.)

1. Ordinance No. 30-2019

Jay Boodheshwar, Deputy Town Manager, provided historical background on the proposed ordinance to amend Section 106-283 by adding provisional language that would require Town Council approval for all special event permit applications that involve leaving the primary location to utilize public streets, sidewalks or bike paths associated with a special event.

Discussion ensued regarding the application of a grandfather clause to the Palm Beach United Way's Annual Turkey Trot and the Palm Beach Race of Hope 5K for a one (1) to three (3) year time-period while staff and the Ordinances, Rules and Standards (ORS) Committee address the new review and approval process for future cases.

Public Comments:

Audrey Gruss, 1574 S. Ocean Blvd., spoke regarding the Palm Beach Race of Hope's mission, success of past events, amount of planning involved with organizing a charity 5k run/walk, and the challenges the new approval policy would present to the organization with their media planning, donor/sponsor support and overall success. She requested a permanent grandfather clause for the Palm Beach Race of Hope under the existing rules.

Scott Snyder, event organizer for the Palm Beach Race of Hope, affirmed that he and Mrs. Gruss would address any questions and adjust any issues the Town Council has with respect to the Race of Hope in order for the event to continue in Palm Beach.

In response to questions, Mrs. Gruss spoke regarding the reasons for using microphones and music during the event and the advanced planning time needed for a successful charity run.

In response to questions, Deputy Town Manager Boodheshwar provided the maximum number of participants allowed at a public event and other safety controls placed by staff for reviewing special event permit applications. He further added that the only thing staff has no control over is the tolerance level from the public.

Warren Belmar, 130 Sunrise Ave., commented on the concept of excluding the Palm Beach United Way Turkey Trot and the Palm Beach Race of Hope from the ordinance. He suggested the Town Council consider allowing a two (2) year event approval period for all race applicants.

In response to a question from Council President Moore, Town Attorney Randolph opined on the procedure for adopting the ordinance while approving a grandfather clause for the Turkey Trot and Race of Hope event applicants.

Motion was made by Council Member Lindsay, and was seconded by Council Member Araskog, to adopt Ordinance No. 30-2019, on second and final reading. On roll call, the motion passed unanimously.

Motion was made by Council Member Araskog, and was seconded by Council President Pro Tem Zeidman, to permanently grandfather in the Town of Palm Beach United Way Annual Turkey Trot and the Palm Beach Race of Hope 5K with the condition that the applicants abide by the rules set forth in the Town's Code of Ordinances and staff approval is received each year. On roll call, the motion passed unanimously.

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on July 8, 2019
Julie Araskog, Chair

Council Member Araskog provided an overview of the report and the highlights of the meeting. She spoke regarding the need for a truck traffic study in order to address public safety and other issues caused by large trucks traversing the narrow streets in the North end and other areas in Town.

Discussion ensued regarding cost, project scope, benefits, implementation and enforcement, and using the two proposed ordinances that require a logistics plan for construction related projects as a starting point.

In response to questions, Public Works Director Brazil explained the scope of the study by Kimley-Horn as a step towards finding a solution to managing truck traffic

on the Island. He added that it will be the Town's responsibility to implement and enforce any new regulations that come out of the study.

Town Manager Blouin informed the Town Council that the Town has limited resources available for monitoring and enforcing new truck traffic regulations.

1. RESOLUTION NO. 68-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Engineering Services to Kimley-Horn and Associates, Inc. (KHA) for the Study and Development of a Truck Traffic Regulation Plan in the Amount of \$39,864 To Be Funded From the General Fund Contingency.
H. Paul Brazil, P.E., Director of Public Works

Motion was made by Council Member Araskog, and was seconded by Council President Pro Tem Zeidman, to defer Resolution No. 68-2019 to the September 10, 2019, Town Council Meeting and invite Kimley-Horn to participate in the discussion. On roll call, the motion passed unanimously.

XII. REGULAR AGENDA

A. Old Business

1. [Town Marina Project Update](#)

Gordon Thomson, Baird and Associates, provided a status update on the Town Marina project, which included a timeline, permitting progress, budget update and other items. Mr. Baird reported a small increase to the overall budget due to ADA accommodations and ARCOM recommendations.

In response to questions, Mr. Thomson provided the reason for the removal of the security gate in the parking lot and explained the issues with the setbacks in the Code.

Mayor Coniglio congratulated staff and Mr. Thomson on the FIND grant approval.

It was the consensus of the Town Council to direct staff and Mr. Thomson to bring back an updated plan that includes a security gate at a future meeting with a cost benefit analysis for the added security included.

2. Town-wide Undergrounding Project:
 - a. Review of Project and Dashboard, Summary of Project Status
Steven Stern, Project Manager

Project Manager Stern provided a construction update on the Underground Utility Project for each phase and location. He announced that a

Underground Utilities Task Force meeting is scheduled for October 1, 2019. He commented on the challenges staff is facing with the easement acquisition process in certain areas and requested Town Council assistance to see their conclusion.

President Pro Tem Zeidman requested a map that depicts the project phases and locations with easement issues in order to guide the Town Council along during future presentations.

Council Member Crampton requested to be provided with a service switch-over schedule for Phase 1 South.

In response to questions from Council members about the light placements, Director Brazil stated that staff will come back next month with more information about the light placement throughout Town and a history of the issues involved.

Public Comment:

Harris Fried, 246 Oleander Ave., spoke regarding his observations about the beach issues with respect to erosion, toxic rubbish, sargassum seaweed and toxic bacteria in the water affecting the quality of the Town's beaches. He suggested that the Shore Protection Board role be expanded to address these ongoing issues. He commented on the additional funding needed for Phase 2 South and expressed concern with this becoming a trend. He also suggested that the Town Council consider a back-up plan in response to the numerous challenges related to the easement acquisition process.

Clerk's Note: The regular meeting recessed at 12:30 p.m. The Town Council took a forty-minute lunch break and then started the Development Review meeting at 1:38 p.m. due to a time certain item on the agenda. The regular meeting reconvened at 6:30 pm.

- b. Phase 1 North Easement Abandonment
Patricia Strayer, P.E., Town Engineer

Public Works Director Paul Brazil reported that there are over 100 properties in the North-end with rear-yard utility easements and that a majority of those easements may no longer be a necessity due to the completion of the Phase 1 underground conversion process. He provided an overview of the utility easement abandonment process and the amount of time, money and documentation required for processing an easement abandonment request. He provided an overview of options for consideration

in lieu of the Town performing the easement abandonment for each property.

Discussion ensued regarding the cost and benefits associated with each option, implementing a fair and smooth process to landowners who need to terminate their rear-yard easements due to the completion of the undergrounding project, and potential legal issues associated with easement rights.

Mayor Coniglio brought up information provided on the Town's fact sheet for the underground utilities project that addresses rear-yard easement recovery information and recommended that the Town Council consider each option carefully out of fairness to the residents.

Warren Belmar, 130 Sunrise Avenue, commented on the underground utilities fact sheet and inquired about the landowners responsibilities as they relate to the easement termination process and the entire cost.

In response to questions, Town Engineer Patricia Strayer provided the estimated cost for each landowner to cover the entire easement termination process.

Motion was made by Council Member Araskog, and was seconded by Council Member Lindsay, to defer this matter to the September 10, 2019, Town Council meeting and direct staff to present more information related to the costs for performing the easement termination process. On roll call, the motion passed unanimously.

- c. RESOLUTION NO. 61-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Kimley-Horn for Engineering Design Services for the South Ocean Blvd Watermain Replacement in the Amount of \$78,566.00.
Dean Mealy, Purchasing Manager

Town Engineer Strayer provided an overview of the resolution.

Motion was made by Council Member Lindsay, and was seconded by Council President Pro Tem Zeidman, to approve Resolution No. 61-2019. On roll call, the motion passed unanimously.

- d. RESOLUTION NO. 63-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Construction Management at Risk (CMAR) Contract to Burkhardt Construction Inc., for the Town-wide Utility Undergrounding Phase 3

North in the Amount of \$4,042,171.13, and Establishing a Project Budget of \$4,242,171.13. (The Town negotiated cost savings of \$12,388.26 during GMP negotiations.)

Patricia Strayer, P.E., Town Engineer

Town Engineer Strayer provided an overview of the resolution.

Discussion ensued regarding cost, budget and contingency plans for any unforeseen delays or natural disasters.

Motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Lindsay, to approve Resolution No. 63-2019. On roll call, the motion passed unanimously.

- e. RESOLUTION NO. 64-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving a Purchase Order to Kimley-Horn & Associates, Inc. for Construction Phase Engineering Services for the Town-wide Overhead Utility Undergrounding Phase 3 North in the amount of \$236,976.

Patricia Strayer, P.E., Town Engineer

Town Engineer Strayer provided an overview of the resolution.

Motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Crampton, to approve Resolution No. 64-2019. On roll call, the motion passed unanimously.

3. [Sargassum Seaweed Discussion](#)

Town Manager Kirk Blouin provided an overview of options to consider for removing the large amounts of sargassum seaweed from the Town's private beaches.

Mayor Coniglio expressed concern with spending the Town's money in lieu of a public-private partnership.

Discussion ensued regarding cost, private-public partnerships, the locations where the seaweed is piling up the most, placing this item on the agenda each month for discussion and coming up with a protocol and procedure for community participation when addressing the Town's hot spots.

It was the consensus of the Town Council to discuss the sargassum seaweed each month under the Coastal Update and during next month's Public Safety meeting.

B. New Business

1. Letter from Florida Retail Federation and Florida Restaurant & Lodging Association

Town Attorney Randolph provided an update on the Third District Court of Appeals' ruling on the Coral Gables vs. Florida Retail Federation case. He informed the Council that the courts ruled in favor of the Florida Retail Federation. He read the state statute that prohibits municipalities from passing a local ban on plastic bags, recommended that the Town declare their intent to repeal Ordinance 24-2019 and pass an emergency ordinance to repeal Ordinance No. 24-2019 within thirty days.

Mayor Coniglio requested to address this matter with the state Legislature as a Home Rule issue and partner with the Palm Beach County League of Cities and other Florida cities who wish to pass a local ban on plastic bags.

Motion was made by Council Member Crampton, and was seconded by Council Member Lindsay, to provide official notice of the Town's intent to repeal Ordinance No. 24-2019 and authorize staff come back with an emergency ordinance repealing Ordinance No. 24-2019, at the next scheduled meeting. On roll call, the motion passed unanimously.

Motion was made by Council Member Lindsay, and was seconded by Council Member Araskog, to ask the Mayor to write a strong letter to the state Legislature and Governor that expresses her dismay with State Statute 403.7033 and its impact on coastal communities, work with staff on contacting other coastal municipalities to form a coalition, and take this issue to the Palm Beach County League of Cities. On roll call, the motion passed unanimously.

C. Matters Pulled From Consent Agenda: *None*

XV. ORDINANCES

A. Second Reading

1. [ORDINANCE NO. 28-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2018; and Providing an Effective Date.](#)

Motion was made by Council Member Araskog, and was seconded by Council Member Crampton, to adopt Ordinance No. 28-2019, on second and final reading. On roll call, the motion passed unanimously.

2. [ORDINANCE NO. 29-2019 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 106, Article VII, Section 106-283, Of The Town Code Of Ordinances Titled Standards For Issuance; Providing For Town Council Approval Of Special](#)

Event Permit Applications For The Use Of Phipps Plaza Park; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Motion was made by Council Member Crampton, and was seconded by Council President Pro Tem Zeidman, to adopt Ordinance No. 29-2019, on second and final reading. On roll call, the motion passed 4 to 1, with Council Member Moore dissenting.

3. ORDINANCE NO. 30-2019 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 106, Article VII, Section 106-283, Of The Town Code Of Ordinances Titled Standards For Issuance; Providing For Town Council Approval Of Special Event Permit Applications Requiring Use Of Public Sidewalks, Roads and/or Bike Paths; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

(Clerk's Note: Ordinance No. 30-2019, was discussed and approved under Committee Reports as Item No. XI. 1.)

B. First Reading

1. ORDINANCE NO. 27-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 106, Streets Sidewalks and Other Places; at Section 106-18 Application Fee/Privilege Fee at Item (a) to Make the Fee be in Accordance with the Fee Schedule as Adopted by Town Council Resolution, and at Section 106-122, Adoption of Resolution, to Delete the Need for Filing a Certified Copy of the Resolution in the Public Records of the County; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Motion was made by Council Member Araskog, and was seconded by Council Member Crampton, to approve Ordinance No. 27-2019, on first reading. On roll call, the motion passed unanimously.

2. ORDINANCE NO. 31-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Charter at Section 5.01, General Elections, to Provide the Municipal Election Date Concurrent with a Statewide or Countywide Election, and Amending the Town Code of Ordinances at Chapter 34, Elections, to Provide a New Article IV, Municipal Election Date And Election Qualifying Period for Years When the Town Holds its Municipal Elections Concurrently With Presidential Preference Primary Elections; Providing For A Run-Off Election if Necessary; Providing For Severability; Providing

for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Motion was made by Council Member Lindsay, and was seconded by Council President Pro Tem Zeidman, to approve Ordinance No. 31-2019, on first reading. On roll call, the motion passed unanimously.

3. ORDINANCE NO. 32-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Charter at Section 3.01, Town Council: Composition, Modifying the Date of the Election of the President and President Pro Tem; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Motion was made by Council Member Araskog, and was seconded by Council Member Crampton, to approve Ordinance No. 32-2019, on first reading. On roll call, the motion passed unanimously.

4. ORDINANCE NO. 35-2019 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 82-54, Credited Service; Loss Of Credited Service; Reinstatement Of Credited Service; Amending Section 82-57, Board Of Trustees; Administrative Duties; Investment Of Retirement System Assets; Amending Subdivision II, Reserve Accounts, By Amending Section 82-80, Member Contributions; Amending Subdivision III, Firefighters, By Amending Section 82-94, Retirement Age And Service Conditions For Firefighters; Section 82-96, Optional Forms Of Payment Of A Pension For Firefighters; Section 82-99, Deferred Retirement Option Program; Section 82-101, Duty Disability Special Provisions; And Section 82-106, Duty Disability Special Provisions; Amending Subdivision IV, Police Officers, By Amending Section 82-114, Retirement Age And Service Conditions For Police Officers; Section 82-116, Optional Forms Of Payment Of A Pension For Police Officers; Section 82-121, Duty Disability Special Provisions; And Section 82-126, Duty Death Special Provisions; Amending Subdivision V, General Employees And Lifeguards; By Amending Section 82-136, Optional Forms Of Payment Of A Pension For Benefit Group General And Benefit Group Lifeguard; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Crampton, to approve Ordinance No. 35-2019, on first reading. On roll call, the motion passed unanimously.

5. [ORDINANCE NO. 36-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 6 of the Town Code of Ordinances, Alcoholic Beverages, At Section 6-9, Relating to the Prohibition of Consumption of Alcoholic Beverages in Public Places, So as to Provide An Additional Exception for Facility Rentals in Seaview Park; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.](#)

In response to a question from Council Member Araskog, Director Stone affirmed that the ordinance does not apply to events that involve children and youth.

Motion was made by Council Member Lindsay, and was seconded by Council Member Crampton, to approve Ordinance No. 36-2019, on first reading. On roll call, the motion passed unanimously.

XVI. ANY OTHER MATTERS

Council Member Lindsay requested that staff send out a news alert to inform residents about the new vegetative collection service approved by Resolution No. 69-2019.

1. Discussion regarding the July 11, 2019, vote to implement paid parking on the 100 block of Sunrise Avenue.

Motion was made by Council President Moore, and was seconded by Council Member Araskog, to reconsider the vote approving the implementation of paid parking on the 100 block of Sunrise Avenue. On roll call, the motion passed unanimously.

Deputy Town Manager Boodheshwar reviewed the approved actions that came from the discussion at the July 11, 2019, Special Town Council meeting with respect to the Town's paid parking program.

Discussion ensued regarding the various reasons for implementing paid parking on Sunrise Avenue, the impact to the condominium and business owners and the application of the Parkmobile payment system.

Warren Belmar, 130 Sunrise Ave., expressed concerns with the Parkmobile pay-by-phone system and the lack of notice given to residents and business owners on the proposed expansion of paid parking to include the 100 block of Sunrise Avenue. He requested to defer this matter to the November Town Council meeting with a notice sent to impacted residents and business owners so they can participate in the discussion.

In response to Mr. Belmar's above comments, Town Manager Blouin stated that the Town's Code of Ordinances authorizes the Town Manager and Chief of Police

to establish parking zones and rules for public areas in the Town of Palm Beach. He acknowledged that the Town Council sets the policy and that this is a controversial matter and agreed that the majority of the residents who live on that street should have a say on any parking rule changes to their zone. He commented on the transient parking problem occurring on the 100 block of Sunrise Avenue and recommended a paid parking program implementation for that street based on past parking studies.

Motion was made by Council Member Araskog, and was seconded by Council Member Lindsay, to pause on the implementation of paid parking on the 100 block of Sunrise Avenue and defer the matter to the November 12, 2019, Town Council meeting for further discussion. On roll call, the motion passed unanimously.

XVII. ADJOURNMENT

There being no further business, the Regular Town Council meeting of August 14, 2019, adjourned at 8:20 p.m.

Approved:

Kathleen Dominguez, CMC,
Town Clerk

Danielle H. Moore, Town Council President