



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, JANUARY 14, 2020

I. CALL TO ORDER AND ROLL CALL

The regular Town Council Meeting was called to order on Tuesday, January 14, 2020, at 9:30 a.m. in the Town Council Chambers. On roll call, all elected officials were found to be present EXCEPT Council President Danielle H. Moore and Mayor Gail L. Coniglio.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Acting Town Clerk Patricia Gayle-Gordon gave the invocation. Council President Pro Tem Zeidman led the Pledge of Allegiance.

(Clerk's Note: Mayor Gail L. Coniglio took her seat on the dais at this time)

Council President Pro Tem Zeidman announced she was sitting in for Council President Moore who was ill.

MODIFICATIONS TO THE AGENDA

A request by Town Manager Kirk Boulin was made to move Item No. XII Comments of Town Council Members to Item No. VII. in order to be more efficient, he reported Council Members had agreed to keep their comments to under 3 minutes, and asked the Town Clerk to make sure that happened, and that only the President of the Town Council express gratitude for the group in order to save time.

Council Member Araskog asked to place discussion of bufo toads under Other Matters.

III. APPROVAL OF AGENDA

Approved Council Member Araskog's request to add a Discussion About the Effects of Bufo Toads on Dogs under Any Other Matters

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve the agenda, as amended. On roll call, the Motion passed 4-0,

with Council President Moore absent.

IV. PRESENTATIONS

A. Presentation on Royal Poinciana Playhouse

Alexandra Patterson, Up Markets

Alex Patterson reported they were looking for partners for the theater operator. She reported progress with different theater groups and looked forward to accomplishing a lot in 2020.

Mayor Coniglio asked if she would come back in February. She indicated she was willing to come back in February to provide an update.

Council Member Crampton asked how long she had been working on the theater project. She responded she had been leasing spaces for two and a half years and provided details of how her process worked to let the potential operators be unlimited in their creative ideas as to how they could work with the space.

Council Member Araskog recommended having Ms. Patterson return to Town Council in March since she had a prospective operator set to come visit in February. Discussion ensued. Council Member Crampton wanted something to happen soon, and suggested a garden, outdoor restaurant, or something else that would fit.

Ms. Patterson responded she was working very hard and felt they would find the right operator.

B. Annual Report of Palm Beach Island Cats

David Leavitt, President

David Leavitt, 1480 Via Manana, read their mission statement in regard to Island cats. He reported they had re-vaccinated 131 cats which is one-third of the population, with 25 sterilizations, 29 medical treatments, and 11 euthanasias of which several were for cancer. 3 cats were found dead on the road. The population of 770 had dwindled to approximately 470 now. Thirty-four (34) kittens were domesticated and adopted into homes. Twenty-four (24) kittens were from only two mothers. He reported feeding 5,700 pounds of dry cat food and 57,626 cans of wet cat food. They fed according to a route at 3 a.m. then reversed and cleaned up, so that residents woke up the next morning not knowing they had been there. He explained that Palm Beach had cats because someone dumped a cat there years ago. They were receiving donations from residents and were in the best shape ever. He introduced two new board members and announced a fundraiser to be held on January 28th at the Sailfish Club. He showed a video of the late-night feeding, and thanked the Town for their support.

Mayor Coniglio asked how the numbers were confirmed. Mr. Levitt explained they had placed a GPS in the feeder's car. He explained they used the services of three different vets to care for the cats. The Mayor commented each had confirmed Mr. Leavitt took good care of the cats.

V. COMMENTS OF MAYOR GAIL L. CONIGLIO

The Mayor thanked the employees for their service. She mentioned two veterans of 13-year service, Monique Rogers and Jerry Vasquez, and complimented Kathleen Dominguez and to Acting Town Clerk Pat Gayle-Gordon.

She commented there was an agenda item regarding the census, and it would take everyone working to get everyone counted. Each person counted could be worth \$1,600 in federal funds, and would also help in re-districting. There would be a community committee to help.

The Mayor commented that home rule was again under attack by the legislature. Currently she was watching for any changes to vacation rentals and to allowing communications companies to place equipment where they desired.

Mayor Coniglio announced the Florida League of Cities and Palm Beach County League of Cities were celebrating the anniversary of the 13th amendment today, the abolition of slavery.

The Mayor commented plastic bags were being worked on again and thanked prior Town Manager Tom Bradford for his efforts in contacting every municipality in the state to allow banning plastics by each municipality in case the State did not do it.

Mayor Coniglio commented she was in favor having a discussion of the agenda item banning synthetic turf; there was presently an ordinance regulating that, and there might be a few placed where it was appropriate.

She agreed with celebrating women voters, but asked not to spend taxpayer dollars on that celebration, and hoped there would be donations.

VI. COMMUNICATIONS FROM CITIZENS

Diane Buhler, Friends of Palm Beach, reported she had attended the Sol Cite 2020, a conference put on by the national Haitian-American elected officials network. Among others, she reported speaking with the Deputy Mayor of Port-au-Prince, Haiti's capital, and showed her medical waste from our beaches and gave her one of the bags made from recycled trash being made in Haiti. The Deputy Mayor shared that their beaches were so polluted the people could no longer swim there, and fishermen could not fish. Ms. Buhler would be working with the Haitian people to reduce their waste. She reported on the numbers of trash recently collected on our beach, and urged everyone to do their part, and commented they were working to collect plastics ahead of the Public Works tractors. She invited everyone to view their third film in their environmental series.

Andrew Roddy commented that his number one concern was environmental and asked that focus be placed on replacing all gas-powered landscaping equipment with battery-powered equipment.

Warren Belmar, 130 Sunrise Avenue, felt compelled to continue the debate regarding parking on Sunrise Avenue, since no resident had ever appeared before Town Council to ask for the parking plan which had been adopted by the Council for Sunrise Avenue. Since the 240 unit owners had objected to it, he did not understand why the current proposal from the Town Manager to delay and further discuss changes elsewhere in the Town had not been made applicable to the changes proposed and ready for implementation on Sunrise Avenue. He asked the Town Council to treat the residents of Sunrise Avenue the same as the residents on the 100 block of Chilean Avenue, the 100 block of Brazilian Avenue, the 100 block of Peruvian Avenue, and the 100 block of Hammon Avenue regarding parking and extension of hours. He wondered why there was a rush to treat Sunrise Avenue differently and asked to include Sunrise Avenue in their study.

Donald Singer, 2295 South Ocean Boulevard, announced their annual meeting on February 6th at the Tideline Hotel where the re-elected council members, building Presidents, and Town staff will be honored.

Elaine Hirsch, 100/130 Sunrise Avenue made additional comments on the parking issue raised by Mr. Belmar. She and her husband own three apartments at 100 and 130 Sunrise Avenue, and would be affected by the proposed parking. She commented there was no place for construction vehicles to park and contractors did not want to come to Palm Beach, and she did not know if they could be enticed to come at all with stricter parking rules. In addition, there were many older people in the apartments whose caretakers and workers could not find parking. She asked that these items be considered.

Katie Carpenter, 345 Seaspray Avenue, expressed appreciation for the Town Council and staff to plant natives and reduce the amount of lawn and garden chemicals, and applauded the item on the agenda to ban artificial turf.

Simon Taylor, 234 Oleander Avenue, President of the Palm Beach Theater Guild addressed the issue on the Playhouse, and reported a world-class retail partner who owned the plaza had lots of interest in the Playhouse, and they were down to deal making. It was a complicated deal. He cautioned against amending the 1979 agreement which would give rise to a storm of controversy. He commented the 1979 agreement envisioned a multi-use community and social center, and it could be a valuable property and to tear it down and build a park and restaurant would make it become commonplace rather than visionary. He asked to focus on the positives and asked the Town Council to continue to work toward having a mixed-use social community center that would be one of the most exciting venues in the country.

Herb Krause, 100 Sunrise Avenue, asked why not retain that block as a free parking zone and wondered what the reasoning was for changing things. He felt the public beach should have free parking.

Laurel Baker, Palm Beach Chamber of Commerce, sent best wishes to Council and staff as they embarked on changing the code. She reported the Chamber of Commerce had sent her to Nashville to the Congress for New Urbanism conference to get a better understanding on what is being proposed for the Town. She informed that she met many people from all over the country envious of the package presented

by Mr. Josh Martin and for having Mr. Martin as an employee. She urged support for the project.

Fred Mack, long-time resident, backed up Mr. Krause's comments about parking on Sunrise Avenue. He commented the hour limit had never been enforced and asked for further review of the parking regulations.

Bill Metzger, 277 Esplanade Way, expressed continued support for the Playhouse, thanked the Council for cooperating as two days of meetings were live streamed, and stated they would be continuing that in the future when compliance was secured. He wanted to make sure the next *Songbirds* event on February 3rd was announced.

Skip Aldridge, 2295 South Ocean Boulevard, thanked the Mayor and Council for their hard work, he reported as Vice President of the Harbor House that they had done a radical improvement of their apartments which had been accomplished through the staff led by Josh Martin with approval of the Mayor and Town Council to radically change their permitting process which had increased efficiency and reduced costs, and needed to be applied to code reform. He commented Josh Martin was an incredible asset to the Town. He praised Police Chief Caristo and his staff for their work in south Palm Beach to help make it safer with new signs warning drivers to be aware of pedestrians.

VII. COMMENTS OF COUNCIL MEMBERS

Note: This item was moved to Agenda Item #VII under Modifications to the Agenda

Council Member Araskog commented it was important for everyone to know there were Federal laws to keep their census information safe, the money resulting from the census was very important, and the Town's process would be started today. Town Manager Blouin commented the community might get over being bombarded with information about the importance of the census.

VIII. APPROVAL OF CONSENT AGENDA

Mayor Coniglio requested item VIII.C.3, request to close Sunset Avenue, be pulled and placed under Matters Pulled from Consent, to allow Public Safety staff and Building Department staff to comment based on the fact this street had been under so much stress with increased seasonal traffic.

THE FOLLOWING ITEMS WERE PULLED FROM THE CONSENT AGENDA AND PLACED UNDER ITEM NO. XIV.C.:

* VIII.C.1. REQUEST TO PAUSE ON FURTHER DISCUSSIONS REGARDING PARKING MATTERS

* VIII.C.3 USE OF RIGHT-OF-WAY VARIANCE FOR SUNSET AVENUE LANE CLOSURE FOR T3 PROJECT

ACTION: APPROVED AS AMENDED ABOVE

Motion was made by Council Member Lindsay and was seconded by Council Member Crampton to approve the Consent Agenda, as amended. On roll call, the Motion passed 4-0, with Council President Moore absent.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to reconsider the Approval of the Consent Agenda. On roll call the Motion passed 4-0 with Council President Moore absent.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve the Consent Agenda with items VIII.C.1 and VIII.C.3 pulled and placed under item XIV.C. On roll call the Motion passed 4-0 with Council President Moore absent.

A. MINUTES

1. Town Council Meeting Minutes
Pat Gayle-Gordon, Acting Town Clerk
 - a. November 12, 2019, Town Council Meeting Minutes
 - b. November 13, 2019, Town Council Development Review Meeting Minutes
Deferred from the December 10, 2019, Town Council Meeting
 - c. December 10, 2019, Town Council Meeting Minutes
 - d. December 11, 2019, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of December 13, 2019.
Josh Martin, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 01-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Creating A Town Of Palm Beach 2020 Census “Complete Count Committee”.
Josh Martin, Director of Planning, Zoning and Building

C. OTHER

1. Request to Pause on Further Discussions Regarding Parking Matters – ***Item was Pulled from Consent***
Jay Boodheshwar, Deputy Town Manager
2. Request to Consider Ordinance No. 1-2020 at a Public Meeting Prior to 5:00 p.m.
Josh Martin, Director of Planning, Zoning and Building
3. Use of Right-of-Way Variance for Sunset Avenue Lane Closure for T3 Project – ***Item was Pulled from Consent***
H. Paul Brazil, P.E., Director of Public Works
4. Review of Request for Additional Testing of Landfill at Okeechobee Boulevard Per Request of Potential Developers of Property for Landlease

IX. BOARD/COMMISSION ANNUAL REPORT

A. Annual Report of the Recreation Advisory Commission

Nicholas Coniglio, Chair

Nicholas Coniglio, Chair of the Recreation Advisory Commission, reported accomplishments during the past year, which included preparation for the Morton and Barbara Mandel Recreation Center complex which opened under budget and on time in December, and was a hugely successful public/private partnership. Friends of Recreation were establishing an endowment for ongoing operations, and thus far had raised nearly \$300,000. He described the Seaview park improvements and announced the athletic field would open this week. The Recreation Department programming had been very successful. The Fitness Center memberships sold were ahead of schedule. An e-newsletter linked to the Town's website listed all classes and programs. The Commission was interested in improvements in 2020 of providing safe access to the Mandel Recreation Center.

Chair Coniglio requested the record show the Recreation Advisory Commission was requesting that the Public Safety and/or Public Works Committees investigate options for safe pathways to the Mandel Recreation Center from bike trails and across all Town arteries, perhaps including flashing signage and a crosswalk system where appropriate.

Chair Coniglio reported the most successful year in history for the Par 3 golf course, with upgrades to the course and amenities and also the launch of a social media marketing campaign. He reported a successful year for the tennis program despite weather and construction challenges. He thanked the Council for their support.

Council Member Lindsay congratulated the Recreation Advisory Commission on their fabulous job, and asked if the great numbers had resulted in a contribution. The Town Manager commented they were at break even, which was a win.

President Pro Tem Zeidman praised the Recreation Advisory Commission and their concern for the safety of children. Chair Coniglio commented on options for improvement for access. Director of Public Works Paul Brazil asked that this matter be sent to the Public Safety Committee and Public Works staff would attend that meeting.

Chair Coniglio praised Director of Business Development and Operations Carolyn Stone for her outstanding work.

Motion was made by Council Member Araskog and was seconded by Council Member Lindsay to accept the Recreation Advisory Commission's Annual Report. On roll call, the Motion passed 4-0, with Council President Moore absent.

X. REGULAR AGENDA

A. Old Business

(Clerk's Note: The Mayor left the dais at 10:45 a.m.)

1. Coastal Update:

a. Shore Line Condition Update

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

Rob Weber, Coastal Program Manager, displayed photographs which showed escarpments and erosion from the recent weather conditions. For the year 2019 they had reached a threshold of over 100,000 cubic yards of sand. He reviewed various photographs and described the sand losses in various areas, and areas that had recently built up. If any escarpments needed to be taken down they would do that before March 1. The area around The Breakers and north had performed very well. That morning he had heard from the Army Corps of Engineers that they would award the midtown project that day, so that work should start in the next few weeks. The south part of the midtown beach was currently very wide with a lot of sand, but farther south the beach was very eroded and would benefit from the sand that would be added. The dunes section had held very well but would soon need new sand. Phipps Ocean Park was eroding over time and would benefit from a FEMA recovery project. The million cubic yards of sand that was placed in 2015 was moving down the beach and benefitting the southern part of Reach 7 and into Reach 8.

Council Member Crampton reported he had met recently with Sloan's Curve residents regarding the borrow areas and asked if that affected the area. Mr. Weber reported experts had determined that was not the case. Council Member Crampton asked about the burrow areas and the scouring in Reach 6, to which Mr. Weber responded he was working closely with DOT and DEP to shore up that potential risk area.

Council Member Araskog asked if the Environmental Impact Statement for Reach 8 was expected this month, to which Mr. Weber responded yes. Council Member Araskog was glad they were going to work on the Gulfstream area because she had seen the water being thrown onto the road and cars. Mr. Weber commented it was great the Army Corps of Engineers was going to work on that area.

Council Member Crampton commented people walking in Reach 6 had asked about ponding. Mr. Weber indicated that had been documented decades ago and had been recommended for the groin replacement report. Council Member Crampton asked when Phipps Park sand would be added. Mr. Weber answered it was dependent on the Midtown project but it would provide relief through Reach 8.

Clerk's Note: A five-minute break was taken at this point. Upon reconvening, the Consent Agenda was discussed and motions were made as listed above

under Approval of Consent Agenda.

2. Town-wide Undergrounding Project

a. Review of Project and Status Summary

Steven Stern, Project Manager

Project Manager Stern reviewed communications related to the undergrounding project, reporting one community meeting was held in January and the next was scheduled for February 3rd. Promotional materials had been revised and widely distributed to encourage attendance. He reported community meetings had been added to the Town calendar through 2020.

Project Manager Stern reported the Underground Utilities Task Force met on January 7th and listed highlights of items discussed at the meeting.

Manager Stern summarized progress on active and completed construction zones which included Phases One and Two in the north and south, Phase Three in the north, and Phase Four in the north and south.

No significant changes had been made to financials since the last report.

Council Member Crampton noted easements had been a problem. He thought homeowners were required to accept a box on their property, but was told it was voluntary. He felt the process should be more strict. The Town Manager explained the process, and advised that once the easement was granted as part of a permitting process that had been approved, then the property owners' cooperation would more likely occur because they had given their word. Council Member Crampton commented he had asked about this for clarification.

Council Member Lindsay commented she was in the north end, which was the strongest advocate for undergrounding and it had seven chicanes. She said it was not a problem easily solved, and residents needed to work together—two homeowners could get together and split it on their property line, and hide it with landscaping as she had done on her own property. Solving the problem of people not wanting it on their property was costing a fortune, making the cost of the project soar. The Town Manager spoke about undesirable alternatives which were to skip that area or put it in an undesirable location.

Council Member Araskog commented she lived in the north end and both she and Council Member Lindsay had taken boxes, and she invited people to come look at how they were well hidden. She reported that with the undergrounding they did not lose power as before, and urged people to take easements because the delays could cost the Town millions. She asked about grant funding which Project Manager Stern advised he was looking at a Hurricane Dorian grant available in the future.

President Pro Tem Zeidman commented that the Town's amazing staff was on top of everything. She asked if the cost of delays when easements were not accepted had been calculated. Project Manager Stern described a minor change which cost \$70,000 added to the project.

President Pro Tem Zeidman commented that Tim Malloy with the Palm Beach Civic Association was willing to work with Mr. Stern and the Town Manager to add this matter to their weekly news.

Council Member Crampton advised this was a community project and would work best if everyone gave a little and not to be so self-centered. He commented the power would come on much sooner after a hurricane if it were underground.

B. New Business

1. Review of Town Sponsored Business Association Special Events Administrative Procedure

Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Jay Boodheshwar recalled there had been questions about Town "sponsorship" of the car show held on Worth Avenue. He commented several years ago the business community approached the Town to see if there was a way to modify the code to create flexibility for them to hold events good for business in their associated commercial districts. The Town Council had felt it would be better to create a policy in accordance with Section 134 of the zoning code allowing the Council to approve Town sponsored events, no more than two per year, which was done and had been in effect since 2015.

Council Member Lindsay pointed out the wording referred to the Recreation Department in the form for proposed business association proposal event, which needed to be changed.

Council Member Araskog asked for a change about the noise ordinance wording.

Council President Pro Tem Zeidman questioned the events being "Town Sponsored" and if that was how it should be worded.

Deputy Town Manager Boodheshwar did not think it should be Town sponsored, but Town approved. Discussion ensued.

Council Member Araskog did not think the Town should be a sponsor but that was the wording in the code. Town Attorney Randolph advised wording would be changed to make everything consistent.

Staff was directed to change the verbiage in the Ordinance and Administrative Procedure from “Town Sponsored Event” to “Town Approved Event”.

2. Request from the Palm Beach County Bar Association Young Lawyers Section (PBCBA YLS) for 5K Run/Walk Event
Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Jay Boodheshwar presented the request for 5K Run/Walk on April 4, 2020 only utilizing the trail in Bradley Park.

Council Member Araskog commented the Young Lawyers had held a walk in the past with no problems, and commented the Council wanted to hold events every other month. She praised the Young Lawyers for their charity work. She asked if parking issues were covered. Robert Bertisch, Director of Legal Aid in Palm Beach County, commented the participants either car pooled or parked in public spaces so there had never been a problem. Rachel Bentley with the Young Lawyers, Section verified there had not been parking problems.

Council Member Lindsay asked for clarification on the route. Staff clarified they would not run through neighborhoods, and the map and verbiage would be corrected. She commented there were already two runs each year that were disruptive and she could not support this.

Council Member Crampton did not like outsiders coming in and using the Palm Beach brand and asked what else tied their organization to Palm Beach. Mr. Bertisch responded that a number of their board members were Palm Beach residents and 15% of the runners were Palm Beach residents or worked in Palm Beach, and one of their former runners had been a member of the Town Council.

Council President Pro Tem Zeidman was not in favor because it was disruptive. The Town Manager offered a compromise to allow this event one more time and give the organization notice it might not be allowed in the future.

Council Member Araskog commented that the quiet enjoyment of residents' property was very important, but this was their fifth year and the proceeds goes towards legal aid.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve the request for this year only. On roll call, the Motion passed 3-1, with Council Member Lindsay dissenting and President Moore absent.

Mr. Bertisch expressed his appreciation and advised all proceeds would go to their veterans' advocacy project to give veterans free legal aid.

3. Discussion of the Town's Role in the 2020 Town-wide Event to

Celebrate the 100th Anniversary of the Ratification of Women's
Right to Vote in America

Bobbie Lindsay, Town Council Member

Council Member Lindsay discussed the Florida history of giving women the right to vote. She felt this would be an enjoyable and unifying event and stressed the celebration would be privately funded. She stated this was an important event that had changed the world. Royal Poinciana Plaza had donated the space free of charge, and this event fell under their special permit for outdoor events. She suggested several ideas to make this a fun event.

Council Member Araskog said she felt this was a great event that did not use taxpayer money. She preferred the date to be April 16th and thanked the Palm Beach Civic Association and the Citizens Association for their participation.

Council Member Crampton suggested another possible partner, The League of Women Voters, and reported his wife belonged to that organization.

Council President Pro Tem Zeidman expressed her support.

Public Comment:

Wendy Rutledge, Palm Beach Civic Association, commented that they supported this event and their Chairman had ordered thirty (30) copies of the book "Votes for Women".

Skip Aldridge representing the Civic Association and the Citizens Association, commented the Citizens Association Board of Directors voted unanimously to be a co-sponsor, this was a great idea, and they were here to help.

Alex Patterson, Royal Poinciana Plaza, commented they were excited to be a partner.

Mr. Warren Belmar commented on the history that the National Women's Party was instrumental in the adoption of the right to vote and their headquarters was in Washington D.C. where memorabilia from the era could be viewed.

It was the consensus to hold the event on April 16, 2020.

4. Discussion Regarding Saturday Quiet Work, As Permitted by

Ordinance No. 03-2018
Julie Araskog, Town Council Member

Council Member Araskog commented on the increase in permits issued from 2017 to 2018 and that the amount of construction since 2013 had substantially increased, disrupting the peace and quiet. She gave numbers of homes demolished in the space of recent years. She felt residents needed to have quiet enjoyment on weekends. She wanted to take a second look at the ordinance because of so many complaints. She asked whether this should be sent to Ordinances, Rules and Standards (ORS) Committee.

Council Member Crampton commented allowing quiet work on Saturday speeded up the projects, and not allowing it would just make the construction last longer. He had not received many complaints. He wanted to stay neutral since he is a member of ORS Committee.

Council Member Lindsay agreed with Council Member Araskog and felt it should go to ORS because Town holidays had not been included. She noted it was hard to find a balance between minor work and major construction.

It was the consensus to send this to ORS for consideration.

5. Consideration for ORS Committee to Study Regulations Pertaining to the Use of Synthetic Turf
Bobbie Lindsay, Town Council Member

Council Member Lindsay presented the item. She discussed many of the problems with the plastic material, including that it was not biodegradable. Education on synthetic turf was needed so residents would be informed.

Council Member Crampton commented there were certain areas where the turf was appropriate and presented the other side, and felt a blanket refusal would be going too far.

Council Member Lindsay commented there may be exceptions but not to cover an entire front yard, and that needed to be studied.

Town Attorney Randolph commented people could not cover their yards with the synthetic turf as this was in violation of Town code.

Council Member Araskog agreed with Council Member Lindsay and felt education was important, and by taking it to ORS education could be accomplished.

Council Member Crampton stated he would like to hear from the landscape community about their experience and would like to have the code that the Town

Attorney referred to.

It was the consensus to send this issue to ORS for further study.

Public Comment:

Mr. Kenneth Walker stated he was an architect, and felt a seminar for architects on synthetic turf would be helpful.

Andrew Roddy, 231 Kenlyn Road commented that he favored natural products.

C. Matters Pulled From Consent Agenda: If needed

1. Request to Pause on Further Discussions Regarding Parking Matters
– ***Item was Pulled from Consent***

Jay Boodheshwar, Deputy Town Manager

Council President Pro Tem Zeidman commented that the Town should have a comprehensive parking plan for the Town, and staff was more expert on this subject.

Council Member Crampton commented when one parking problem was solved another came up. He had voted against the action Council took regarding Sunrise Avenue, and the only way it could be discussed again was for the members who made the motion to reverse it.

Council Member Araskog asked if this was really the solution they had been trying to get. Town Attorney Randolph commented the motion could be rescinded. Council Member Araskog indicated she had received many calls about this issue and would like to place it on pause.

Council Member Lindsay commented on parking problems on this street and suggested creating a zone so that they could not move to another space after the one hour limit, which was the only way she could support this. The people living in the condos wanted free parking, something needed to be done, and you only achieved turnover if you had paid parking.

Council President Pro Tem Zeidman commented they listened to the residents and they had to make decisions that were best for the Town. Living in a mixed-use residential and commercial area, things like this came up, and she did not yet know the right thing to do about the parking issues. She wanted to place this on pause until staff had the time to review and recommend changes for the Town as a whole, not piecemeal.

Council Member Crampton wanted to put this on pause. He believed this parking was residential. He felt quality of life and ease of access needed to be balanced against turnover and turnover should be focused first on commercial areas.

Council Member Araskog commented the residents who called her had brought up things she hadn't thought of. She felt only doing the one block was not going to solve the problem. She felt some turnover was good. Paying for the day someone could stay all day, creating less turnover. She favored placing this on pause.

Council Member Lindsay did not want a pause, she wanted to solve the problem. These people had two spaces just like a residential home. She felt anyone there more than an hour should get a ticket, but that would not solve the problem of residents staying all night. She could only vote for this if the one hour limit was enforced.

The Town Manager commented he was not an expert and asked that this be paused and experts consulted. He reported that the kiosks had been purchased. He agreed that a comprehensive Town-wide parking plan should be developed.

Warren Belmar stated he endorsed everything that had been said, and other streets should be studied and treated the same as Sunrise Avenue.

The Town Attorney advised how to proceed with reversing the former decision.

Motion was made by President Pro Tem Zeidman and was seconded by Council Member Crampton to reverse the decision made at the December 10, 2019, Town Council Meeting regarding the implementation of paid parking on the 100 block of Sunrise Avenue and approved a pause on all pending parking matters for further study. On roll call, the Motion passed 3-1, with Council Member Lindsay dissenting and Council President Moore absent.

2. Use of Right-of-Way Variance for Sunset Avenue Lane Closure for T3 Project – ***Item was Pulled from Consent***
H. Paul Brazil, P.E., Director of Public Works

Director of Public Works Brazil presented the item for consideration. He explained the project could not get the certificate of occupancy without installation of a working chimney, which required installation by a crane with supporting outriggers that would extend into a travel lane, and this had not been included in the original approval. The request was for a waiver for a 3-day closure subject to staff working with the contractor. Staff recommends approval of the request.

Council Member Araskog asked the best time for this to be done and recommended starting earlier to avoid noise. Director Brazil indicated early Saturday and early Sunday were the least traffic times and there was not enough time to do it in two days. Council Member Araskog indicated she was okay with the time chosen.

Motion was made by Council Member Crampton and was seconded by Council Member Araskog to approve the Waiver for a three-day closure subject to staff working with the Contractor. On roll call, the Motion passed 4-0, with Council President Moore absent.

XI. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 40-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 134, Article X. – On-Street Parking Permits, at Section 134-2296(c) and Section 134-2327(2); Relating to Issuance of Decals and Visitor/Service Permits; Allowing for the Issuance of Eight Decals and Visitor/Service Permits Instead of the Four Currently Allowed; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

Town Attorney Randolph read Ordinance No. 40-2019 on second and final reading by title only.

Motion was made by Council Member Lindsay and was seconded by Council Member Crampton to adopt Ordinance No. 40-2019 on second and final reading. On roll call, the Motion passed 4-0, with Council President Moore absent.

B. First Reading

1. ORDINANCE NO. 04-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 10 Of The Town Code Of Ordinances, Animals, Article II, Dogs And Cats, At Section 10-43, Running At Large Prohibited; Further Amending Chapter 74 Of The Town Code Of Ordinances, Parks And Recreation, Article II, Beach And Aquatic Activities, Division 3, Regulation Of Use Of Public Beaches; At Sec. 74-191, Animals Prohibited, So As To Add AnException To Permit Leashed Dogs On Public Beaches Between Sunset Avenue And Wells Road; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Jay Boodheshwar, Deputy Town Manager

Town Attorney Randolph read Ordinance No. 04-2020 on first reading by title only.

Motion was made by Council Member Lindsay and was seconded by Council Member Crampton to approve Ordinance No. 04-2020 on first reading. On roll call, the

Motion passed 4-0, with Council President Moore absent.

XII. COMMENTS OF TOWN COUNCIL MEMBERS

This item was moved to Item VII.

XIII. ANY OTHER MATTERS

1. Bufo Toads and the Effect on Dogs

Council Member Araskog read aloud a letter from a resident whose dog passed away from contact with a bufo toad. She asked for education to warn people since the toads were not only toxic to dogs but also can cause issues to children. She asked that it be placed on a council meeting agenda.

Council Member Crampton questioned whether staff thought this was enough of a threat for research to be done.

Town Manager Kirk Blouin commented that the Town did not have animal control and did not have the resources to handle all the animals that caused problems. The communities that had animal control did not respond to calls on bufo toads but advised people to call a trapper. He agreed staff could post information on the website.

Council Member Lindsay commented after a person lost a dog to a bufo toad, they took precautions, and people needed to be educated on what could be done.

Council Member Araskog commented education was key.

It was the consensus of Council to direct staff to place educational information regarding bufo toads on the Town's website.

Council President Pro Tem Zeidman commented regarding a person of Iranian descent who had come into Palm Beach which caused fear, and the Police Department response had been outstanding. She informed that a Public Safety Committee meeting would be held sometime in February and protocol would be discussed on how to handle unusual incidents.

XIV. ADJOURNMENT

There being no further business, the Town Council Meeting of January 14, 2020, adjourned at 1:22 p.m.

Margaret A. Zeidman, Council President Pro Tem

Patricia Gayle-Gordon, Acting Town Clerk

Date