



TOWN OF PALM BEACH

Town Manager's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, OCTOBER 12, 2021

I. CALL TO ORDER AND ROLL CALL

The Town Council Meeting of Tuesday, October 12, 2021, was called to order at 9:30 a.m. in the Town Council Chambers. On roll call all council members were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Town Clerk Nieves gave the Invocation and Chair Zeidman led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA

There were no modifications to the agenda:

IV. APPROVAL OF AGENDA

Motion was made by Council Member Cooney and seconded by Council President Zeidman to approve the agenda. On roll call, the Motion passed unanimously.

VI. PRESENTATIONS

Mayor Moore welcomed and introduced District 1 County Commissioner Maria Marino, who represents the northern portion of Palm Beach. Commissioner Marino spoke regarding the County's budget, specifically regarding the use of ARPA funds and other projects that will be coordinated with the Town, as well as potential purchase of lands for water storage.

Council Member Crampton spoke regarding the good working relationship between the Town and the County Commission.

Council President Pro Tem Lindsay requested that the final report by the Woods Hole Group pertaining to the barrier island's resiliency be shared with the County Commission.

Council Member Araskog welcomed Commissioner Marino and thanked her for her attendance at the meeting.

Mayor Moore announced the following employee milestones: Eugene Bitteker, Finance Department, 5 years; Chase Agnolotti, Fire Department, 5 years; Jacob Brandeis, Fire Department, 5 years; Catherine Dombroski, Fire Department, 5 years; Adam Krauser, Fire Department, 5 years; Robert Miraglia, Fire Department, 5 years; Kristen Ruest, Fire Department, 5 years; Lamont Lee, Police Department, 20 years; Peter Santelli, Police Department, 5 years; Roger Bollier, Public Works, 5 years. She announced the upcoming retirement of Public Works employee, Booker Smith, after 21 years of service.

The following item was heard out of order of the agenda:

V. RECOGNITIONS

- A. Recognition of Michael Ainslie for his Service on the Planning and Zoning Commission from October 2015 to September 2021. [Danielle H. Moore, Mayor]

Mayor Moore thanked Mr. Ainslie on his years of service on the Planning and Zoning Commission and Mr. Ainslie expressed his gratitude for having the ability to serve on the Commission. Council President Zeidman thanked Mr. Ainslie for his service and his advice to Council on many issues.

VI. PRESENTATIONS

- A. Presentation by the Palm Beach County Supervisor of Elections Regarding the Upcoming Elections and Senate Bill 90 TIME CERTAIN: 9:45 AM [Wendy Sartory Link, Palm Beach County Supervisor of Elections]

Ms. Link provided an update on changes to Senate Bill 90 and the impact to upcoming elections. She stated that COVID-19 protection measures are still in place for the upcoming November election. She spoke regarding changes to voter registration and verification requirements. She explained changes to vote-by-mail request requirements, drop off locations, ballot harvesting, third party voter registration organizations and the 150-foot solicitation zones outside of polling and drop-off locations. At the request of Mayor Moore, Ms. Link explained the process for updating voter registration rolls after a voter is deceased.

VII. COMMENTS OF MAYOR DANIELLE H. MOORE

Mayor Moore spoke regarding a letter that she sent at the direction of the Town Council to the County Commission and apologized for not bringing the letter back to Town Council prior to sending it. She stated that a copy of the letter was included in the back up for the meeting.

She spoke regarding her attendance at a beach management seminar in Delray Beach and congratulated Mayor Coniglio on an award she received on her work on beach management and commended Rob Weber on his presentation at the seminar.

Mayor Moore also spoke regarding a meeting in Palm Beach Shores regarding a proposed dredging project adjacent to Peanut Island. She provided information on the proposed project and concerns that were raised on the project.

VIII. COMMENTS OF TOWN COUNCIL MEMBERS

Council President Pro Tem Lindsay expressed appreciation to Mayor Moore for her work on the proposed Peanut Island dredging project. She spoke regarding a video that was shared on the Town's Par 3 Golf Course and recognized the staff of Par 3 and the importance of the course to the community.

Council Member Araskog thanked Michael Ainslie for his service on the Planning and Zoning Commission.

Council President Zeidman stated that the Town Charter was provided to Council Members at her request in order to discuss a possible upcoming agenda item. She spoke regarding her experience utilizing the Police Department's virtual simulator machine that was donated by the Police Foundation. She recommended that Council members try the virtual machine to better understand the difficult decisions police officers must make in a split second.

The following item was heard out of order of the agenda:

XII. REGULAR AGENDA

3. Update on Water Quality TIME CERTAIN: 10:00 AM
Jason Debrincat, Senior Project Engineer

Paul Brazil, Public Works Director, introduced Jason Debrincat, Senior Project Engineer, who provided an update on the fifth meeting of the expert panel. He provided a presentation on the source water, the West Palm Beach water treatment process, recommendations for options for processes by the expert panel and the City of West Palm Beach's actions on the recommendations. He spoke regarding the items that the expert panel will be discussing at today's sixth meeting.

Council Member Crampton expressed appreciation that the Town's main water source is from Grassy Waters, which is supplied by rainwater as opposed to the aquifer. Mr. Debrincat answered a question from Council Member Crampton regarding the utility's water testing process. Council Member Crampton also posed a question regarding the possibility of diverting water from the M Canal through C 51 in times of drought.

Council Member Cooney spoke regarding the importance of ensuring that the drinking water from the City is being filtered. Mr. Debrincat spoke regarding the City of West Palm Beach's website that includes FAQ's regarding this concern.

Mr. Debrincat provided information on the powder activated carbon system and ozone in response to questions from Council President Pro Tem Lindsay. Town Manager Blouin and Public Works Director Brazil provided clarification on the options for treatment methods and John Potts provided further details on the current and future options.

In response to President Zeidman, Mr. Potts stated that he is confident with the direction that the expert panel is taking. President Zeidman spoke in support of the same day water

testing that is now taking place. Discussion ensued regarding information that had been circulated regarding previous violations with water quality.

Council Member Crampton raised concern over the system being shut down if there are toxins found in the system. Mr. Brazil spoke regarding the water treatment plant having processes in place at this time that will address any toxins at the beginning of the treatment stream. Council Member Crampton spoke regarding the Town providing input on the final recommendations.

In response to a question from Council Member Araskog regarding the water testing, Mr. Potts stated that he has not heard that the City of West Palm Beach will be ceasing regular water testing anytime soon.

Council President Pro Tem Lindsay stated that the water testing, powder activated carbon and the ability to use other water sources are the three most important items that are being utilized right now to ensure that the drinking water is safe. Council President Zeidman stated that there are short-term items that have been put into place and long-term options that will be addressed by this panel.

IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

No one indicated a desire to speak.

X. APPROVAL OF CONSENT AGENDA

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

A. MINUTES

1. Town Council Meeting Minutes
Queenester Nieves, CMC, Town Clerk

September 13, 2021 Town Council Development Review Meeting
September 13, 2021 Special Town Council Meeting - FY22 First Public Hearing
September 14, 2021 Town Council Meeting
September 23, 2021 Special Town Council Meeting - FY22 Final Public Hearing
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of September 29, 2021.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 122-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Enter into an Agreement with the Supervisor of Elections for the March 2022 Municipal Election(s) Vote Processing Equipment Use and Election Services.
Queenester Nieves, Town Clerk

2. RESOLUTION NO. 123-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Bid No. 2021-21, Tennis Court Maintenance to Professional Tennis Court Services in the Annual Amount of \$45,600 and Establishing an Annual Contingency of \$6,800 and Establishing a Five-Year Award Based on Satisfactory Performance, Mutual Agreement and Budget Authorization in the Amount of \$262,000.
Dean Mealy, Purchasing Manager
3. RESOLUTION NO. 124-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Extension of Bid No. 2017-22, Street Sweeping and Bike Trail Sweeping to All American Sweeping, Inc. in the Amount of \$104,234 and Establishing a Project Budget of \$105,226 for FY22.
Dean Mealy, Purchasing Manager
4. RESOLUTION NO. 125-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Extension of RFP No. 2017-187, Historic Preservation Consulting Services to Murphy Stillings for FY22 in the Amount of \$102,000.
Dean Mealy, Purchasing Manager
5. RESOLUTION NO. 126-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2021-24, Security Guard Services for the Town Marina to Sunstates Security, LLC. in the Annual Amount of \$151,733, plus an Annual Contingency of \$15,000 and Establishing a Five-Year Award Based on Satisfactory Performance, Mutual Agreement, and Budget Approval Authorization in the Amount of \$838,665.
Dean Mealy, Purchasing Manager
6. RESOLUTION NO. 127-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Bid No. 2021-33, Compacted Garbage Collection and Disposal to Waste Pro of Florida, Inc. in the Annual Amount of \$425,473.16 and Establishing a Five-Year Contract Award of \$2,127,365, Contingent upon Satisfactory Vendor Performance, Mutual Agreement and Budget Authorization.
Dean Mealy, Purchasing Manager
7. RESOLUTION NO. 128-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Award Authority to Resolution No. 92-2019 for Temporary Semi-Skilled Staffing to Spur Employment Inc. for Town-wide Support Services for FY22 in the Amount of \$991,780 and Establishing a Contingency of \$250,000 for a Total Award of \$1,241,780.
Dean Mealy, Purchasing Manager

C. OTHER

1. Status Report of Delinquent Accounts and Request for Authorization to Write-off Uncollectible Accounts
Jane Le Clainche, Director of Finance
2. Request from the Palm Beach Navy SEAL Evening of Tribute
Jay Boodheshwar, Deputy Town Manager

Town Council recessed at 10:55 a.m. and reconvened at 11:10 a.m.

XI. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on Thursday, September 2, 2021
Julie Araskog, Chair

Ordinances, Rules and Standards Committee Chair Araskog spoke regarding the synthetic turf ordinance that will be heard before Town Council at today's meeting, specifically regarding the ordinance not including "grandfathering" and that individuals were still required to abide by the requirements that are in place. She expressed concern that the proposed ordinance does not explicitly state that those who are not in compliance currently must do what's required to be in compliance. She provided an update regarding a robust discussion on the landscaping ordinance and requirements. She also spoke regarding a discussion regarding vegetation height limitations and introduced Wayne Bergman, Director of Planning, Zoning & Building, who provided a presentation on a proposed landscape ordinance and raised questions for discussion, specifically regarding creating height limitations on landscaping while also allowing for privacy. Discussion ensued regarding the issue with the proliferation of iguanas in various areas of the Town and on golf courses. In response to comments made by Council Members, Town Manager Blouin stated that a plan of action to address the proliferation of iguanas will be put into place. Council Member Araskog continued her update on the landscape ordinance, specifically in regards to lawn maintenance equipment noise regulations.

Motion was made by Council President Pro Tem Lindsay and seconded by Council Member Crampton to accept the Report of the Ordinances, Rules and Standards Committee Meeting Held on September 2, 2021. On roll call, the Motion passed unanimously.

- B. Report of the Business and Administrative Committee Meeting Held on Thursday, September 9, 2021
Lew Crampton, Chair

Business and Administrative Committee Chair Crampton reported on the Committee's discussion regarding the town-wide parking program, including the lack of response to the RFP for valet parking and enforcement.

Motion was made by Council Member Cooney and seconded by Council Member Araskog to accept the Report of the Business and Administrative Committee Meeting Held on September 9, 2021. On roll call, the Motion passed unanimously.

1. 6-month Status Report on Previously Approved Expansion of Placard Parking Program

Jay Boodheshwar, Deputy Town Manager

Jay Boodheshwar, Deputy Town Manager provided background information and data on the Placard Parking Program and stated that the majority of placard holders are residents or resident-businesses. Council Member Araskog expressed support for extending the program another six months at this time. Discussion ensued regarding there not being hours for the placards and issues with employees of businesses parking on Worth Avenue, which takes away spaces from customers.

Motion was made by Council Member Araskog and seconded by Council Member Crampton to extend the placard parking program for six (6) months and to return to the Town Council in April, 2022. On roll call, the Motion passed unanimously.

2. Proposed Modifications to Hours of Parking Enforcement and Maximum Hours of Paid Parking Permitted for Purchase

Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Boodheshwar provided background information on the issues of inconsistency with on-street parking enforcement and presented a spreadsheet which outlined discrepancies in parking throughout the Town. He spoke regarding limiting the amount of hours for paid parking at the kiosks and making the times consistent to allow for proper turnover. Council President Pro Tem Lindsay and Council Member Crampton spoke regarding the BAC studying the data and working towards consistency. Council Member Araskog expressed concern that four hours on the main shopping streets may not be long enough and spoke in support of looking into the zoning and requiring cars to be moved into another zone after the time has expired.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to adopt the regulations, enforcement and paid hours as presented. On roll call, the Motion passed unanimously.

XII. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

There were no items pulled from Consent Agenda.

B. Old Business

1. Town-wide Undergrounding Project:
H. Paul Brazil, P.E., Director of Public Works

- a. Review of Project and Dashboard, Summary of Project Status

- b. RESOLUTION NO. 130-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Department of Public Works Engineering Division Standard Applicable to Public Rights-of-Way and Easements, Amending Chapter 2, Section 2.21, Restoration of Right-of-Way.

Patricia Strayer, Town Engineer, provided an update on the undergrounding project, including stating that Phase 3 North is completely done. She spoke regarding the chicanes in Phase 5 North and stated that the Town has saved approximately \$200,000 due to successful easement agreements. She provided background on Resolution No. 130-2021.

Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to approve Resolution No. 130-2021. On roll call, the Motion passed unanimously.

2. Covid-19 Update
Kirk W. Blouin, Town Manager

- a. COVID-19 Monthly Report
Darrel Donatto, Fire Rescue Chief

Fire Rescue Chief, Darrel Donatto provided the COVID-19 monthly report and spoke regarding the reduction in cases and the increase in vaccinations county-wide. He provided statistics of vaccination rates worldwide and spoke regarding treatments that are becoming available, including Regeneron. In response to questions from Council President Zeidman, and Council Member Cooney, Chief Donatto spoke regarding the Town providing Regeneron treatments and explained the timing of when the treatment is effective and provided insight on individuals seeking the treatment. He also responded to a question by Council President Pro Tem Lindsay regarding the reliability of home tests and explained the differences between the tests that are available. He spoke regarding the CDC's guidelines on close contact.

b. Discussion Regarding Board, Commission and Committee Meeting Format and Participation for Upcoming Meetings

Margaret A. Zeidman, Council President

Council President Zeidman spoke in support of resuming all board, commission and committee meetings in person in October, except for the Planning & Zoning Commission, because they were informed that their meeting would be held via Zoom in October. She spoke regarding sunseting the State of Emergency. Mayor Moore spoke in support of resuming in person meeting for everyone. Council Member Araskog asked if the Planning & Zoning Commission members could be asked if they could meet in person. Discussion ensued regarding allowing hybrid meetings, at least for a transitional period.

Public Comment:

Rene Silvin, 422 Australian Avenue, requested that board members continue to have the ability to access the meeting remotely if they are not comfortable with traveling.

Town Attorney Randolph provided information from the Attorney General regarding holding in-person meetings and emphasized that members should be at meetings physically unless there is a good reason for missing. Discussion ensued regarding the importance of all groups to be meeting in person.

c. RESOLUTION NO. 131-2021 A Resolution of The Town Council of the Town of Palm Beach, Palm Beach County, Florida, Concurring with the Request of the Town's Chief of Police, to Extend the Chief's Declaration of the Existence of a State of Emergency within the Corporate Limits of the Town to November 9, 2021, Unless Earlier Terminated by the Chief of Police, at Which Time the Town Council Will Address the Need for any Extension of the Declaration of Emergency; Providing for an Effective Date.

The City Council provided consensus to allow the emergency order to expire.

d. Discussion on Outdoor Seating

Margaret A. Zeidman, Council President

Wayne Bergman, Director of Planning, Zoning & Building, and Council President Zeidman provided background information on the item. Mr. Bergman explained the Café Permit Process.

Council Member Lindsay expressed support over providing restaurants a grace period until at least Memorial Day 2022.

Council Member Crampton expressed support over the Café permit and agreed that there should be a grace period. In response to a question by Council Member Crampton, Mr. Bergman stated that the permit would not add capacity to the outdoor seating.

Council Member Cooney spoke in support of the Café permit and in support of incorporating language in the letter to the businesses ensuring they know that the COVID seating was temporary. He spoke in support of keeping the process user friendly. Mr. Bergman provide information on the timing of the process for the Café permit.

Council Member Araskog expressed concern over the process beginning in the summer months. She spoke regarding revoking permits for restaurants that have had excessive complaints. Town Manager Blouin provided information on the approach for restaurants that have had excessive complaints against them.

Council President Zeidman spoke in support of a transitional period, and spoke in support of addressing the issue of the restaurant with significant complaints separately from this process.

Mayor Moore spoke regarding requiring restaurants to remove furniture each night from the outdoor areas. Discussion ensued regarding including language to enforce this requirement.

Motion was made by Council Member Cooney and seconded by Council Member Araskog to extend the temporary COVID-19 outdoor seating and retail program through Memorial Day 2022 subject to the requirement that the furniture is removed from public rights-of-way at the conclusion of business each day; and two (2) violations of capacity will result in revocation of the permit. On roll call, the Motion passed unanimously.

The Town Council recessed at 1:40 p.m. and reconvened at 1:48 p.m.

C. New Business

The following item was heard out of order of the agenda:

2. Discussion on Gate at Root Trail Public Access Point
Bobbie Lindsay, Council President Pro Tem

Council President Pro Tem Lindsay spoke regarding a previous discussion on the aesthetics of the gate and a consensus by Town Council to send the design to ARCOM for approval prior to being approved by Town Council. Paul Brazil, Public Works Director, explained the process and timeline for the proposed project. Council President Pro Tem Lindsay and Mr. Brazil spoke regarding putting up a temporary gate in the interim until the process can be completed, which is estimated to be 10 months at a minimum.

Public Comment:

Aaron Williams, Law Firm of Greenspoon Marder LLP, spoke regarding an issue that the property owners on Root Trail have with Ordinance No. 21-2021, specifically that their right to access the Root Trail has now been limited although they have an easement right. He requested that the Town Council reconsider the ordinance to provide these property owners the access to which they have a right.

At the request of Council President Zeidman, Town Attorney Randolph spoke regarding the issue of the Root Trail property owners' access and agreed that the Town Council should consider providing those property owners with a key or combination to the lock in order to allow them full access due to their platted rights. He raised a concern from Public Works Director, Paul Brazil, that there may be issues with grant compliance if there are special considerations made for the residents of Root Trail.

Timothy Hanlon, 340 Royal Poinciana Way, Suite 321, who is co-counsel with Mr. Williams, emphasized that the Root Trail property owners are different from other residents of the Town due to their specific property rights due to plat or prescriptive easement.

Council Member Crampton spoke in support of providing the Root Trail property owners with access due to their property rights.

Public Works Director, Paul Brazil, expressed concern that State grants require that the access must be equitable and the same for everyone. He stated that he could check with the State regarding this specific issue.

Council Member Araskog stated that she believes that if this access is on their deed then they would be treated differently. Mr. Hanlon stated that each deed references the plat, which shows this access. Town Attorney Randolph emphasized that when Mr. Brazil addresses this issue with the State that he has all the documentation to show the State that these individuals have different rights than everyone else. Council Member Araskog recommended that Town Attorney Randolph review the request from Mr. Brazil prior to sending it to the State. Mr. Williams provided the exact location of the plat that set forth these easement rights in the official records.

At the request of Town Manager Blouin, Town Attorney Randolph clarified that the Town was deeded the property over which the access would be granted, but the plat indicated that the property owners have a right of access. He stated that the Town may own the access, but the Root Trail property owners would have a right to continued access through the Town's property. He stated that this might need to be discussed with the State.

There was no action taken.

1. Town of Palm Beach Long-Range Strategic Plan
Jay Boodheshwar, Deputy Town Manager

Mayor Moore spoke regarding the original Strategic Plan that had been done in the early 2000's and expressed appreciation that the Town Council is not undergoing this process again and requested that she be considered to spearhead the project.

Council President Zeidman commended the work done on the previous version of the Town's Strategic Plan. She asked Mayor Moore her thinking on the process and her thoughts on how the Town Council should proceed on some of the items that are in the original plan and that are currently priorities for Council, such as addressing the development code in regards to massing.

Mayor Moore explained that she feels the items that are priorities, such as massing and other development code revisions, should be addressed as soon as possible, separately. She stated that she believes the Strategic Planning process will take at least a year in order to ensure proper public input. She spoke regarding the make up of the strategic planning committee.

Council President Pro Tem Lindsay spoke regarding the priorities in the Plan that are still long-term priorities for Town residents. She expressed concern that some of these big development issues remain with Town Council. She spoke in support of Mayor Moore leading the committee due to her history in the Town and spoke regarding the potential makeup of the committee.

Mayor Moore requested that Council Members send items that were contained in the original plan that they believe should be focused on by Council before the Strategic Plan is completed to staff and she will compile the results and bring it back to Town Council next month. She also stated that she will put together the list of those who she would like to invite to be on the committee and is open to individuals recommended by Council Members as well.

Council Member Crampton spoke regarding the Town facing major changes, such as demographics, outside pressures and cultural changes. He spoke regarding the importance of the process of planning being collaborative. He recommended using the annual Council goals to start the process.

Council Member Araskog expressed concern over the amount of staff time that this process will take. She spoke in support to each Council Member being able to have appointees to the Committee and in support of Council Members being included in discussing the priorities. She stated that she would like the Town Council to discuss the entire Plan and provide direction and input prior to the process commencing.

Council Member Cooney spoke in support of the Mayor leading this process at this time due to the changes the Town is facing.

Council President Zeidman spoke regarding allowing the Mayor to start the committee process at this time and spoke in support of her being the point person to compile the committee.

Mayor Moore stated that she would welcome recommendations from Council Members for committee members, as well as items that each Council Member believes should be removed and addressed separately and more expeditiously.

Discussion ensued regarding scheduling a workshop to provide education to residents on development items, specifically those that are contained in the Comp Plan.

The Town Council provided consensus to schedule a workshop on the Comp Plan on December 7, 2021 at 9:30 a.m.

XIII. ORDINANCES

A. Second Reading

1. Elimination of Designated Town Caucus Time

ORDINANCE NO. 25-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Ordinance 18-2021 at Section 2 Relating To Section 34-56, Notice to the Qualified Voters of the Town of Palm Beach, to Delete the Reference to the Time of the Caucus; Adding a New Section 3 Providing for an Amendment to Section 34-81 Titled Petition Confirming Nomination Required; Form; Amending the Form of the Petition to Substitute the Month of December for the Month of January to Conform to the New Caucus Date; Providing

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

Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Boodheshwar provided background information on the ordinance. Town Attorney Randolph read the title of the ordinance.

The Town Council provided consensus to begin the Town Caucus at 5:00 p.m.

Motion was made by Council Member Araskog and seconded by Council President Zeidman to adopt Ordinance No. 25-2021 on Second Reading. On roll call, the Motion passed unanimously.

B. First Reading

1. Proposed Ordinance to Amend Chapter 66 of the Town Code, Regarding Artificial Turf

ORDINANCE NO. 23-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 66 Natural Resource Protection, Article I, in General, Section 66-2, Definitions, and Article IV, Vegetation, Division 5, Regulations, by Adding Sections 66-313, Artificial Turf Locations and 66-314, Artificial Turf Standards; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

Wayne Bergman, Director of Planning, Zoning & Building

In response to questions from Council Member Araskog, Town Attorney Randolph and Deputy Town Manager Boodheshwar provided clarification to the proposed ordinance, specifically regarding “grandfathering” and the process for handling individuals who will not be in compliance upon adoption of the ordinance.

Public Comments:

Earl Olitzky, Association Manager, 2100 Condominiums, asked if the ordinance would include artificial turf on top of the cabana roofs.

Director of Planning, Zoning and Building, Wayne Bergman, spoke regarding the process for obtaining a permit for artificial turf.

Council Member Crampton spoke regarding artificial turf having positive components and stated that it is appropriate in certain areas. He spoke

regarding the ordinance providing regulations and emphasized that there is a place for artificial turf in the Town.

Town Attorney Randolph read the title of the ordinance.

Motion was made by Council Member Crampton and seconded by Council President Zeidman to approve Ordinance No. 23-2021 on First Reading. On roll call, the Motion passed unanimously.

2. Proposed Ordinance to Amend Chapter 66 of the Town Code, Regarding Native and Invasive Vegetation
ORDINANCE NO. 24-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 66 Natural Resource Protection, at Article I, in General, Section 66-2, Definitions; at Article IV, Vegetation, Division 1, Generally, Section 66-212, Purpose and Intent; at Article IV, Division 3, Plans, Section 66-285; and at Article IV, Vegetation, Division 5, Regulations, Section 66-311; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.
Wayne Bergman, Director of Planning, Zoning & Building

Town Attorney Randolph read the title of the ordinance. Director of Planning, Zoning and Building, Wayne Bergman, provided background information on the proposed ordinance.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve Ordinance No. 24-2021 on First Reading. On roll call, the Motion passed unanimously.

3. Proposed Ordinance to Amend Section 42-199 of the Town Code, Regarding Construction Hours

ORDINANCE NO. 26-2021 An Ordinance of The Town Council of the Town of Palm Beach, Palm Beach County, Florida Amending Chapter 42 of the Town Code of Ordinances at Article V. Noise, Section 42-199, Hours for Construction Work at Subsection (B) Limited, to Provide Additional Limitations on Dates and Hours of Construction; Providing for Quiet Work and Limitations to Indoor Activity; and at Subsection (C) Exceptions to Delete Subsection (4) as an Exception; 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 the title of the ordinance.

Council Member Cooney expressed support for the ordinance and spoke regarding adding additional days in order to allow for individuals to complete their projects due to loss of Saturdays. Mr. Bergman commented that staff will look at permit durations and bring back a potential change to add days to those who lose Saturdays.

Council Member Crampton expressed concern over including multi-family buildings to this ordinance and spoke in support of removing multi-family buildings, at least in certain sections of the Town. In response to a question from Mr. Crampton, Deputy Town Manager Boodheshwar provided clarification on the impacts on lawn maintenance.

Council President Pro Tem Lindsay spoke regarding multi-family buildings that are adjacent to single-family homes and stated that she would not support excluding them in mid-town, but would support excluding them south of Sloan's Curve.

Discussion ensued regarding removing multi-family, multi-level buildings in certain areas in the Town, in the ordinance.

Motion was made by Council Member Araskog to approve Ordinance No. 26-2021. Motion failed for lack of a second.

Council Member Araskog directed staff to add into the title "excluding south of Sloan's Curve" and return with the revised version for the November 9, 2021, Town Council Meeting.

4. Proposed Ordinance to Amend the FY21 Budget

ORDINANCE NO. 27-2021 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, 2020, and Providing an Effective Date.

Jane Le Clainche, Director of Finance

Town Attorney Randolph read the title of the ordinance.

Director of Finance, Jane Le Clainche, provided information on the amendments.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve Ordinance No. 27-2021 on First Reading. On roll call, the Motion passed 4-0 with Ms. Araskog absent.

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT

Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to adjourn the meeting at 3:48 p.m. On roll call, the Motion passed 4-0 with Council Member Araskog absent.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk