



MINUTES OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, FEBRUARY 8, 2022

I. CALL TO ORDER AND ROLL CALL

The Town Council Meeting of Tuesday, February 8, 2022, 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

Acting Town Clerk Gayle-Gordon gave the Invocation and President Zeidman led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA

The following modifications were made to the Agenda:

- (1) A Resolution was added to the agenda under as Item No. VIII.B.8.

RESOLUTION NO. 029-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Temporary Access Easement Agreement for a 2022 Dune Restoration Project Between the Town of Lantana, the Town of South Palm Beach and the Town of Palm Beach; Authorizing the Mayor to Execute the Easement Agreement on Behalf of the Town.

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

- (2) Item No. VIII.C.4 under OTHER was removed from the agenda.

IV. APPROVAL OF AGENDA

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

V. COMMENTS OF MAYOR DANIELLE H. MOORE

Mayor Moore announced the employee milestones for February: Michelle Sentmanat (PZB) – 10 years; Albert Moreland (PW) – 5 years; Dionne Lightborne (FIN) – 5 years; Emily Pelayo (PD) – 5 years; Jared Willson (FR) – 5 years; Patrick Frawley (FR) – 5 years. She announced that Michelle Pagan retired from the Police Department after 27 years of service. She also acknowledged the March milestones: Curtis Cameron (PW) – 15 years; Gerald Satern (PW) – 15 years. She acknowledged the retirement of Paul Castro, Zoning Manager after 27 years of service and Jimmy Duane, Assistant Fire Chief, after 29 years of service. She expressed her appreciation and congratulations to them both on their retirement.

VI. COMMENTS OF TOWN COUNCIL MEMBERS

Council President Pro Tem Lindsay spoke regarding Town-sponsored workshops that had been held in the past, “Where have all the Songbirds Gone,” and announced that there will be an event entitled “Restore the Earth” on Earth Day, Friday, April 22 at 10:00 a.m. at the Recreation Center.

Council Member Crampton spoke regarding many complaints he received regarding large truck traffic on the North end of town. He spoke regarding revisiting the truck study and adding an item to the March agenda to discuss this issue. Council Member Araskog spoke regarding recent ORS meeting discussions on this item and suggested she would provide a report at the March meeting. Council President Zeidman spoke in support of an actual item be added to the March agenda and putting up signs in the interim. Council President Pro Tem Lindsay spoke regarding issues with trucks that she witnesses almost daily and the majority of the trucks are due to large construction projects. She spoke in support of interim measures to try to stop these trucks from driving on the narrow streets. Council Member Araskog spoke regarding construction companies being able to use smaller trucks to transport materials and spoke in support of ensuring that they use them on the narrow streets. She spoke in support of placing signs on several of the streets affected by the trucks.

Council Member Araskog thanked Code Enforcement, PZB, Town Manager and Town Council for their efforts with the new construction and landscape noise ordinance. She spoke regarding other noise issues, specifically a car wash occurring at a condo, that she would like to discuss under Any Other Matters. She also expressed interest in looking into some regulations that would stop the proliferation of restaurants in Town. She congratulated Paul Castro and Jimmy Duane on their retirements.

Council President Zeidman stated that masks and other mitigation measures will be discussed during the COVID item. She spoke regarding the two agenda items that Ms. Araskog had requested be added to the agenda.

Mayor Moore congratulated Friends of Palm Beach on being awarded second place at the Great Charity Challenge. She also announced that Ms. Buhler had an unveiling of the new trash bucket stands at Phipps Ocean Park.

VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

Diane Buhler, Friends of Palm Beach, expressed appreciation to the Wellington Community for the Great Charity Challenge award. She spoke regarding the unveiling event of the bucket stands at Phipps Ocean Park and expressed appreciation to the participants, including Council Member Crampton. In response to a question by Council President Zeidman, Ms. Buhler spoke regarding the public response to the bucket stands.

Council President Zeidman spoke in support of installing a bucket stand at the Clarke Avenue beach as an additional pilot. She asked Town Council about placing a Town logo on the bucket stand and Council President Pro Tem Lindsay spoke in support of placing the Town logo below the Friends of Palm Beach logo. The Council provided consensus to move forward with another bucket stand at Clark Avenue beach as a pilot.

VIII. APPROVAL OF CONSENT AGENDA

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

A. MINUTES

1. Town Council Meeting Minutes
Pat Gayle-Gordon, Acting Town Clerk

January 3, 2022, Special Town Council Meeting
January 11, 2022, Town Council Meeting
January 12, 2022, Town Council Development Review Meeting
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of January 26 and 27, 2022.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 008-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute a Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation.
H. Paul Brazil, P.E., Director of Public Works
2. RESOLUTION NO. 018-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Authorizing the Mayor

to Sign the Memorandum of Understanding between Palm Beach County, the City of Riviera Beach, the Town of Palm Beach Shores, and the Town of Palm Beach for the Recreational and Educational Use of the Leased Area of Peanut Island.

Jay Boodheshwar, Deputy Town Manager

3. RESOLUTION NO. 019-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Purchase Order to Kimley-Horn and Associates, Inc. for Construction Phase Services for the A-7 Pump Station Improvements in the Amount of \$65,700 and Establishing a Project Budget of \$72,250.

Dean Mealy, Purchasing Manager

4. RESOLUTION NO. 020-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Applied Technology & Management, Inc. for Coastal Engineering Services in Support of the 2022 Dune Restoration Projects in Reaches 4 and 9 in the Amount of \$49,968 and Establishing a Project Budget of \$60,000.

Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 021-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Execution of First Amendment to Interlocal Agreement with Palm Beach County to Outsource the Maintenance and Repair of Fire Rescue Fleet Apparatus.

Dean Mealy, Purchasing Manager

6. RESOLUTION NO. 022-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Contract for License Plate Recognition to Vetted Security Solutions as a Sole Provider.

Dean Mealy, Purchasing Manager

7. RESOLUTION NO. 023-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Duval Ford LLC in the Amount of \$71,715 and Establishing a Project Budget of \$72,000.

Dean Mealy, Purchasing Manager

C. OTHER

1. Approval of Town Manager Performance Evaluation
Kirk W. Blouin, Town Manager
2. Budget Calendar for FY23 Budget Process
Jane Le Clainche, Director of Finance

3. Advisory Capacity of the Shore Protection Board
H. Paul Brazil, P.E., Director of Public Works
4. Accept Donation of \$100,000 for Purchase of Equipment for the Police Department
Nicholas Caristo, Chief of Police
5. Town Marina and Lake Drive Park Improvements - Project Update
H. Paul Brazil, P.E. Director of Public Works

IX. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Investment Advisory Committee
Chris Storkerson, Chair

Chair Storkerson answered the Mayor's and Council Members' questions.

Motion was made by Council Member Cooney and seconded by Council Member Lindsay to accept the Annual Report of the Investment Advisory Committee. On roll call, the Motion passed unanimously.

X. COMMITTEE REPORTS

- A. Report of the Business and Administrative Committee Meeting Held on January 13, 2022
Lew Crampton, Chair

Chair Crampton provided an update on the recent BAC Meeting, specifically regarding South Lake Drive and the parking flow in the area of the Town Marina. He stated that there was enough data to support securing more parking for residents on the west side of South Lake Drive. He spoke regarding the Committee moving forward with the signage and apologized that the Committee had moved forward without Town Council approval. Council President Pro Tem Lindsay spoke regarding parking spaces that had been taken away when the Marina was reconstructed. Deputy Town Manager Jay Boodheshwar provided further information on the parking program around the Marina and stated that staff will be bringing forward other items to the BAC and Council in the upcoming months. Council Member Cooney stated that he has no problem with the Committee moving forward on a relatively minor change. Council Member Araskog expressed concern with Committees taking action without the vote of the full Town Council. Deputy Town Manager Boodheshwar and Carolyn Stone, Assistant Town Manager, and Town Manager Kirk Blouin answered Council Members' questions. Council President Pro Tem Lindsay stated that the Committee was looking at the hours after 4:00 p.m and the effect on parking availability. Town Manager Blouin spoke regarding additional data being collected and stated that staff will continue to monitor the situation.

Town Manager Blouin announced that the Marina is almost at full capacity and that they are anticipating raising fees next year.

Motion was made by Council Member Cooney and seconded by Council Member Crampton to accept the Report of the Business and Administrative Committee Meeting held on January 13, 2022. On roll call, the Motion passed unanimously.

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

XII. REGULAR AGENDA

B. Old Business

1. Discussion Regarding Potential Resolution Requesting that the State of Florida Allow Non-Agricultural Communities to Enact Local Policies to Regulate Chemical Applications

RESOLUTION NO. 028-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Requesting Exemption from Preemptive Laws Controlling the Applications of Pesticides.

TIME CERTAIN: 10:30 AM

Bobbie Lindsay, Council President Pro Tem

Council President Pro Tem Lindsay provided a brief background and introduced Lisa Interlandi, Executive Director, Everglades Law Center, who provided further information on the proposed resolution.

Mayor Moore expressed support for anything that is for home rule. She expressed concern over enforcement of a potential pesticide ban.

Council Member Crampton expressed concern that the Town wouldn't have much impact in Tallahassee and spoke in support of the Town joining other municipalities and/or organizations to approach the legislature.

Council President Pro Tem Lindsay spoke regarding the Town of Palm Beach being a leader and having clout in the State. She spoke regarding working with the Florida League of Cities and others on this issue as it relates to home rule. She spoke regarding the fact that these chemicals are extremely dangerous and that the Town has no ability to regulate it at this time.

Council Member Cooney, Council Member Araskog and Council Member Crampton spoke in support of this effort due to issue of home rule powers and the public health concerns.

Council President Zeidman commended Council President Pro Tem Lindsay on the green initiatives that she has pursued. She spoke regarding next steps. Discussion ensued regarding the Mayor and Town Council visiting Tallahassee to speak on this item. Council President Pro Tem Lindsay spoke in support of other Palm Beach County cities also visiting Tallahassee with the Town of Palm Beach.

Town Manager Blouin spoke regarding the resolution and the next steps of the process.

Motion was made by Council Member Lindsay and seconded by Council Member Crampton to approve Resolution No. 028-2022. On roll call, the Motion passed unanimously.

Council President Zeidman called for comments and the following individuals spoke on this item:

A.P. "Skip" Aldridge, Citizens Association, spoke in support of the resolution.

XI. PUBLIC HEARINGS

- A. RESOLUTION NO. 024-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning an Existing Public Utility Easement Within the Property Commonly Known as 117 El Mirasol Road, in the Town of Palm Beach, Florida.
H. Paul Brazil, P.E., Director of Public Works

Patricia Strayer, Town Engineer, provided background information on the item.

Motion was made by Council Member Crampton and seconded by Council Member Cooney to approve Resolution No. 024-2022. On roll call, the Motion passed 4-0 with Council Member Araskog absent.

- B. RESOLUTION NO. 025-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning an Existing Public Utility Easement Within the Property Commonly Known as 206 Caribbean Road, in the Town of Palm Beach, Florida.
H. Paul Brazil, P.E., Director of Public Works

Discussion ensued regarding combining these types of requests. Patricia Strayer, Town Engineer, provided background information on the item and stated that she will be working with Council President Pro Tem Lindsay on the process.

Motion was made by Council Member Cooney and seconded by Council Member Crampton to approve Resolution No. 025-2022. On roll call, the Motion passed unanimously.

The Town Council recessed at 11:15 a.m. and reconvened at 11:30 a.m.

XII. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

B. Old Business

1. Discussion Regarding Potential Resolution Requesting that the State of Florida Allow Non-Agricultural Communities to Enact Local Policies to Regulate Chemical Applications

RESOLUTION NO. 028-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Requesting Exemption from Preemptive Laws Controlling the Applications of Pesticides.

TIME CERTAIN: 10:30 AM

Bobbie Lindsay, Council President Pro Tem

This item was heard above, out of order of the agenda.

2. Update Regarding the Work of the City of West Palm Beach's Panel of Water Quality Experts

TIME CERTAIN: 11:30 AM

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

Director of Public Works Brazil provided an explanation of why the City of West Palm Beach ended the expert panel. Jason Debrincat, Senior Project Engineer, introduced John Potts, who spoke regarding the expert panel and explained that the report has not yet been received. He distributed a letter that included studies regarding TTHM (chlorination by-products). He spoke regarding the infrequency of chlorine spikes and spoke regarding measures that can be taken by residents who do not want to drink the water at the time of excess chlorination.

Council President Zeidman expressed concern that the City of West Palm Beach did not notify the residents in advance of the last time they did the chlorination. Mr. Potts spoke regarding the notification by the City and the need for communication to the Town. Town Manager Blouin spoke regarding staff making assurances that the Town will be notified when this process is taking place and that the Town will notify the residents.

Council Member Crampton and Council President Zeidman emphasized that the Town needs ample notice.

Mayor Moore stated that the City's communication has improved since the issue with cyanotoxins.

In response to Council Member Araskog, Mr. Debrincat explained the communication and process at this point with the City of West Palm Beach and Mr. Potts spoke provided clarification on some of the materials.

Director Brazil spoke regarding the next steps with the new expert panel and consultant. Mr. Debrincat explained the short-term versus long-term strategies.

3. COVID-19 Situation Update
Kirk W. Blouin, Town Manager

a. COVID-19 Monthly Report

Chief Darrel Donatto provided an update on the downward trend of new cases. He spoke regarding experts saying that COVID will be around for a long time and referred to the mutations and immunity. He spoke regarding strategies for dealing with the virus, such as getting the vaccination and staying away from those who are sick. He spoke regarding the importance of transitioning into learning how to live with the new normal rather than in crisis mode.

Council President Zeidman spoke regarding transitioning into the new normal, as well. She inquired about the necessity for wearing masks and Chief Donatto stated that once the positivity rate is below 5%, then it can be discussed and that it should be a planned transition. Town Manager Blouin spoke regarding the informal plan once the positivity rate is below 5%.

Mayor Moore spoke in support of no longer requiring masks. Council Member Cooney also spoke in support of no longer requiring masks, but supports following Town Manager Blouin's plan.

Council President Zeidman recommended waiting until the rate is lower in order to lift the mask mandate in Town facilities. Council Member Araskog spoke in support of waiting until the rate is lower. She spoke in support of authorizing the Town Manager to lift the mask restrictions once the positivity rate is less than 5%.

In response to a question from Council Member Araskog, Chief Donatto spoke regarding variants and vaccine boosters. Council Member Araskog spoke regarding inaccuracies in tests.

- b. RESOLUTION NO. 026-2022 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 March 8, 2022, 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.

President Zeidman recommended that the State of Emergency be terminated based on the data and that most Palm Beach residents are vaccinated and boosted.

It was the consensus of the Town Council to deny this Resolution.

- c. Discussion Regarding Public Meetings

Council President Zeidman spoke regarding having meetings return back to in-person rather than remotely.

Deputy Town Boodheshwar spoke in support of allowing the Strategic Planning Committee to have members be remote. Mayor Moore spoke regarding the short-term duration of this board.

Council President Zeidman spoke regarding the importance of holding in-person meetings and using mitigation measures until the positivity rate is lower.

Council Member Araskog spoke in support of waiting until the positivity rate is lower.

Council President Pro Tem Lindsay spoke in support of holding in-person meetings.

It was the consensus of the Town Council to return to in-person public meetings.

- d. Temporary Outdoor Seating - COVID

Council President Zeidman provided background information on this item and recommended that any transgression from what was allowed in terms of “temporary COVID outdoor seating” would result in removal of said seating.

Council President Pro Tem Lindsay spoke in support of staff addressing issues as they occur.

Council Member Cooney spoke regarding the temporary outdoor seating ending in May and allowing for the outdoor seating unless there are issues.

Council Member Araskog spoke in support of the Town being strict on those that are non-compliant and spoke in support of removing the outdoor seating if they are non-compliant. She spoke regarding the differences between the café seating and COVID seating.

Council Member Lindsay encouraged restaurants to submit their outdoor seating permit applications soon as the current program is ending in May. Council Member Araskog recommended an email be sent to the restaurants to remind them of that deadline.

4. Town-wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status
H. Paul Brazil, P.E., Director of Public Works

Patricia Strayer, Town Engineer, provided an overview of the project dashboard and provided an update on the phases and easement agreements.

Ms. Strayer presented choices for streetlights to the Town Council. She and Director Brazil answered Council Members' questions. She stated that these sample lights are up now and requested that Town Council visit each one to determine the ones they would like to choose. Council Member Araskog expressed concern that the lights are bright enough for certain areas of Town that are darker, to which Mr. Brazil and Ms. Strayer answered. Council Member Cooney spoke in support of waiting for another month in order to visit the streetlights at night and to engage the public for input. He recommended that there is a separate item on the March agenda under the undergrounding project update specifically for the streetlights. Discussion ensued regarding the possible ways to engage the public.

Public Comment:

John David Corey, 426 Australian, provided input on the streetlights, specifically appropriate lighting strengths for residential areas. He spoke regarding the lights that had been placed on the North end. He also spoke regarding the map shown by Ms. Strayer.

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

C. New Business

5. Consideration of Town Incentive for Removal of Ficus
Julie Araskog, Town Council Member

Director of Public Works Brazil presented background information on this item.

Council President Pro Tem Lindsay spoke in support of continuing this program.

Town Manager Blouin requested that a financial cap be placed on this program. Director Brazil stated that the timeline would be the summer.

It was the consensus of the Town Council to continue the Town Incentive.

The Town Council recessed at 1:00 p.m. and reconvened at 1:45 p.m.

The meeting resumed at the following item on the agenda:

B. Old Business

5. Implementation Plan for Coastal Resiliency
H. Paul Brazil, P.E., Director of Public Works

Director Brazil provided a PowerPoint presentation on the Woods Hole Group report, Level Up Palm Beach. He spoke regarding staff recommendations on each item, requested Council direction on certain items and answered Council Members' questions.

The Town Council provided consensus to authorize staff to develop renderings at typical locations on the Lake Trail to show the impacts of the grade transitions of private seawalls that are raised.

Director Brazil spoke regarding a recommendation for enacting an ordinance to develop stricter standards and maintenance requirements for residents' seawalls. Mayor Moore expressed concern over unintended consequences of requiring residents to replace seawalls, such as a prohibitive cost to older residents on a fixed income.

Director Brazil spoke regarding neighborhood scale flood control projects that could potentially be undertaken to address larger areas of Town.

Council Member Crampton spoke regarding the complexity of this issue and the decision-making process.

Director Brazil and Town Manager Blouin addressed questions regarding potential funding and the potential projects being discussed, as well as the timeline for when those projects would be constructed. Mr. Brazil and Mr.

Blouin spoke regarding the incremental and long-term approach to the decision-making process.

Mayor Moore spoke regarding the Town already being very far ahead of other municipalities and the County with addressing these issues and commended Town staff and the Town Council on their work and discussion on this so far.

Council Member Araskog spoke in support of a slow and steady approach to this process. She spoke regarding the proposed gate and the large expense of sea walls as well as addressing sea walls on the ocean side in addition to the intracoastal side.

Director Brazil spoke regarding a recommendation to conduct high resolution survey of shoreline infrastructure, which would provide data that is not currently known. He spoke regarding recommended next steps, specifically approving the shoreline infrastructure survey and water level monitoring, and answered Council Member's questions.

Council Member Araskog recommended four locations for the water level survey and asked if there would be potential for litigation if the Town required private property owners to raise their seawalls, to which Town Attorney Randolph answered.

The Town Council provided consensus to move forward with the staff's recommendations on conducting the survey, the renderings of Lake Trail and studying the water levels.

In response to a question by Council President Zeidman, Director Brazil spoke regarding the next steps with hiring a long-term consultant to assist with this process.

6. Proposed Amendments to Further Restrict the Use of Public Property for Private Special Events

Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Boodheshwar presented the background information and spoke regarding recommendations for this item.

Council President Pro Tem Lindsay spoke regarding the limitations of the Town's roadways and spoke in opposition to allowing any additional special events in Town parks. She was especially concerned about large events, such as weddings and the impact they would have on our limited roadways. She also expressed concern that traffic could hinder emergency services trying to get over the bridges.

Mayor Moore spoke in support of the proposed changes and spoke regarding the Town's special event permit process allowing Town staff to deny events.

Council Member Crampton spoke in support of the proposed changes to the code and spoke regarding how special events can be beneficial for the community.

Council Member Araskog spoke in support of limiting special events to fewer than once per month. Discussion ensued regarding the use of various parks and Deputy Town Manager Boodheswar provided clarification.

Council Member Cooney spoke in support of the direction that staff is taking on this process and spoke regarding the positive nature of the community events that are held.

Council Member Crampton spoke regarding the use of Phipps Ocean Park and expressed concern that it would be closed off to events.

Council President Pro Tem Lindsay stated that her concern was more about private events in Town parks, such as weddings and birthday parties. She spoke regarding the importance of staff considering the types of events when they are approving special event permit applications.

Council President Zeidman stated there are two issues on which the Council is being asked to provide direction: no "special event use of Memorial Park and Lakeside Park and secondly reduced frequency to once/ month in other public parks such as Bradley Park.

The Council provided consensus to remove Lake Drive Park, Memorial Park from the list of parks that allow special events; and allow one event per month. It was suggested that since the restricted use of Phipps Plaza Park would soon sunset, it could be added to the ordinance.

Town Manager Blouin spoke regarding the potential for increased requests for special event permits and provided background information on public safety and other logistical issues with larger events.

Deputy Town Manager Boodheshwar stated that staff will come forward with an ordinance and fee resolution to Town Council.

Council Member Araskog spoke in support of also excluding Phipps Plaza Park due to the traffic in the area and size of the park. Deputy Town Jay Boodheshwar clarified that Phipps Plaza Park was already addressed in our Code of Ordinances

Deputy Town Manager Boodheshwar provided clarification on what the Code states on the use of public facilities. He spoke regarding being able to do this incrementally and revisit in the future if there are issues.

Town Manager Blouin spoke regarding having an appeal process that could be appealable to the Town Council.

Council Member Araskog spoke in support of ensuring that there is a cap to the amount of participants.

Staff will bring back an ordinance which addresses the concerns of Council and one which incorporates the decisions reached by Council during the discussion.

The Town Council recessed at 3:20 p.m. and reconvened at 3:25 p.m.

7. Review of Boards and Commissions Relative to Total Members and Ratio of Regular and Alternate Positions
Margaret A. Zeidman, Town Council President

Council President Zeidman provided background information on the item and explained that this item is specific to the Architectural Review Commission (ARCOM). She spoke regarding the length of the meetings over the past two years. She stated that this discussion pertains to two specific questions: the number of commissioners on ARCOM and what should be the composition of the commission. She provided a list of professions that have been recommended to her for the composition, as well as other suggestions which might reduce the amount of time spent on discussion items including: time limits for applicants and commissioners; reducing the number of commissioners from 10 to 7 which would include 5 voting members and 2 alternates. She reviewed information from other municipalities that are similar to the Town with regard to being coastal and valuing historic preservation. She spoke regarding a current list of Commissioners who are up for reappointment and members that are terming out. Council President Zeidman expressed a reticence for change but if there is going to be change, the time to do so is before we appoint new commissioners to the Board.

Council Member Cooney spoke regarding ARCOM meetings had always lasted one day and expressed concern that the meetings have become so long. He expressed concern over changing the size of ARCOM at this time and he stated that the Code has good guidance on the composition. He stated that this issue is complex and that there are many factors that have led to these inefficiencies, including ex-parte meetings not occurring, additional projects coming to the board due to new processes and relatively new members of staff.

Mayor Moore requested clarification to what ex-parte communications, to which Town Attorney Randolph responded that reading the agenda backup and reviewing plans are not actually ex-parte communications. She spoke in support of including more structure in the ARCOM meetings in order to provide more efficiency in the meetings. She commended the Town Council for the individuals who they have appointed on the Commission, and spoke in support of staff's recommendations to reduce the number of members.

Council President Pro Tem Lindsay spoke in support of moving toward five primary and two alternate members and appointing more professionals. She spoke regarding the impacts of COVID measures to leading to inefficient meetings. She spoke regarding alternates not speaking at meetings unless they are voting.

Discussion ensued regarding the appropriate amount of Commission members.

Council Member Crampton recommended that the Town Council request Michael Small to do a report to provide recommendations on making more smoothly run meetings. He spoke in support of having five primary and two alternate members. He spoke regarding a similar board in Nantucket and how they handle their meetings.

Council Member Araskog expressed concern over making a quick decision. She spoke regarding her research into the history of ARCOM and stressed the importance of not having the professionals outweigh the number of residents. She spoke regarding keeping the number as it currently is.

Director of Planning, Zoning and Building Bergman provided further information on proposed changes to assist with making ARCOM meetings more efficient.

Council President Zeidman spoke regarding the fact that there is currently a crunch of projects, but chances are, the projects will calm down and cautioned against making a "knee jerk" decision.

Assistant Director Murphy provided historical information on ARCOM's membership and spoke regarding the role of alternates.

Public Comment:

Michael Small, 156 East Inlet Drive, Chair and member of ARCOM for nine years. He spoke regarding the volume and significant development in Town that has been occurring recently. He spoke regarding the complexity and large number of projects that have been on the ARCOM agenda each month. He spoke in opposition to taking away powers of the alternates and not having certain projects being heard by ARCOM but rather approved by Town staff.

He spoke regarding this issue most likely not being an issue long-term. He answered Council Members' questions.

Council President Zeidman spoke in support of the idea of having staff keep a record of issues that come up at each meeting to review at future meetings in order to have the Commission focus on the issues that had been discussed. She spoke in support of allowing staff to expand the consent agenda for ARCOM agenda.

Discussion ensued regarding revising the number of members on ARCOM.

Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to direct staff to bring back a draft Ordinance regarding adjusting the size of ARCOM to seven voting members and one alternate. Motion died.

Discussion ensued regarding allowing for staff to assist ARCOM with increasing meeting efficiency rather than looking at changing the membership of the commission. All Council members agreed to try this approach before making changes.

The Town Council recessed for five minutes.

C. New Business

1. Review of Options for Further Amendments to Construction and Landscaping Hours of Operations
Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Boodheshwar provided background information on the item. He spoke regarding proposed changes for prohibiting construction and landscaping during holidays and answered Council Members' questions.

Public Comment:

Scott Lewis, 514 14th Street, West Palm Beach, spoke in opposition to the proposed changes and explained how landscaping companies should not be considered the same as construction companies and spoke regarding the busy nature of that time. He answered questions from Council Member Araskog.

Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to direct staff to prepare a draft Ordinance regarding the recommended changes to the construction and landscaping hours of operation. On roll call the Motion passed 3-2 with Council Members Araskog and Crampton dissenting.

2. RESOLUTION NO. 027-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-07 Valet Parking Services for the Town of Palm Beach to One Parking, Inc.

Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Boodheshwar provided background information on the item. He introduced Kirsten Dolan, CEO, One Parking, who provided further information on the proposal she submitted.

Council Member Crampton spoke in support of eventually implementing valet parking in the Town and expressed appreciation for the company and spoke in support of developing a relationship with the company in order to support the entire parking plan.

Council President Pro Tem Lindsay spoke regarding the fact that few people use the valet service that is currently at 150 and expressed concern over subsidizing a valet service in the wrong location. She spoke in support of having the Deputy Town Manager work with the proposer to determine a location in the 200 block.

Council Member Cooney spoke in support of working with the proposer and spoke regarding the difficulty of finding parking in lots. He spoke regarding the expense and the valet stand signage.

Deputy Town Manager Boodheshwar spoke regarding items that can be negotiated with the proposer.

Council President Pro Tem Lindsay provided further information on why she opposes the proposed location.

Council Member Araskog expressed concern over the proposed cost and location.

Council Member Crampton stated that he does not feel that the cost is prohibitive and that he supports working with the company to move the location down the street.

Council President Zeidman spoke in support of moving the proposed location to the 200 block, even if customers need to wait longer for their cars. She inquired about the Town subsidizing the company, to which Ms. Dolan responded. Ms. Dolan spoke regarding the cost being different if the location is moved.

It was consensus of the Town Council to defer this Resolution to next month's meeting.

3. Re-Appointment of Town Manager Pursuant to Section 4.02(b) of the Town Charter from February 9, 2022 through February 14, 2023
Kirk W. Blouin, Town Manager

Motion was made by Council Member Crampton and seconded by Council Member Lindsay to reappoint the Town Manager pursuant to Section 4.02(b) of the Town Charter from February 9, 2022 through February 14, 2023. On roll call, the Motion passed unanimously.

4. Approval of 2022 Town-wide Goals
Kirk W. Blouin, Town Manager

Town Manager Blouin provided background information on the item.

Motion was made by Council Member Crampton and seconded by Council Member Lindsay to approve the 2022 Town-wide goals. On roll call, the Motion passed unanimously.

5. Consideration of Town Incentive for Removal of Ficus
Julie Araskog, Town Council Member

This item was heard above, out of order of the agenda.

XIII. ORDINANCES

A. First Reading

1. Proposed Ordinance to Amend Chapter 134 of the Town Code, Relative to Residential On-Street Parking Permits

ORDINANCE NO. 001-2022 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 Sections 134-2292, 134-2296 (B) and 134-2296 (C); Relating to Issuance of Decals and Visitor/Service Permits; Changing the Effective Year from a Fiscal Year to a Calendar Year; 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.

Motion was made by Council Member Araskog and seconded by Council Member Crampton to approve Ordinance No. 001-2022 on first reading. On roll call, the Motion passed unanimously.

XIV. ANY OTHER MATTERS

Council Member Araskog requested that car washing at a condominium be added into the noise ordinance discussion at ORS. Discussion ensued regarding whether or not this item should be discussed by ORS. Town Council provided consensus to approve staff to work with the Town Attorney to bring it to ORS for discussion.

Council Member Araskog requested the Town Attorney look into limiting the amount of restaurants on a future agenda, to which he agreed.

Mayor Moore spoke regarding several emails that were received from residents over the weekend regarding a change in flight pattern from the airport and she read the response from Cassandra Davis, the Manager of Noise Abatement and Community Affairs from the airport.

XV. ADJOURNMENT

Motion was made by Council Member Cooney and seconded by Council Member Araskog to adjourn the Town Council Meeting of February 8, 2022 at 6:00 PM. On roll call, the Motion passed unanimously.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

Date