



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

### I. CALL TO ORDER AND ROLL CALL

The Town Council Meeting of Tuesday, March 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) Item No. X.B.4. RESOLUTION NO. 036-2022 TIME CERTAIN: 11:45 AM  
was pulled and heard as Item No. XIII.A.1.
- (2) Item No. XIII.B.1. Proposed Addition of Stairs on the South Side of Memorial Fountain  
TIME CERTAIN: 11:00 AM

### IV. APPROVAL OF AGENDA

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

### V. RECOGNITIONS

Mayor Moore recognized the following employees for their retirements and expressed appreciation for their service to the Town: Paul Castro, Zoning Manager; Lori Bates, Police Officer; Michael Bates, Police Sergeant; Jimmy Duane, Assistant Fire Chief; Brett Madison, Water Resources Manager; Rod Gardner, Assistant Director of Recreation. She also announced the following employee milestones: Curtis Cameron and Gerald Saturn, Public Works, 15 years; Corey Bell, Public Works, 30 years; Eric Szehner, Public Works,

20 years; Jodi Sronce, Fire, 15 years; Angela Olivares, 5 years; Edward Sabol, Fire, 5 years; and Christopher Wilson, Public Works, 5 years.

- A. Recognition of Alexander C. Ives for his Service on the Architectural Review Commission from March 2011 to March 2022  
*Danielle H. Moore, Mayor*

Mayor Moore recognized Alexander C. Ives for his service on the Architectural Review Commission by presenting him with a Town plaque.

- B. Recognition of Michael B. Small for his Service on the Architectural Review Commission from March 2013 to March 2022  
*Danielle H. Moore, Mayor*

Mayor Moore recognized Michael B. Small for his service on the Architectural Review Commission by presenting him with a Town plaque.

- C. Recognition of Richard René Silvin for his Service on the Landmarks Preservation Commission from May 2014 to March 2022  
*Danielle H. Moore, Mayor*

Mayor Moore recognized Richard René Silvin for his service on the Landmarks Preservation Commission by presenting him with a Town plaque.

## VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

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

- D. Presentations by the Applicants and Appointments to the Retirement Board of Trustees  
*Pat Gayle-Gordon, Acting Town Clerk*

The following applicants made presentations to the Town Council:

John Copeland  
Thomas Parker

**Motion was made by Council Member Araskog and seconded by Council Member Cooney to appoint John Copeland and Thomas Parker as members of the Retirement Board of Trustees. On roll call, the Motion passed unanimously.**

- A. Presentations by the Applicants and Appointments to the Architectural Commission (ARCOM)  
*Pat Gayle-Gordon, Acting Town Clerk*

The following applicants made presentations to the Town Council:

Katherine "KT" Catlin  
Elizabeth Connaughton  
Julie Herzig Desnick  
Dan Floersheimer  
Richard Sammons

**Motion was made by Council President Pro Tem Lindsay and seconded by Council Member Crampton to appoint Kenn Karakul and Richard Sammons as regular members of the Architectural Commission. On roll call, the Motion passed unanimously.**

**Motion was made by Council Member Crampton and seconded by Council Member Cooney to appoint Elizabeth Connaughton and Joshua Martin as alternate members of the Architectural Commission. On roll call, the Motion passed unanimously.**

**Motion was made by Council Member Araskog and seconded by Council Member Crampton to appoint Dan Floersheimer as an alternate member of the Architectural Commission. On roll call, the Motion passed unanimously.**

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

### XIII. REGULAR AGENDA

#### B. Old Business

1. Proposed Addition of Stairs on the South Side of Memorial Fountain  
TIME CERTAIN: 11:00 AM  
*Jay Boodheshwar, Deputy Town Manager*

Bill Bone, Chairman of the Palm Beach Centennial Commission, provided a history of the Town Square project and provided background information on the request to add stairs and an ADA lift on the south side of the Memorial Park.

Richard Sammons, Architect, presented the model of the proposed stairs and lift and explained the architectural elements. He answered questions from Council Members. He clarified that they will be working in conjunction with the Garden Club on the final concept.

Mayor Moore commended Mr. Sammons on the design of the proposed stairs.

Paul Brazil, Public Works Director, answered questions from Council Members pertaining to maintenance and traffic impacts.

Public Comment:

Robert Linck, 251 Esplanade Way, spoke in support of retaining the park as it currently is.

Dr. Jane Day spoke regarding her work on the original fountain, including writing the grant and spoke in opposition to the proposed changes to the fountain.

Robert Linck, 251 Esplanade Way, provided a presentation on the family's opposition to the proposed changes. He focused on preservation of the current design, potential safety issues and potential legal issues.

Addison Linck, 251 Esplanade Way, provided a presentation on an alternative proposal, which would include plantings that are more historically accurate and opening the gates that have been welded shut.

Nancy Madden, President of the Garden Club of Palm Beach, spoke in support of the proposed addition.

Cynthia Friedman, 300 Seminole Avenue, spoke in support of the proposed addition.

Donald Singer, 2295 S. Ocean Blvd., representing the Citizens Association, spoke in support of the proposed addition.

Dick Kleid, 2660 S. Ocean Blvd., spoke in support of the proposed addition.

Anita Selzer, Coconut Row, provided historical information on the project.

Anne Pepper, 333 Seaspray Avenue, spoke in opposition to the proposed addition.

Mike Liss, 2275 S. Ocean Blvd., spoke in support of the proposed addition.

Council President Pro Tem Lindsay spoke regarding the proposed addition integrating into Memorial Park and the fountain. She was especially supportive of the ADA lift in order to assist handicapped individuals to access the fountain.

Council Member Crampton spoke in support of the proposed stairs and lift. He spoke regarding the Landmarks Preservation Commission reviewing the design and the work of the Garden Club.

Council Member Cooney spoke regarding his involvement in the update to the Memorial Park and spoke in opposition to adding stairs to the fountain.

He spoke in support of looking at alternative methods to making changes to the park.

Council Member Araskog spoke in opposition to the proposed addition due to issues that have been outlined such as safety and potential litigation.

Council President Zeidman expressed support for the proposed addition, which she feels would improve the park and fountain.

Town Manager Blouin addressed questions regarding potential safety issues and liability.

**Motion was made by Council President Pro Tem Lindsay and seconded by Council Member Crampton to approve the addition of stairs and ADA lift on the south side of Memorial Park subject to input from the Garden Club. On roll call, the Motion passed 3-2 with Council Members Araskog and Cooney dissenting.**

#### VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- B. Presentations by the Applicants and Appointments to the Code Enforcement Board  
*Pat Gayle-Gordon, Acting Town Clerk*

The following applicants made presentations to the Town Council:

Pamela Davies  
Karen Egger  
Gary Feldman  
Bram Majtlis  
John McGowan  
Pamela Saba

**Motion was made by Council Member Crampton and seconded by Council Member Cooney to appoint Bram Majtlis and Pamela Saba as regular members of the Code Enforcement Board. On roll call, the Motion passed unanimously.**

**Motion was made by Council Member Crampton and seconded by Council Member Araskog to appoint John B. McGowan as an alternate member of the Code Enforcement Board. On roll call, the Motion passed unanimously.**

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

#### IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

John David Corey, 426 Australian Avenue, spoke regarding sister city status with Integua, Guatemala.

*The Town Council took a lunch recess at 1:30 p.m. and reconvened at 2:30 p.m.*

VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- C. Presentations by the Applicants and Appointments to the Landmarks Preservation Commission  
*Pat Gayle-Gordon, Acting Town Clerk*

The following applicants made presentations to the Town Council:

Jacqueline Albarran  
Julie Herzig Desnick  
Paula Isacoff  
Alexander Ives  
Anne Metzger  
Bridget Moran  
J. David Seay (*remarks read into the record by Council Member Cooney*)  
Fernando Wong  
Sue Patterson (*remarks read into the record by President Zeidman*)

Town Attorney Randolph provided clarification of the ordinance pertaining to the membership of the commission, specifically regarding the non-resident expert. Discussion ensued regarding the appointment of the non-resident expert and the architect positions.

The Town Council provided consensus to send the ordinance pertaining to the Landmarks Preservation Commission to the ORS Committee to clarify the language regarding membership.

The appointments were deferred to the March 9, 2022, Town Council Meeting.

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

XI. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Landmarks Preservation Commission  
*Rene Silvin, Chair*

Rene Silvin, Chair of the Landmarks Preservation Commission provided an update of the past year.

**Motion was made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to accept the Annual Report of the Landmarks Preservation Commission. On roll call, the Motion passed unanimously.**

*The Town Council recessed at 4:07 p.m. and reconvened at 4:18 p.m.*

VII. COMMENTS OF MAYOR DANIELLE H. MOORE

Mayor Moore requested approval of the Town Council to authorize staff to work with the City of West Palm Beach to light the bridge yellow and blue in support of Ukraine. She provided an update on the pesticide resolution, which she shared with other cities at the League of Cities meeting. She spoke regarding her attendance at the unveiling of the Clark Avenue bucket stand. She spoke regarding additional potential bucket stand and spoke regarding Ms. Buhler working with Paul Brazil on identifying further locations. She thanked the Navy Seals for their appearance at the Mandel Recreation Center re-opening event. She expressed appreciation to former Mayors for their support of the employee bonus program and for those who have contributed.

VIII. COMMENTS OF TOWN COUNCIL MEMBERS

Council President Pro Tem Lindsay spoke regarding a notification from Governor DeSantis on home rule for coastal communities in regards to the smoking legislation.

Council Member Crampton expressed appreciation to Mayor Moore for her work on the bonus program for Town employees.

Council Member Araskog expressed appreciation to Michael Small, Rene Silvin and Alexander Ives, for their service to the community on Town commissions. She spoke regarding calls that she has been receiving regarding a proliferation of different varieties of fences around Town.

X. APPROVAL OF CONSENT AGENDA

A. MINUTES

1. Town Council Meeting Minutes  
*Pat Gayle-Gordon, Acting Town Clerk*
  - a. February 8, 2022, Town Council Meeting Minutes
  - b. February 9, 2022, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of February 23, 2022.  
*Wayne Bergman, Director of Planning, Zoning and Building*

B. RESOLUTIONS

1. RESOLUTION NO. 033-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute a Restrictive Covenant with the Florida Department of Environmental Protection.  
*H. Paul Brazil, P.E., Director of Public Works*

2. RESOLUTION NO. 034-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Interlocal Agreement Governing Use of Palm Beach County Regional Opioid Settlement Funds and Authorizing the Town Manager and Staff to Execute All Documents Necessary on Behalf of the Town of Palm Beach. *Nicholas Caristo, Chief of Police*
  
3. RESOLUTION NO. 035-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Amendments to the Statement of Investment Policy for the OPEB Trust Board of Trustees of the Town of Palm Beach Pursuant to Section 82-153 of the Code of Ordinances of the Town of Palm Beach; Providing an Effective Date. *Jane Le Clainche, Director of Finance*
  
4. RESOLUTION NO. 036-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-10, Planning Services for Code Reform for the Town of Palm Beach to ZoneCo, LLC and The Corradino Group, Inc. *Dean Mealy, Purchasing Manager*  
***Pulled and Heard as Item No. XIII.A.1.***
  
5. RESOLUTION NO. 037-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to the FY22 Blanket Purchase Order issued to Xylem Water Solutions USA, Inc. in the Amount of \$81,732.07 for a New Award Amount of \$150,000. *Dean Mealy, Purchasing Manager*
  
6. RESOLUTION NO. 038-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Change Order to the Award of Engineering Design Services to Mock-Roos and Associates for the D-8 Stormwater Pump Station and the E-5 Wastewater Pump Station for an Additional \$23,858 Against Resolution No. 150-2019. *Dean Mealy, Purchasing Manager*

C. OTHER

1. Accept Donation of \$100,000 for Purchase of Equipment for the Police Department  
*Nicholas Caristo, Chief of Police*
  
2. Request by the City of West Palm Beach for Town Sponsorship in the Amount of \$12,000 for the City's 4th on Flagler Event  
*Kirk W. Blouin, Town Manager*



3. Accept Donation of \$46,800 from Everglades Island Residents for Purchase of Security Cameras  
*Nicholas Caristo, Chief of Police*
4. 209 Phipps Plaza Right-of-Way Permit for Scaffolding During Season  
*H. Paul Brazil, P.E., Director of Public Works*
5. 100 Four Arts Plaza Right-of-Way Permit for Scaffolding During Season  
*H. Paul Brazil, P.E., Director of Public Works*
6. Acceptance of Information Technology Donations  
*Kirk W. Blouin, Town Manager*

## XII. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on Thursday, February 3, 2022  
*Julie Araskog, Chair*

Chair Araskog provided a brief update on the noise ordinance. She also provided an update on the ordinance regarding the hedge height limits in regards to iguanas.

**Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to accept the report of the Ordinances, Rules and Standards Committee Meeting held on February 3, 2022. On roll call, the Motion passed unanimously.**

1. Discussion Regarding Measures to Mitigate Impacts of Truck Traffic  
*Jay Boodheshwar, Deputy Town Manager*

Deputy Town Manager Boodheshwar provided background information on the item. He spoke regarding items being done on a staff level to mitigate this issue and provided possible recommendations. He spoke regarding new curbs and expansions of certain intersections and spoke regarding having a fund for restoring public right of way that has been damaged. Town Manager Blouin further discussed the new three strikes rule that has been put into place in conjunction with the construction permitting process.

Council Member Araskog stated that what staff has come up with is a good start, but she feels that there could be additional measures that could go further to mitigate the issue. She spoke in support of limiting certain types and/or sizes of trucks in certain parts of Town or requiring permits for certain vehicles. She expressed concern over property damage for private individuals.

Council Member Crampton spoke in support of the proposed elements and spoke in support of also including landscaping trailers. He spoke regarding the difficulty of identifying every possible scenario. He spoke regarding both sides of this issue.

Council President Pro Tem Lindsay spoke regarding identifying certain narrow streets in Town and not permitting large trucks on those streets.

Town Manager Blouin spoke regarding the staff meetings and discussions that have occurred regarding this issue. He addressed issues with the Kimley-Horn truck study and spoke regarding the various options that are being studied. He spoke regarding posting signs on certain streets and potential issues with doing so and spoke regarding enforcement issues.

Council President Zeidman spoke in support of the addition of complying with the truck logistics plan, the “three strike” program, posting signs on the most narrow streets, locations of new curbs and turf restoration fund.

In response to Council President Zeidman, Director Brazil and Town Manager Blouin spoke regarding certain types of construction items and situations that must be done with large trucks.

Deputy Town Manager Boodheshwar spoke regarding items that the Town staff will go back to discuss, including sending a letter to service vendors to request that they avoid certain streets. Town Manager Blouin expressed concern over posting signs due to potential complaints from residents.

Council President Pro Tem Lindsay spoke in opposition to posting signs and spoke in support of the construction logistics plans being used to ensure compliance.

After discussion, it was the consensus of the Town Council to direct staff to continue with the outlined measures suggested to mitigate the impacts of the truck traffic such as installing new curbs, expanding certain intersections, creating a fund to restore damaged public rights-of-way, sending letters to various service providers requesting that they avoid certain streets and to return to Council with additional details.

### XIII. REGULAR AGENDA

#### A. Matters Pulled From Consent Agenda: If needed

1. RESOLUTION NO. 036-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2022-10, Planning Services for Code Reform for the Town of Palm Beach to ZoneCo, LLC and The Corradino Group, Inc.

*Dean Mealy, Purchasing Manager*  
TIME CERTAIN: 11:45 AM

Dean Mealy, Purchasing Manager, provided background information on the item. Director of Planning, Zoning & Building, Wayne Bergman provided additional information on the selection process and on the firms that the committee selected. Council President Zeidman spoke regarding Urban Design Associates and advice that had been received regarding the professionals needed in this process. She provided information on the recommended firms and their qualifications and drawbacks.

Council Member Araskog expressed concern over certain qualifications and experience of the firms in relation to needs of the Town.

Sean Suder, ZoneCo and Joe Corradino, The Corradino Group, provided responses to Council Members' questions and explained the process of two organizations' collaboration on the project.

In response to Council President Pro Tem Lindsay, Director Brazil spoke regarding using Woods Hole Group and explained that their contract is also going out to RFP. Council Member Lindsay expressed concern over how the firms will work together on this project.

Town Manager Blouin explained the coordination between the departments and the firms on the overall project, and Director Bergman provided additional information on the coordination.

Council Member Crampton requested confirmation from Town Manager Blouin that he was comfortable with how this coordinated process would work, to which Town Manager Blouin responded.

Council Member Cooney expressed support for the proposed recommendation.

Edward Ng and Scarlet Hammons, Corradino Group, spoke regarding the coordination of the project.

**Motion was made by Council Member Crampton and seconded by Council Member Araskog to approve Resolution No. 036-2022. On roll call, the Motion passed unanimously.**

B. Old Business

1. Proposed Addition of Stairs on the South Side of Memorial Fountain  
TIME CERTAIN: 11:00 AM  
*Jay Boodheshwar, Deputy Town Manager*

*This item was heard out of order of the agenda.*

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

Council President Zeidman spoke regarding positivity and hospitalization rates declining. She provided a warning to restaurants that have more outdoor seating than what is allowed.

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

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

Patricia Strayer, Town Engineer, provided an update on the project. She announced that the monthly Coffee with the Crew has resumed. She answered questions by Council Member Crampton on the project budget.

Council Member Crampton spoke regarding complaints that he has heard regarding the undergrounding project and beach project occurring at the same time.

- b. Selection of Florida Power & Light Decorative Streetlights for Mid-Town Undergrounding Area.

Town Engineer Strayer provided background information on the streetlights. Discussion ensued on the brightness of the proposed streetlights. Town Engineer Strayer spoke regarding these streetlights being put into the place of existing Cobra head streetlights and provided the locations of the streetlights.

The Town Council provided consensus on the choice of lights.

- c. RESOLUTION NO. 039-2022 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 Australian Avenue Watermain Replacement in the Amount of \$73,925.91 and Establishing a Project Budget of \$81,319.

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

**Motion was made by Council Member Araskog and seconded by Council Member Crampton to approve Resolution No. 039-2022. On roll call, the Motion passed unanimously.**

- d. RESOLUTION NO. 040-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Burkhardt Construction Inc. for the Australian Avenue Watermain GMP in the Amount of \$2,113,852 and Establishing a Project Budget of \$2,325,231.

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

**Motion was made by Council Member Cooney and seconded by Council Member Crampton to approve Resolution No. 040-2022. On roll call, the Motion passed unanimously.**

4. 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 explained that staff was not able to come to agreement with One Parking, Inc. and staff will return to BAC for alternatives.

*There was no action taken.*

#### C. New Business

1. Evaluation of Impacts to Right-of-Way Due to “Palm Beach Transportation Planning Agency Recommended Improvements for South Ocean Boulevard (A1A) Between Lake Avenue to Ibis Way to the Florida Department of Transportation.

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

*This item was deferred to the April Council Meeting.*

2. Review of a Stop Work Order Due to the Three Strike Rule at 755 N Lake Way

*Wayne Bergman, Director of Planning, Zoning and Building*

Director Bergman provided background information on the violations.

Mark Albright, Albright Construction, spoke regarding the incidents leading up to the three strikes. He requested that Council lift the stop work order and permit staff to issue the right of way permit.

**Motion was made by Council Member Cooney and seconded by Council Member Araskog to lift the Stop Work Order at 755 N. Lake Way on condition that all fines are paid and staff may issue a right-of-way permit, if necessary. On roll call, the Motion passed unanimously.**

3. Review of a Stop Work Order Due to the Three Strike Rule at 246 Seaspray Avenue  
*Wayne Bergman, Director of Planning, Zoning and Building*

Director Bergman provided background information on the violations.

Michael Conville, Beacon Construction Group, provided an explanation of the issues surrounding the violations and answered Council Members' questions.

Mayor Moore spoke regarding general contractors hiring sub-contractors that are compliant.

Council Member Araskog spoke regarding the parking monitor staying on site and not allowing contractors to violate the rules.

Kevin Waldman, property owner, stated that they want to follow the rules and comply with the rules.

Town Manager Blouin spoke regarding general contractors and property owners enforcing consequences to sub-contractors that don't comply.

**Motion was made by Council Member Araskog and seconded by Council Member Crampton to lift the Stop Work Order at 246 Seaspray Avenue on condition that all fines are paid and staff may issue a right-of-way permit, if necessary. On roll call, the Motion passed unanimously.**

#### XIV. ORDINANCES

##### A. Second 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 Crampton and seconded by Council President Pro Tem Lindsay to adopt Ordinance No. 001-2022 on second reading. On roll call, the Motion passed unanimously.**

B. First Reading

1. Proposed Ordinance to Amend Section 42-199 of the Town Code to Include Additional Days When Construction and Landscaping Work is Prohibited

ORDINANCE NO. 004-2022 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 and Landscaping Work; 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 President Pro Tem Lindsay spoke in support of re-visiting this ordinance in the next few months to ensure that the dates are appropriate.

Council Member Cooney spoke regarding not rushing too quickly to change the dates.

Deputy Town Manager Boodheshwar provided background information on the proposed ordinance.

Council Member Araskog spoke in opposition to shutting down work the day before holidays.

Mayor Moore expressed concern over enforcement.

The Council provided consensus to allow work until noon the day before Thanksgiving.

Antonette Fabrizi read the comments of Scott Lewis into the record.

**Motion was made by Council Member Cooney and seconded by Council Member Araskog to adopt Ordinance No. 004-2022 on first reading, as amended. On roll call, the Motion passed unanimously.**

2. Proposed Ordinance to Amend Chapter 106, Article VII of the Town Code to Include Additional Restrictions Regarding Use of Public Properties for Private Special Events

ORDINANCE NO. 005-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 106 Streets, Sidewalks and Other Public Places at Article VII, Special Events on Public Property at Division 1-, Generally, Section 106-257, Titled Regulations Relating To Special Event; at Division 2-Permit, Section 106-281-Required; at Section 106-282-Application and at Section 106-283-Standards for Issuance in the Manner and Form Set Forth Below; 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.

Deputy Town Manager Boodheshwar provided background information on the proposed ordinance.

Council President Pro Tem Lindsay expressed concern over the ordinance being too broad and spoke in opposition to allowing all of the Town parks to be used for weddings and other private events. Deputy Town Manager provided further information on what the ordinance entails.

Town Manager Blouin recommended staff compiling a list of prohibited activities/events to bring back to Council for discussion on whether or not to continue to allow.

**Motion was made by Council Member Cooney and seconded by Council President Zeidman to adopt Ordinance No. 005-2022 on first reading. On roll call, the Motion passed unanimously.**

#### XV. ANY OTHER MATTERS

Deputy Town Manager Boodheshwar presented a chart of the positions and vacancies of the Landmarks Preservation Commission. Discussion ensued regarding the applicants and what vacancies to which they are able to be appointed. Deputy Town Manager Boodheshwar provided a summary of what applicants are able to be appointed into the vacant positions. The vote on Landmarks Preservation Commission's applications was deferred to the next morning, March 9, 2022.



XVI. ADJOURNMENT

**Motion was made by Council Member Cooney and seconded by Council Member Araskog to adjourn the Town Council Meeting of March 8, 2022 at 7:35 PM. On roll call, the Motion passed unanimously.**

APPROVED:

\_\_\_\_\_  
Margaret A. Zeidman, Town Council President

ATTEST:

\_\_\_\_\_  
Pat Gayle-Gordon, Acting Town Clerk

\_\_\_\_\_  
Date