



**MINUTES OF THE TOWN COUNCIL MEETING  
HELD ON APRIL 12, 2022**

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. MODIFICATIONS TO THE AGENDA

The following modification was made to the agenda:

Item No. XVI.C.5. Approval of March 8, 2022, Town Council Meeting Consent Agenda  
*Jay Boodheshwar, Deputy Town Manager*

- IV. APPROVAL OF AGENDA

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

*This item was taken out of order of the agenda:*

- XVI. C. 5. Approval of March 8, 2022, Town Council Meeting Consent Agenda  
*Jay Boodheshwar, Deputy Town Manager*

**Motion was made by Council Member Araskog and seconded by Council Member Crampton to approve the March 8, 2022 Town Council Meeting Consent Agenda, as amended with Item No. X.B.4. RESOLUTION NO. 036-2022 pulled and Heard as Item No. XIII.A.1. On roll call, the Motion passed unanimously.**

- V. RECOGNITIONS

- A. Recognition of Pam McIver for her Service on the Recreation Advisory Commission from April 2019 to April 2022 [Danielle H. Moore, Mayor]

Mayor Moore presented a plaque to Ms. McIver for her service on the Recreation Advisory Commission.

- B. Recognition of Leslie Wyrzes for her Service on the Recreation Advisory Commission from April 2015 to April 2022 [Danielle H. Moore, Mayor]

Mayor Moore presented a plaque to Ms. Wyrzes for her service on the Recreation Advisory Commission.

## VI. SWEARING IN OF ELECTED OFFICIALS

The Honorable Judge Lisa Small

1. Lewis S.W. Crampton
2. Bobbie Lindsay
3. Margaret A. Zeidman

Mayor Moore became Presiding Officer and introduced the Honorable Judge Lisa Small. Judge Small administered the oath of office to Mr. Crampton, Ms. Lindsay and Ms. Zeidman.

## VII. ORGANIZATIONAL ITEMS

- A. Election of Town Council President Pursuant to Section 3.01 of the Town Charter (Town Council President Becomes Presiding Officer)
- B. Election of Town Council President Pro Tem Pursuant to Section 3.01 of the Town Charter

**Motion was made by Council Member Cooney and seconded by Council Member Crampton to approve the elections of Margaret A. Zeidman as Town Council President and Bobbie Lindsay as Town Council President Pro Tem. On roll call, the Motion passed unanimously.**

*This item was taken out of order of the agenda:*

## IX. COMMENTS OF MAYOR DANIELLE H. MOORE

Mayor Moore expressed her appreciation and congratulations to Deputy Town Manager Jay Boodheshwar on his new appointment as City Manager at the City of Naples.

## X. COMMENTS OF TOWN COUNCIL MEMBERS

Council President Pro Tem Lindsay expressed her appreciation to Deputy Town Manager Boodheshwar on his dedication and his work on the Town Marina, Business and Administration Committee regarding parking, as well as other projects.

Council Member Crampton expressed his congratulations to Deputy Town Manager Boodheshwar on his new position and spoke regarding his great work and understanding

of operations and his ability to work with everyone and explain complex issues in an understandable way.

Council Member Araskog expressed her appreciation to Deputy Town Manager Boodheshwar on his hard work on ORS and other Town projects and operations, as well as his ability to collaborate and understand all sides of issues.

Council Member Cooney expressed his appreciation to Mr. Boodheshwar on his accomplishments and spoke regarding his thoughtfulness and kindness and his ability to gain consensus on contentious issues.

Council President Zeidman spoke regarding Mr. Boodheshwar being the heart of the community and expressed appreciation for all of his hard work, especially during the COVID-19 pandemic.

*This item was taken out of order of the agenda:*

## XII. APPROVAL OF CONSENT AGENDA

Council Member Cooney requested to remove Item C.3., Temporary Usage of Quadrille Boulevard Parcel [H. Paul Brazil, P.E., Director of Public Works], from the Consent Agenda.

**Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to approve the Consent Agenda, as amended. On roll call, the Motion passed unanimously.**

### A. MINUTES

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

March 8, 2022, Town Council Meeting Minutes

March 9, 2022, Town Council Development Review Meeting Minutes

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of March 23, 2022. [Wayne Bergman, Director of Planning, Zoning and Building]

### B. RESOLUTIONS

1. RESOLUTION NO. 042-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the Designation of Historic/Specimen Tree in the Town's Rights-of-Way at Ibis Isle Road South Providing an Effective Date. [H. Paul Brazil, P.E., Director of Public Works]

2. RESOLUTION NO. 043-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$173,360 to Applied Technology and Management, Inc., for Town-Wide 2022 Annual Physical Surveys, and Establishing a Physical Monitoring Budget of \$191,000. [Dean Mealy, Purchasing Manager]
3. RESOLUTION NO. 044-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$152,621 to Coastal Protection Engineering, LLC, for the 2022 FDEP BMA Cell-Wide Annual Biological Monitoring, and Establishing a Biological Monitoring Phase Budget of \$168,000. [Dean Mealy, Purchasing Manager]
4. RESOLUTION NO. 045-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$249,834 to Coastal Protection Engineering, LLC, for Reach 8 Design and Permitting, and Establishing a Design and Permitting Phase Budget of \$275,000. [Dean Mealy, Purchasing Manager]
5. RESOLUTION NO. 046-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$129,389 to Coastal Eco-Group, Inc., for 2022 Mid-Town regulatory required Biological Monitoring and the 2022 FDEP BMA Cell-Wide Monitoring Reporting, and establishing a Biological Monitoring and Reporting Phase Budget of \$142,000. [Dean Mealy, Purchasing Manager]
6. RESOLUTION NO. 047-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2022-11 to Rio-Bak Corporation for Sand Forepassing in the Amount of \$250,000 and Establishing a Project Budget of \$300,000. [Dean Mealy, Purchasing Manager]
7. RESOLUTION NO. 048-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Jacober Creative Design and Marketing Services in the Amount of \$50,000 for a Total Purchase Order Value of \$188,000. [Dean Mealy, Purchasing Manager]
8. RESOLUTION NO. 049-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing a Purchase Order to W.F. Baird & Associates in the Amount of \$19,360, and Establishing a Task Budget of \$28,000 for Extended Construction Administration Services Associated with the Town Marina Project. [Dean Mealy, Purchasing Manager]

9. RESOLUTION NO. 053-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Supporting and Approving the Application for Funding from the Community Project Program Through the Federal Government Appropriation Process. [Jane Le Clainche, Director of Finance]

C. OTHER

1. Request for Approval of Payment under Town's Supplemental Life Insurance Program [Gillian Barth, Director of Human Resources]
2. Signature Requirements for Town Resolutions [Jay Boodheshwar, Deputy Town Manager]
3. Temporary Usage of Quadrille Boulevard Parcel [H. Paul Brazil, P.E., Director of Public Works]

*This item was pulled from the Consent Calendar.*

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

XVI. REGULAR AGENDA

B. Old Business

1. Update Regarding the Work of the City of West Palm Beach's Panel of Water Quality Experts TIME CERTAIN: 10:00 AM [H. Paul Brazil, P.E., Director of Public Works]

John Potts presented the report from the City of West Palm Beach's Panel of Water Quality Experts. Paul Brazil, Director of Public Works, provided additional information on what work has occurred since the Panel ended.

Mr. Potts and Director Brazil answered Council Members' questions.

Council Member Araskog expressed appreciation to the City of West Palm Beach for allowing the Town to participate in the process.

Council President Zeidman expressed appreciation to the City of West Palm Beach and spoke regarding the issues that had occurred at the beginning of the water emergency.

Council President Pro Tem Lindsay spoke regarding the current system is reactive, rather than proactive.

There was no action taken.

2. Update on Water Feasibility Study TIME CERTAIN: 10:30 AM [H. Paul Brazil, P.E., Director of Public Works]

Jason Lee, Kimley-Horn & Associates presented an extensive PowerPoint presentation on the report of the water feasibility study and explained various alternatives for future water sources. The alternatives include renewing the agreement with the City of West Palm Beach, Town-owned Floridan aquifer source, Town-owned seawater source with a desalination plant, a wholesale agreement with Palm Beach County, and either a retail or wholesale agreement with the City of Lake Worth Beach. He provided an overview of the Phipps Park Desalination Plant, Quadrille Nanofiltration Treatment Plant, upgrading the City of West Palm Beach existing water treatment plant to a membrane plant, including timelines for construction, costs to produce and capital costs.

Town Manager Blouin, and Director Brazil answered Council Members' questions.

Michael Pucillo, 224 Dunbar Road, representing the Civic Association's Water Committee, spoke regarding a lack to creativity in what has been brought forward from the consultants and provided additional information on other options. He expressed concern over using surface water as opposed to water from the Floridan aquifer. He spoke in support of moving toward approval in the next year.

Tom Warnke, Surfrider Foundation, spoke regarding using recycled wastewater as is being done in Orange County, California, and provided information on the treatment and filtration process.

At the request of Council President Zeidman, Mr. Potts, Mr. Blouin and Mr. Brazil answered issues raised by Mr. Pucillo and questions by Council Members.

Council President Zeidman spoke regarding needing additional alternatives to continuing to work with West Palm Beach, specifically into looking into our own properties.

Council President Pro Tem Lindsay spoke in support of utilizing a Reverse Osmosis system. She spoke in support of taking the Town's water allowance and requesting a pre-application meeting with the South Florida Water Management District.

Council Member Crampton spoke in support of working with the City of West Palm Beach to improve the current system. He addressed the issues with surface water and spoke in support of using surface water rather than applying for a permit to use the aquifer.

Council Member Araskog stated that she believes the only two feasible options are working with the City of West Palm Beach on upgrading its system or installing a treatment plant at the Quadrille property.

Council Member Cooney asked questions regarding the aquifer, to which Mr. Potts responded.

Discussion ensued regarding the various options that the Town Council would like to continue to explore, including adding a fourth alternative, which is finding other property that could be used for a well field. Council Member Cooney spoke in support of not making any decisions at this time in order to allow for residents to be educated on the various options and for the Town Council to have more time to consider the options.

*The Town Council concurred to defer providing direction to staff until the May 10, 2022 Town Council meeting.*

*The meeting recessed for lunch at 1:45 p.m. and reconvened at 2:10 p.m.*

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

C. New Business

1. Annual Comprehensive Financial Report (ACFR) for Fiscal Year Ended September 30, 2021. TIME CERTAIN: 2:00 PM [Jane Le Clainche, Director of Finance]

Jane Le Clainche, Director of Finance, introduced Mo Ariza, Markham, presented the annual audit report.

**Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve the Annual Comprehensive Financial Report for fiscal year ending September 30, 2021. On roll call, the Motion passed unanimously.**

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

XIII. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Architectural Commission (ARCOM) [Jeffery W. Smith, Chair]

Chair Smith provided the annual report of the Architectural Commission.

**Motion was made by Council Member Araskog and seconded by Council Member Cooney to approve the Annual Report of the Architectural Commission (ARCOM). On roll call, the Motion passed unanimously.**

#### VIII. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- A. Presentations by the Applicants and Appointments to the Recreation Advisory Commission [Pat Gayle-Gordon, Acting Town Clerk]

The following applicants presented their applications to the Town Council:

Millie Dayton  
Henry “Budge” Jamison  
David Missner  
Michael Montanaro  
Allison Wright

A written statement from Grier Pressly was read into the record by Council President Zeidman.

**Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve the appointments of Millie Dayton, Henry “Budge” Jamison and Grier Pressly as members of the Recreation Advisory Commission. On roll call, the Motion passed unanimously.**

#### XI. COMMUNICATIONS FROM CITIZENS

Diane Buhler, Friends of Palm Beach, stated that the beach bucket stands installation have been a success. She expressed concern over individuals leaving alcohol beverage containers in the bucket and expressed concern over individuals consuming alcohol where it’s posted to not to be allowed. She spoke regarding issues that are occurring on certain private beaches.

#### XIV. COMMITTEE REPORTS

- A. Report of the Business and Administrative Committee Meeting Held on March 11, 2022 [Lew Crampton, Chair]

Chair Crampton provided the report of the BAC meeting and provided information on the discussion regarding short-term parking, mariner-related parking and evening parking. He spoke regarding the recommendation for new 30-minute parking on Worth Avenue and South County Road.

**Motion was made by Council Member Araskog and seconded by Council Member Cooney to approve the Report of the Business and Administrative Committee meeting held on March 11, 2022. On roll call, the Motion passed unanimously.**

1. Recommendation to Implement Additional 30-Minute Parking Spaces on the 200 and 300 Blocks of Worth Avenue, and the 200 Block of South County Road [Jay Boodheshwar, Deputy Town Manager]

Deputy Town Manager presented the recommendations by the BAC.

Council Member Cooney spoke regarding traffic congestion Worth Avenue at the valet stands and Town Manager Blouin spoke regarding parking enforcement efforts that are taking place to address the issue. Discussion ensued regarding the issues with valet parking and enforcement.

Council Member Araskog expressed concern over 30 minutes being too short and spoke in support of making them 45-minute spaces.

Chief Nicholas Caristo provided statistics of enforcement of the 30-minute spaces on Worth Avenue. Town Manager Blouin spoke regarding the valet operator permit process.

Discussion ensued regarding further review of 30-minute parking spaces on South County Road.

**Motion was made by Council Member Cooney and seconded by Council Member Araskog to approve the recommendations as presented for the 200 and 300 blocks of Worth Avenue and referred recommendations for the 200 block of South County Road to the Business and Administrative Committee for additional review. On roll call, the Motion passed unanimously.**

### XIII. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Architectural Commission (ARCOM) [Jeffery W. Smith, Chair]

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

### XIV. COMMITTEE REPORTS

- A. Report of the Business and Administrative Committee Meeting Held on March 11, 2022 [Lew Crampton, Chair]

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

1. Recommendation to Implement Additional 30-Minute Parking Spaces on the 200 and 300 Blocks of Worth Avenue, and the 200 Block of South County Road [Jay Boodheshwar, Deputy Town Manager]

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

## XV. PUBLIC HEARINGS

- A. RESOLUTION NO. 050-2022 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 248 Via Marila, in the Town of Palm Beach, Florida. [H. Paul Brazil, P.E., Director of Public Works]  
Town Engineer, Patricia Strayer, provided background information on the item.

Council President Zeidman called for public comment. No one indicated a desire to speak.

**Motion was made by Council Member Araskog and seconded by Council Member Crampton to approve Resolution No. 050-2022. On roll call, the Motion passed unanimously.**

## XVI. REGULAR AGENDA

- A. Matters Pulled From Consent Agenda: If needed

Temporary Usage of Quadrille Boulevard Parcel [H. Paul Brazil, P.E., Director of Public Works]

Director Brazil provided background information on the item and answered Council Members' questions, specifically regarding alternate plans for hurricane debris and charging a fee.

Council President Pro Tem spoke in support of leasing the entire parcel rather than just a portion of it.

Discussion ensued regarding the amount of time that the construction company would need to clear out in case of a hurricane, the use of Phipps Park for hurricane debris and the timing of the renovations of that area.

*There was consensus of the Council to authorize staff to move forward with discussions.*

- B. Old Business

1. Update Regarding the Work of the City of West Palm Beach's Panel of Water Quality Experts TIME CERTAIN: 10:00 AM [H. Paul Brazil, P.E., Director of Public Works]

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

2. Update on Water Feasibility Study TIME CERTAIN: 10:30 AM [H. Paul Brazil, P.E., Director of Public Works]

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

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

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

Town Engineer Strayer provided the status of the project phases. She spoke regarding chicanes that will need to be installed in certain areas.

Ms. Strayer spoke regarding the streetlights that had previously been discussed. Discussion ensued regarding the number and type of lights in the commercial area. The consensus of the Council was to move ahead with option #3.

- b. RESOLUTION NO. 051-2022 A Resolution of the Town Council of The Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement and Use Agreement Between the Town of Palm Beach and Florida Power & Light (FPL) at 1060 North Lake Way for Access, and Maintenance of FPL Equipment.

Town Engineer Strayer provided background information on the item. Ms. Strayer and Director Brazil answered Council Members' questions.

**Motion was made by Council Member Cooney and seconded by Council Member Araskog to approve Resolution No. 051-2022. On roll call, the Motion passed unanimously.**

- c. RESOLUTION NO. 052-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement and Use Agreement Between the Town of Palm Beach and Florida Power & Light (FPL) at 449 North Lake Way for Access, and Maintenance of FPL Equipment.

Council Member Cooney recused himself from this discussion. He gave a completed Form 8B to the Town Clerk and left the dais.

Town Engineer Strayer provided background information on the item and explained that the resolution is no longer necessary, but she did need the consensus of Town Council to approve adding a transformer to a different property that has been granted an easement, to which Town Council provided consensus.

C. New Business

1. Annual Comprehensive Financial Report (ACFR) for Fiscal Year Ended September 30, 2021. TIME CERTAIN: 2:00 PM [Jane Le Clainche, Director of Finance]

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

2. Review of a Stop Work Order Due to Three Strike Rule at 257 West Indies Drive [Wayne Bergman, Director of Planning, Zoning and Building]

Director of Planning, Zoning & Building Bergman provided background information on the item.

Brian Willoughby, Willoughby Construction, presented information regarding the three strikes and spoke regarding measures his company has taken to address these issues.

Council Member Araskog expressed concern over the multiple infractions that had occurred and the severity of some of the infractions, to which Mr. Willoughby responded.

In response to a question from Council Member Crampton, Mr. Willoughby explained the measures that have been taken to ensure that future infractions do not occur.

**Motion was made by Council Member Crampton and seconded by Council Member Araskog to lift the Stop Work Order at 257 West Indies Drive. On roll call, the Motion passed unanimously.**

3. Review of a Stop Work Order Due to Three Strike Rule at 756 Hi Mount Road. [Wayne Bergman, Director of Planning, Zoning and Building]

Director of Planning, Zoning & Building Bergman provided background information on the item.

Rene Alonzo, Alonzo & Associates, presented information regarding the three strikes and spoke regarding not being able to get right-of-way permits.

Council Member Cooney spoke regarding the complexity of this project, and recommended appealing to the Town Council proactively in the event of another difficult concrete pour.

Council Member Araskog stated that he also could have called Chief Caristo when he had a difficult situation with a concrete pour.

**Motion was made by Council Member Cooney and seconded by Council Member Crampton to lift the Stop Work Order and issue Right-of-Way permits at 756 Hi Mount Road. On roll call, the Motion passed unanimously.**

*The meeting recessed at 4:45 PM and reconvened at 4:55 PM*

4. Discussion Regarding Monoposts [Kirk W. Blouin, Town Manager]

Town Manager Blouin provided background information on the item and explained a code enforcement case regarding a monopost. He spoke regarding the Code not specifically addressing monoposts and requested if Town Council desires to regulate monoposts. Town Attorney Randolph provided Code citations that address the issue.

Aaron Williams, Greenspoon Marder, spoke in support of the code enforcement case going before the Code Enforcement Board, and spoke in opposition to the use of monoposts at public beaches.

Town Attorney Randolph addressed the issue of monoposts on the beach and customary use.

Michael Pucillo, 224 Dunbar Road, spoke regarding the use of monoposts to keep beachgoers off of private property in the area between Root Trail and Wells Road. Monopost. He stated that he believes that the Town has the authority to regulate the use of monoposts. He also stated that many residents who use the beach in this area are opposed to the use of monoposts.

Dave Brooker, 127 Root Trail, spoke in opposition to the monoposts that have been placed on the beach accesses by individuals. He spoke regarding measures being put in place to regulate the monoposts.

Christine Stapleton, West Palm Beach, spoke regarding her daily visits at the Sunset Beach access and spoke in opposition to the monoposts on the beach due to their impeding the view at the beach. She spoke regarding the question of whether posts are in the right position in the Erosion Control Line (ECL).

Kenn Karakul, Root Trail, spoke in opposition to the monoposts being placed on the beach and spoke in support of the Town passing an ordinance regulating the monoposts.

Tom Warnke, Surfrider Foundation, spoke regarding the current code provisions that address monoposts being placed on the beach. He spoke regarding what language should be allowed for signage posted on the beach. He spoke in support of the Town reinforcing that all beaches are public and he spoke regarding customary use doctrine.

Diane Buhler, Friends of Palm Beach, spoke regarding the monoposts on the beach and spoke regarding other residents being opposed to them.

Penelope Irwin, Root Trail, spoke in opposition to the monoposts and spoke regarding intimidation by homeowners on the beach toward beachgoers. She spoke regarding the problem with cones that have been placed on the beach by certain homeowners.

Council President Zeidman spoke regarding the beach in that area and the signs and monopoles being obtrusive and unwelcoming. She expressed concern over problems that have occurred at the beach in that area.

Discussion ensued regarding direction to be provided to the Town Manager regarding regulations addressing monoposts and the Town moving forward with a declaration of customary use.

Town Attorney Randolph and Chief Caristo spoke regarding the code enforcement case. Town Attorney Randolph stated that he would bring back information to the Town Council pertaining to customary use.

Council Member Araskog expressed concern over homeowners planting seagrapes without Town approval. She spoke regarding the Town enforcing when there were people trespassing in residents' cabanas and swimming pools in the past, but it's time to stop having homeowners close the access points.

Council Member Crampton spoke regarding these homeowners overreacting and causing an intimidating environment. He spoke regarding ensuring there is a balance.

It was the consensus of the Town Council that no action needs to be taken as this matter will be handled by the Code Enforcement Board and the Town Attorney will return with information pertaining to customary use.

## XVII. ORDINANCES

### A. Second 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 Zeidman spoke regarding letters that have been received on this item.

Kirk Carlson, Armstrong Landscape Group, spoke in opposition to the proposed ordinance due to restrictions that are being placed on his business which will reduce his company's ability to provide service to all of its customers.

Colin Goldsmith, Botanica Landscaping, requested that this ordinance be delayed in order to ensure that proper input is provided. He spoke in support of Town Council creating a contractor advisory council in order to discuss these issues and assist with making policy to address the issues. He spoke in support of creating a "responsible vendor program" which would assist with enforcement.

Council Member Cooney stated that he feels that the landscaping companies are raising valid concerns.

Council Member Araskog spoke in support of the ordinance returning to ORS to allow for further comment from the landscaping companies.

Council President Pro Tem Lindsay spoke regarding the reasons why this had been proposed, which was both the quiet enjoyment of residents, but also the traffic issues due to landscaping companies leaving the Town at the same time.

Deputy Town Manager Boodheshwar provided further information on the issues.

Discussion ensued regarding referring the ordinance to ORS in order to receive input from the landscaping companies and discuss the issues, specifically traffic and noise.

**Motion was made by Council Member Crampton and seconded by Council Member Araskog to refer Ordinance No. 004-2022 to the Ordinances, Rules and Standards Committee for further review. On roll call, the Motion passed unanimously.**

Discussion ensued regarding the leaf blowers that are being recommended to use.

Colin Goldsmith, Botanica Landscaping, spoke in support of 90-day extension in order to ensure that they are able to implement the correct equipment.

Discussion ensued regarding the ability to revise the ordinance to extend that time period for a specific section.

**Motion was made by Council Member Araskog and seconded by Council Member Cooney to extend the date of implementation of Section 42-197, regarding the type of leaf blowers on properties over an acre, for ninety (90) days. 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.

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

B. First Reading

1. Proposed Ordinance to Amend Chapter 2 Article X Section 2-636 of the Town Code to Modify the Responsibilities of the Shore Protection Board

ORDINANCE NO. 006-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 2, Article X, Section 2-636, Shore Protection Board; Providing for Severability, Providing for Repeal of Ordinances in

Conflict; Providing for Codification; Providing an Effective Date. [H. Paul Brazil, P.E., Director of Public Works]

Town Attorney Randolph read the title of the ordinance.

**Motion was made by Council President Pro Tem Lindsay and seconded by Council Member Cooney to approve Ordinance No. 006-2022 on first reading. On roll call, the Motion passed unanimously.**

2. Proposed Ordinance to Amend Chapter 88 Articles II and III of the Town Code to Modify Hedge Heights and Eliminate Pests

ORDINANCE NO. 007-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 88, Property Maintenance Code, at Article II, Definitions, Section 88-14, General Definitions; and at Article III, General Requirements, Sections 88-16, Exterior Property Areas, and 88-23, Pest Elimination; 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 and Building]

Town Attorney Randolph read the title of the ordinance.

**Motion was made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to approve Ordinance No. 007-2022 on first reading. On roll call, the Motion passed unanimously.**

#### XVIII. ANY OTHER MATTERS

1. Landscaping Restrictions

*This item had been heard previously during the agenda.*

2. Addition of Stairs to the Memorial Fountain

Council Member Araskog spoke regarding ensuring that the Town Council reviews the final plans and expressed concern over potential safety issues with disabled individuals. Director Brazil provided confirmation that the Town Council would provide final approval.

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

#### X. COMMENTS OF TOWN COUNCIL MEMBERS

Council Member Araskog congratulated Chief Donatto on his Home Rule Hero award. She spoke regarding emails received regarding issues at the Four Seasons

Hotel. She congratulated Council Members Lindsay, Crampton and President Zeidman for their re-elections.

Council President Zeidman spoke in support of the Town Council being aware of final discussions with the Four Seasons.

XIX. ADJOURNMENT

**Motion was made by Council Member Cooney and seconded by Council Member Crampton to adjourn the Town Council Meeting at 6:25 PM. On roll call, the Motion passed unanimously.**

APPROVED:

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Margaret A. Zeidman, Town Council President

ATTEST:

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Pat Gayle-Gordon, Acting Town Clerk

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Date