



Please be advised that in keeping with a recent directive from the Town Council, meeting minutes will be in “summary” style. The meeting audio is available via the Town’s website at www.townofpalmbeach.com

MINUTES OF THE TOWN COUNCIL MEETING HELD ON MAY 10, 2022

I. CALL TO ORDER AND ROLL CALL

The Town Council Meeting of Tuesday, May 10, 2022, was called to order at 9:33 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) Addition of Item No. XII.C.4
Consideration of scheduling an Attorney/Client Session immediately following the Town Council meeting on May 10, 2022, in the Town Council Chambers, 360 South County Road, Palm Beach, Florida, to discuss the following matter: Palm Beach Hotel Condominium Association, Inc. v. Town of Palm Beach- Case Number 50-2020-CA-002757-XXXX-MB (AG). Attorney/Client Session Attendees: Mayor Danielle H. Moore; Town Council President Margaret A. Zeidman; Town Council President Pro Tem Bobbie Lindsay; Town Council Members Julie Araskog, Edward A. Cooney, Lewis S. W. Crampton; Town Manager Kirk Blouin; Town Attorneys John C. Randolph and Joanne M. O’Connor, and Pleasanton, Greenhill, Meek & Marsaa Court Reporters.
John C. Randolph, Town Attorney
- 2) Original item no. XII.C.4 is now item no. XII.C.5.
- 3) Item No. XII.B.3. should be retitled: Discussion Regarding Temporary COVID Seating Extension and Café Permits

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.

Consideration of Scheduling an Attorney/Client session regarding Palm Beach Hotel Condominium Association, Inc. v. Town of Palm Beach- Case Number 50-2020-CA-002757-XXXX-MB (AG). Attorney/Client Session Attendees: Mayor Danielle H. Moore; Town Council President Margaret A. Zeidman; Town Council President Pro Tem Bobbie Lindsay; Town Council Members Julie Araskog, Edward A. Cooney, Lewis S. W. Crampton; Town Manager Kirk Blouin; Town Attorneys John C. Randolph and Joanne M. O'Connor, and Pleasanton, Greenhill, Meek & Marsaa Court Reporters.

Motion was made by Council Member Crampton and seconded by Council Member Araskog to approve the scheduling of the closed door session immediately following the regular town council meeting. On roll call, the Motion passed unanimously.

V. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- A. 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:

Gary Feldman
Victoria Piroso

Motion was made by Council Member Crampton and seconded by Council Member Lindsay to appoint Victoria Piroso as an alternate member of the Code Enforcement Board. On roll call the Motion passed unanimously

- B. Presentations by the Applicants and Appointments to the Investment Advisory Committee [Pat Gayle-Gordon, Acting Town Clerk]

The applicants for the Investment Advisory Committee did not attend the Town Council meeting.

Motion was made by Council Member Crampton and seconded by Council Member Araskog to reappoint Kathleen Anderson and Michael Greenwald as members of the Investment Advisory Committee. On roll call the Motion passed unanimously.

VI. COMMENTS OF MAYOR DANIELLE H. MOORE

Mayor Moore read a proclamation in recognition of Municipal Clerk's Week and thanked the Town Clerk's Office for the vital services they perform and for their dedication to the community.

Mayor Moore stated that the Preservation Foundation has requested a letter of support in order for them to apply for a grant for proposed resiliency improvements at the Little Red School House. The Town Council provided consensus to send the letter.

Mayor Moore recognized the following employee milestones: Valerie Tonge, Parking Enforcement, 25 years of service; Felicia Coleman, Telecommunicator, 20 years of service; Eric Brown, Assistant Public Works Director, 20 years of service; Willie Bonfante, Lt. Paramedic, 20 years of service; Henry Freeman, Equipment Operator, 10 years of service. She read through recent Police Department promotions.

She stated that she has been selected to serve on the Executive Committee of the Palm Beach County League of Cities.

VII. COMMENTS OF TOWN COUNCIL MEMBERS

President Pro Tem Lindsay spoke regarding the Police Department promotions and monthly awards for valor and spoke regarding the ceremony. She expressed appreciation to the Police Department for keeping the Town one of the safest in the country. She spoke regarding the winner of the Preservation Foundation's Lesly Smith Award for best landscape. She expressed appreciation to the natural landscape of the award recipient.

Council Member Araskog expressed appreciation for the Police Department and spoke regarding a recent drowning incident due to riptides and the bravery of the officers and Fire Department personnel who attempted to save the person. She thanked the Town employees for their service. She expressed appreciation to the Preservation Foundation for the work being done at Phipps Park. She brought up an issue with valets blocking Worth Avenue during lunch time. She also brought up an issue with seating at night and there being a potential fire hazard with having too many tables or too large tables at restaurants. She also spoke regarding the new brochures that Planning, Zoning and Building have distributed and requested to add it for discussion at the Development Review meeting agenda. She spoke regarding the Police Department promotion ceremonies being recorded and discussion ensued regarding having these ceremonies being open to the public.

Council President Zeidman expressed appreciation to Antonette Fabrizi for her work on keeping the Mayor and Town Council informed on all community events. She spoke regarding June 1 being the start of Hurricane Season and spoke regarding educational events that will be available to Town residents. She thanked Chief Caristo for making arrangements for herself and Council Member Cooney to be on a ride-along with the Police Department, and she thanked Capt. Wally for the ride-along. She also spoke regarding using the virtual training machine, and she expressed appreciation for the Town's public safety departments.

VIII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

Hunter Hanson, 354 Chilean Avenue, requested that the Town Council look at the ordinance that allows shop owners on Worth Avenue to stand out and present goods in front of their shops and expressed concern over some of them being aggressive.

Town Manager Blouin addressed the concerns of Mr. Hanson and spoke regarding the Police Department being aware of the issue and the issue of infringing on constitutional rights. He stated that staff will continue to look into what the Town can do to address these concerns.

Celia Terenzio, on behalf of Mr. Hager at 231 Park Avenue, expressed concern over the settlement agreement in the case of Palm Beach Condominium Association vs. Town of Palm Beach, specifically regarding paragraph 6 pertaining to the easement. She expressed concern that the crews from the Palm Beach Hotel are consistently not complying with the easement. She spoke in support of the Town prohibiting trucks over 30 feet from using certain streets as recommended by the truck study conducted by Kimley Horn.

Dr. Rhonda Nasser, 242 Park Avenue, expressed concern over oversized trucks driving on the 10-foot easement and provided examples of issues that she has experienced with these large trucks.

Larry Goldberg, 3360 S. Ocean Blvd. (via Zoom) spoke regarding a letter he sent to the Town Manager regarding the dune project at Reach 8.

IX. APPROVAL OF CONSENT AGENDA

The following changes were made to the Consent Agenda:

- 1) IX.B.1. RESOLUTION NO. 054-2022 PULLED AND HEARD AS XII.A.1.
- 2) IX.B.9. RESOLUTION NO. 062-2022 PULLED AND HEARD AS XII.A.2.
- 3) IX.C.2. 340 Royal Poinciana Way PULLED AND HEARD AS XII.A.3.

President Zeidman spoke regarding the preparation of the Minutes and stated that they are a summary of the meeting and reviewed by her. She stated that if Council Members would like a discussion regarding the Minutes, it can be placed on the agenda for a future meeting. Town Manager Blouin stated that the Minutes are not verbatim.

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]

April 12, 2022, Town Council Meeting Minutes

April 13, 2022, Town Council Development Review Meeting Minutes

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of April 27, 2022. [Wayne Bergman, Director of Planning, Zoning and Building]

B. RESOLUTIONS

1. RESOLUTION NO. 054-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Revised Fees Related to the Planning, Zoning & Building Department. [Wayne Bergman, Director of Planning, Zoning and Building] – ***Pulled and Heard as Item No. XII.A.1.***
2. RESOLUTION NO. 055-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Second Amendment to the Existing Interlocal Agreement Governing the Protocol by Which the Town of Palm Beach Transports and Refers Homeless Individuals for Acceptance into the Homeless Resource Center 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. 056-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town of Palm Beach, Ex Post Facto, to Submit an Application for the FY2021 Presidential Residence Protection Assistance (PRPA) Grant for Reimbursement of Applicable Law Enforcement Personnel Overtime Expenses Incurred During the Grant Period; 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]
4. RESOLUTION NO. 057-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-08, Disaster Debris Monitoring to Rostan Solutions, LLC and DebrisTech, LLC. [Dean Mealy, Purchasing Manager]
5. RESOLUTION NO. 058-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-09, Disaster Debris Removal to a Pool of Pre-Qualified Firms, Ceres Environmental Services, Inc., DRC Emergency Services, LLC and Phillips and Jordan, LLC. [Dean Mealy, Purchasing Manager]
6. RESOLUTION NO. 059-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Chen Moore and Associates for Professional Assistance with the Phipps Park Lifeguard Building Renovation in the Amount of \$69,858 and

Establishing a Project Budget of \$77,000. [Dean Mealy, Purchasing Manager]

7. RESOLUTION NO. 060-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Zimmerman Tree Services in the Amount of \$88,700 for Trimming of Royal Palms, Hardwoods and Australian Pines. [Dean Mealy, Purchasing Manager]
8. RESOLUTION NO. 061-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Insight Public Sector in the Amount of \$80,052 for Twenty-eight (28) Cradlepoint Wireless Router Devices for Public Safety. [Dean Mealy, Purchasing Manager]
9. RESOLUTION NO. 062-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Kimley-Horn and Associates, Inc. in the Amount of \$100,000 for the Water Feasibility Study. [Dean Mealy, Purchasing Manager] ***-Pulled and Heard as Item No. XII.A.2.***
10. RESOLUTION NO. 067-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Chen Moore and Associates for Engineering Services for CIPP Lining - Basins A05, A06 and A43 in the Amount of \$175,240 and Establishing a Project Budget of \$200,000. [Dean Mealy, Purchasing Manager]
11. RESOLUTION NO. 068-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Extension of the Solid Waste and Recycling Inter-local Agreement with Palm Beach County Solid Waste Authority. [Dean Mealy, Purchasing Manager]

C. OTHER

1. Status Report on Previously Approved Expansion of Placard Parking Program. [Jane Le Clainche, Director of Finance]
2. 340 Royal Poinciana Way - Review and Approval of The Declaration of Use Agreement and the Amended and Restated 1979 Agreement. [Wayne Bergman, Director of Planning, Zoning and Building] ***-Pulled and Heard as Item No. XII.A.3.***
3. Approve Request by Florida Power & Light (FPL) for Night Work at 155 North County Road [H. Paul Brazil, P.E., Director of Public Works]

X. BOARD/COMMISSION ANNUAL REPORT

A. Annual Report of the Code Enforcement Board [Bram Majtlis, Chair]

Chair Bram Majtlis provided the Annual Report of the Code Enforcement Board.

Council Member Crampton spoke regarding the increased focus and resources for code enforcement over the past year and commended the Code Enforcement Board on their work in light of this increased workload.

Council President Pro Tem Lindsay spoke regarding the fines on seven properties and there was clarification that most of the fines are on two of the properties. In response to a question by Ms. Lindsay, Mr. Blouin explained potential recourse that staff can enlist to address these properties, specifically placing liens on the property.

Council Member Cooney expressed appreciation to Town staff and the Board on their professionalism during the meeting. He encouraged continued cooperation between Code Enforcement and the Planning Zoning and Building Department.

Council Member Araskog expressed appreciation to staff and the Board and spoke regarding construction site monitors and increased code enforcement presence working to address past issues. She spoke in support of the focus being on compliance and not being punitive.

Mayor Moore expressed appreciation to the members for their work on a difficult board.

Town Manager Blouin spoke regarding the Code Enforcement complaint process and addressed concerns over timeliness of response. He spoke regarding the process and role of the Code Enforcement Board. In response to a question by Council President Zeidman, Mr. Blouin spoke regarding communication to complainants. Carla Marcote, Code Enforcement Specialist, stated that staff does keep in contact with complainants who provide their contact information.

Motion was made by Council Member Crampton and seconded by Council Member Cooney to accept the Annual Report of the Code Enforcement Board. On roll call the Motion passed unanimously.

B. Annual Report of the Planning and Zoning Commission [Gail Coniglio, Chair]

Chair Gail Coniglio provided highlights of the Planning and Zoning Commission over the past year and spoke regarding potential zoning code changes that have been discussed. She brought forward action items, for which she is requesting Council direction. She spoke regarding the recommendation to pursue using FAR calculations instead of CCR calculations. She addressed the new FEMA requirements in regards to mechanical equipment. She spoke regarding the

importance of visuals to use for outreach and education to the public. She requested the Town Council's direction to the P&Z Commission regarding whether or not to proceed with tighter code requirements and presented photos as examples of issues that need to be addressed in the Code. She also requested direction to bring forward updates to the Town Council on a more regular basis during the process.

Council President Zeidman commended Chair Coniglio on bringing forward these issues and commended her on her work on the Commission. She spoke regarding the importance of the Planning and Zoning Commission, Council and consultants working together on the Zoning Code review process.

Council Member Araskog spoke in support of changing from CCR to FAR calculations as soon as possible and expressed support for the Planning and Zoning Commission reviewing it immediately.

Council Member Crampton commended Chair Coniglio on her leadership with bringing forward these issues. He spoke regarding taking action quickly to make the changes and spoke in support of increased coordination with the Commission. He spoke in support of her reporting to Council more often and recommended her working with staff to determine the frequency of reports before Council and to integrate with the strategic planning process and other endeavors that are occurring in the Town.

Chair Coniglio spoke regarding the Council's direction to make the CCR to FAR calculations the top priority. She expressed concern over potential issues with individuals who bought property in Town with the understanding that they can build a certain size house and then changing the requirement. She cautioned that this process will most likely not be as quick as is desired by some. She spoke regarding the importance of also addressing issues with commercial development and the long-term impacts of the Town, especially in regards to traffic.

Council President Zeidman commended the Planning and Zoning Commission's desire to move ahead with FAR, but expressed concern that using that one variable without taking into account other aspects such as green space, front, side and rear yard setbacks would not achieve the desired outcome. She spoke in support of the Commission viewing the issue in its entirety. She suggested that the Commission and Council will need to meet together more often during the consultant's review. She spoke in support of the Town Council holding meetings with the Commission to discuss these items.

Council Member Cooney spoke in support of the proposed items for action that have been requested by Chair Coniglio. He stated that he feels the most important request that has been made is the visuals and educational component, in combination with a cooperative relationship between the Town Council and the P&Z Commission.

Council President Pro Tem Lindsay spoke regarding the importance of changing the multiplier of FAR. She spoke regarding the complicated issues and spoke regarding the process taking longer due to various reasons. She expressed support for making the FAR and CCR change the priority, along with the visuals, and spoke in support of moving forward with these items with the consultants.

Director of Planning, Zoning and Building, Wayne Bergman, stated that staff will need to work with consultant on a schedule and they understand the priorities and will work with the consultant to address them.

Mayor Moore spoke in support of including the commercial areas in the review and ensuring that the process includes the commercial zoning. She expressed concern over moving too slowly and deliberately on this process.

Chair Coniglio requested clarification on the Council's direction to also review commercial zoning.

Council President Zeidman provided a summary on the items for direction. She spoke regarding the Commission being the group to review and put together a plan on the FAR issue, to include the visuals. She spoke in support of working with the consultants and staff to review that issue first. She spoke in support of Chair Coniglio calling joint meetings between the Council and Commission when she sees fit.

Chair Coniglio requested permission to do outreach to community groups during the process. She spoke in support of working with consultants and staff to address the commercial zoning.

Council Member Araskog spoke regarding Director Bergman previously speaking about doing a direct CCR to FAR conversion that they have determined and spoke in support of moving forward with this conversion at next month's meeting.

Council President Pro Tem spoke in support of waiting until the consultant's presentation prior to providing direction.

Council President Zeidman spoke in support of waiting until the consultant is on board prior to proceeding with providing direction to the Planning & Zoning Commission.

Council Member Crampton spoke in support of increased coordination between the Council and the Commission and spoke regarding the importance of looking at the Planning & Zoning Commission's role in the overall process.

Mayor Moore spoke in support of waiting until the consultant's presentation and expressed concern that there has not been input yet from the professional community and spoke regarding addressing projects that are already in the queue.

Council President Zeidman stated that the Town Council is on the same page as Chair Coniglio and spoke regarding the need to schedule a workshop in the future to discuss these items.

Motion was made by Council Member Araskog and seconded by Council Member Crampton to accept the Annual Report of the Planning and Zoning Commission. On roll call the Motion passed unanimously.

The Town Council recessed at 11:39 a.m. and reconvened at 11:52 a.m.

XI. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on April 14, 2022 [Julie Araskog, Chair]

Chair Araskog presented the report of the April 14, 2022, meeting. She spoke regarding an issue with noise at the Four Seasons and provided information on the discussion the committee had addressing noise, including a recommendation to treat the area below Sloan's Curve the same as other residential areas in Town. Discussion ensued regarding being able to use a C scale to measure noise levels, which measures the impact of bass.

Council President Pro Tem Lindsay brought up public feedback from the Garden Club and in the media from landscape professionals regarding the native landscape requirements. She requested that this item be placed under any other matters at the Development Review meeting for discussion.

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 April 14, 2022. On roll call the Motion passed unanimously.

- B. Report of the Business and Administrative Committee Meeting Held on April 18, 2022. [Lew Crampton, Chair]

Chair Crampton presented the report of the April 18, 2022, BAC meeting. He outlined the parking proposals that were discussed.

Motion was made by Council Member Araskog and seconded by Council Member Crampton to accept the Report of the Business and Administrative Committee Meeting held on April 18, 2022. On roll call the Motion passed unanimously.

1. Recommended Parking Regulation Changes on the 200 Block of South County Road. [Nicholas Caristo, Chief of Police]

Chair Crampton introduced Lt. Paul Alber, who provided background information on the issues on the proposed changes.

Council Member Araskog provided recommendations on the timing of the proposed spaces and expressed concern over increasing the amount of ParkMobile parking spaces.

Council President Pro Tem Lindsay provided additional information on what the Committee had discussed pertaining to these changes. Discussion ensued regarding the proposed changes to timing of parking spaces in that area.

Council Member Cooney expressed concern over the proposed changes to the business parking places due to the fact that this district is interrelated with the next block to the north and there needs to be further consideration of the bigger picture.

Carrie Bradburn, Capehart Photography, 234 S. County Road, spoke in support of keeping the parking on the 200 block of South County Road as it is currently.

Lisa Erdman, businessowner, 230 S. County Road, stated that her business was not surveyed regarding these parking changes and expressed concern over the proposed changes to the parking on the 200 block of South County Road.

Caroline Koons Forrest, MHK Architecture and Planning, 211 Seaview Avenue, expressed concern over the proposed paid parking on the 200 block of South County Road.

Council Member Crampton stated that he is supportive of the “yellow” spaces in front of the businesses status quo, but stated that he would support changing the “purple” spaces in front of the bank.

Council President Pro Tem Lindsay spoke in support of hearing more from the business owners regarding the number of spots they need for their customers. She spoke regarding the parking needs for beachgoers. She addressed the concern over some of the businesses not being surveyed.

Ms. Forrest spoke regarding the use of the parking spaces by beachgoers. She spoke regarding confusion with some of the curbs painted red that had previously been marked for valet and most individuals do not park in those spots.

Town Manager Blouin addressed some of the concerns that had been raised. He spoke in opposition to making policy in response to individual complaints rather making policy that is what is good for the community.

Council President Zeidman spoke regarding the parking issue never having been solved over the years and spoke regarding the Committee attempting to solve this problem. She commended the Committee members on their work.

Council President Pro Tem Lindsay spoke regarding the unintended “costs” of free parking and spoke regarding the move towards paid parking throughout the Town. She stated the only way there can be turnover is to install paid parking.

Ms. Erdman spoke in support of keeping the parking status quo.

Council Member Araskog spoke in support of sending the item back to the Committee for further study and discussion.

Council Member Crampton spoke in support of bringing it back to the Committee for discussion and stated that he feels that any beach parking should be paid. He spoke in support of getting additional data and input from the waterfront businesses.

Council President Zeidman spoke regarding moving further north to include that business district, as well.

There was no action taken. The item was remanded back to the Committee for further exploration and study.

Council Member Araskog requested that Antonette send out a reminder to the Council Members to respond to her with their recommendations on the listed items in the backup.

XII. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

1. RESOLUTION NO. 054-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Revised Fees Related to the Planning, Zoning & Building Department. [Wayne Bergman, Director of Planning, Zoning and Building]

Council Member Cooney spoke regarding this being the second time that the fee schedule has been changed since he’s been on Town Council and spoke regarding ensuring that the fees remain reasonable. He spoke regarding a presentation made by Assistant Director James Murphy on efforts to organize the submittal process for projects going to the Commissions. He spoke regarding his request to staff to shorten the timeframes for minor projects and he stated that he feels that the fees may be too expensive for minor projects.

Director Bergman addressed the concerns raised by Council Member Cooney and stated that staff will be coming before Town Council in the next few months for a proposal for shortened timelines. He addressed the changes being made to the fee schedule and spoke regarding the fees being in line with other similar municipalities. He spoke regarding other

municipalities using an escrow account to cover expenses during the process.

Council Member Crampton spoke regarding the new processes that are being developed in PZB and he spoke regarding the importance of determining the criteria for the certificate of completeness and the ARCOM designation manual. He spoke in support of looking at what other municipalities charge for similar services.

Council President Pro Tem Lindsay spoke in support of PZB moving towards more administrative approvals, specifically in regards to applications for rear-yard easements after the undergrounding project. She spoke regarding Public Works working on streamlining that process.

Council Member Araskog spoke in support of showing the fee schedules of other communities in the backup. She spoke in support of the work of ARCOM and spoke in support of shortening the timeframe for applicants.

Mayor Moore expressed concern over the length of the process, especially during the summer months. She commended Director Bergman and his staff on their work with developing this process.

Council Member Cooney stated that the Town can strive towards efficiency while maintaining the Town's standards.

Town Manager Blouin spoke regarding his knowledge of these issues and stated there is a consultant who assists the Town staff with developing the fees to ensure that they're in line with what State statute allows.

Motion was made by Council Member Cooney and seconded by Council Member Araskog to approve Resolution No. 054-2022. On roll call, the Motion passed unanimously.

2. RESOLUTION NO. 062-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Kimley-Horn and Associates, Inc. in the Amount of \$100,000 for the Water Feasibility Study. [Dean Mealy, Purchasing Manager]

Council President Zeidman stated that this item is an opportunity to discuss the structure and process going forward.

Paul Brazil, Director of Public Works, provided background information on the item.

Motion was made by Council Member Cooney and seconded by Council Member Araskog to approve Resolution No. 054-2022. On roll call, the Motion passed unanimously.

Council President Zeidman provided background on what has been done at this point on the water issue and outlined the meetings and the involvement of the Civic Association Water Committee. She outlined the options that are possible for obtaining water. She spoke regarding the Town's team of staff and consultants. She spoke regarding the importance of preparing a structure of how the Town moves forward. She stated that Director Brazil will be keeping a running list of questions. She stated that she feels that there needs to be scheduled updates to Mayor and Council; a workshop or think tank to be dedicated to water feasibility; a timeline that looks at education, decision-making and costs. She recommended that Council President Pro Tem Lindsay, as the Chair of the Public Works Committee, be the point person to be looking at the deep dive and that recommendations should come through that committee; and any financial items should come through the Finance and Taxation Committee. She stated that Paul Brazil should be the one to head up this team.

In response to a question from Council Member Crampton, Director Brazil stated that the alternatives are the same as they had been, except for a public-private partnership. He outlined what needs to occur with the project plan and stated that they will return to Council next month to review and approve the structure. He spoke regarding items that will be discussed at the next Public Works Committee meeting.

Council Member Araskog expressed support for the Public Works Committee reviewing the options in depth prior to Council's consideration.

Council President Pro Tem Lindsay spoke in support of the Public Works Committee reviewing the options. She expressed appreciation to Council President Zeidman for getting the Town Council Members invited to various civic and community groups that have had meetings on this issue. She stated that the option of continuing an agreement with the City of West Palm Beach should be as a partner and not as a customer. She spoke regarding the use of technology to remove toxins and spoke regarding being able to look at other sources of water that may be more sustainable. She spoke regarding the state-of-the-art Jupiter R-O Plant. She also spoke regarding the possibility of a desalinization plant.

Mayor Moore spoke regarding the water line construction on Australian Avenue.

The Town Council recessed at 1:30 p.m. and reconvened at 2:00 p.m.

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

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”.

TIME CERTAIN: 2:00 PM [H. Paul Brazil, P.E., Director of Public Works]

Director Brazil provided background information on the item and introduced Brent Whitfield, Chen Moore and Associates, who presented additional information on the proposed project and potential impacts. Mr. Brazil and Mr. Whitfield answered questions by Mayor Moore and Council Members. Discussion ensued regarding the issue of a bike path that ends at Sloan’s Curve.

Council Member Cooney expressed concern over the proposed plan and asked if there could be a discussion with TPA on improving the path that is currently on A1A in that area.

Council Member Araskog expressed concern over the proposed plan and spoke in support of cleaning up the path down in that area. She expressed concern that there will be a significant construction project for an insignificant final project.

Council President Pro Tem Lindsay spoke in support repaving and upgrading the roadway and trail in that area.

Council President Zeidman requested clarification from Mr. Brazil on his recommendations, which is to mill and resurface the roadway and the path. She asked about consideration for the expansion of the path that was mentioned by Council Member Cooney, to which Mr. Brazil responded.

Ronald Matzner, representing the Citizens Association, read a letter from the Board of Directors, which spoke in support of Town staff’s recommendations, with the addition of widening the pathway by two feet and extend it to the 2000 building and installing signage to enforce single file bicycles.

Motion was made by Council Member Crampton and seconded by Council Member Cooney to reject the TPA improvements and support staff recommendation to re-mill the road and upgrade the pathway. On roll call, the Motion passed unanimously.

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

B. Old Business

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

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

Town Engineer, Patricia Strayer, presented the project status for each phase. She requested direction from Town Council on transformer location near the North Fire Station and presented options for locations. Discussion ensued regarding the options for the location of the transformer.

Ms. Strayer spoke regarding the possibility of locating four transformers in two small Town parks on Park Avenue.

Council Member Araskog spoke in opposition to placing transformers in a park but stated that if it's the best choice, to ensure that there is nice landscaping around the transformers to hide them.

Mayor Moore requested that the transformers be placed as far away from the road as possible.

Council Member Cooney spoke in opposition to placing transformers in Town parks, but reluctantly agreed with the placement due to the constraints of that area.

Council President Zeidman stated that the Town Council has had a policy against placing transformers in parks, but stated that it makes sense in this situation.

Council President Pro Tem Lindsay requested that the boxes not be placed in the front of the park.

e. Approve Request for Saturday Work to Mill and Resurface Parking Lot at 205 Royal Palm Way

Town Engineer, Patricia Strayer, presented background on the request.

Motion was made by Council Member Cooney and seconded by Council Member Crampton to approve the Saturday work to mill and resurface the parking lot at 205 Royal Palm Way. On roll call, the Motion passed unanimously.

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

C. New Business

3. Garbage Collection at Town Marina

TIME CERTAIN: 3:00 PM [Bobbie Lindsay, Council President Pro Tem]

Frank Slattery, 369 South Lake Drive, President of the Co-op, made the presentation on the issues of the garbage collection site at the new Town Marina. He provided background information on the issue and presented the recommendation to relocate the garbage collection site to the Public Works parking lot on the North end of Lake Park.

Director of Public Works, Paul Brazil, spoke regarding the presentation and explained that the garbage collection process is completed at that location as in other places in Town. He stated that this has been addressed previously, and he stated that there are conflicts and safety issues that need to be addressed. He stated that he would look into if it can be moved to the Public Works site. He spoke regarding the various safety issues with moving it to that site and stated that he would bring it back to Council.

Council Member Araskog spoke regarding her visit to the property adjacent to this site and stated that the dumpsters are right outside of the residents' windows and the site is unsightly and has a very bad odor. She questioned why the dumpsters don't have lids, to which Assistant Town Manager, Carolyn Stone, responded.

Hunter Hansen, President of Island View House Condominium, 354 Chilean Avenue, spoke in support of Mr. Slattery's presentation and alternative. He encouraged the Town Council to visit the Co-op to see what the residents have to deal with.

Peter Geisler, 315 South Lake Drive, spoke in support of Mr. Slattery's presentation and alternative. He recommended that, if the garbage collection site is relocated, that it be placed close to the building that's on that property.

Molly Slattery, 369 South Lake Drive, commended Assistant Town Manager Stone for the operation of the Marina and spoke regarding her responsiveness during the construction phase. She stated that they were told during pre-construction phase that the residents would not be able to see the garbage dumpsters, but they can see it.

Susie Hansen, 354 Chilean Avenue, expressed appreciation for the new Town Marina. She spoke in support of moving the site to the Public Works lot, especially in order to get the garbage trucks off the street.

Council Member Crampton expressed appreciation for the Town Marina and commended the Mr. Slattery on his presentation. He stated that he would like to see Director Brazil's presentation on relocating the dumpsters to the proposed site.

Council Member Cooney spoke in support of seeing what Mr. Brazil can do to relocate the dumpsters.

Council President Pro Tem Lindsay expressed appreciation for the new Town Marina and spoke regarding the successful facility. She spoke regarding corrections and small improvements that will be made, as is done with any new facility. She spoke regarding her work over the past couple years on convincing the residents adjacent to the park that the park won't negatively impact them and that it will enhance their experience. She spoke regarding the dumpsters being placed where it worked best operationally, but that it is negatively impacting these residents. She spoke in support of asking Public Works how they can relocate the garbage collection site deep on the Public Works property, but cautioned that the proposed location would put it closer to 315 South Lake Drive, so noise mitigation needs to be addressed. She spoke regarding moving the site close to the Public Works building. She spoke regarding improving the back gate area in order to encourage people to use the path rather than using the front of the site. She stated that she witnessed a garbage truck backing up traffic on South Lake Drive and spoke in support of using the other lot in order to keep them off the road.

Mayor Moore addressed a concern for losing greenspace. She spoke in support of giving Director Brazil time to review his previous research and see if this can be accomplished. She spoke in support of using the path, as Ms. Lindsay had mentioned.

Town Manager Blouin provided an overview of the issues and stated that the item will return to Town Council in July.

A. Matters Pulled From Consent Agenda: If needed

3. 340 Royal Poinciana Way - Review and Approval of The Declaration of Use Agreement and the Amended and Restated 1979 Agreement. [Wayne Bergman, Director of Planning, Zoning and Building]

Council Member Araskog explained her reasons for requesting a reconsideration of the Declaration of Use Agreement and the Amended and Restated 1979 Agreement. She expressed concern over the 45 "ghost" spaces and allowing use to be from 8:00 a.m. – midnight. Discussion ensued regarding the Motion for Reconsideration proceedings.

Motion was made by Council Member Araskog and seconded by Council Member Cooney to re-consider the 1979 Agreement for the Royal Poinciana Playhouse. On roll call, the Motion failed 2-3 with Council Members Crampton, Lindsay and Zeidman dissenting.

Jamie Crowley, attorney for the applicant, provided clarification on the item to be approved. He stated that the Declaration of Use had been approved previously, but the Amended and Restated 1979 Agreement needed to have final approval. Discussion ensued on the item under discussion.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve the Declaration of Use Agreement and the Amended and Restated 1979 Agreement. On roll call, the Motion passed 3-2 with Council Members Araskog and Cooney dissenting.

Anita Seltzer, 44 Cocoanut Row, spoke regarding the historic Mysore fig tree and background of how the Town Council and staff have addressed the tree in the past. She emphasized the importance of ensuring protection for the tree during the construction project.

Alex Patterson, Royal Poinciana Plaza, provided assurances that the tree would be protected.

Bill Metzger, 277 Esplanade Way, spoke regarding a conversation with the City's Arborist about the Mysore fig tree and stated that he was confident that the tree will be protected during construction.

B. Old Business

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

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

This item was heard out of order of the agenda.

b. Consider The Breakers Request for Improvements Along South County Road Between Via Bethesda and Royal Poinciana

Town Engineer Strayer presented background information on the item.

Jamie Crowley, Attorney for the Breakers, provided additional information on the request. He answered Council Members' questions.

Mayor Moore stated that a gold tabby is reserved for historic districts. She asked if the Breakers will be doing the maintenance if this is approved.

Council President Zeidman spoke regarding the gold tabby being for historic districts. Discussion ensued regarding the landmark vista designation of The Breakers and if gold tabby would be appropriate.

Council Member Crampton spoke in opposition to the tabby, but spoke in support of the proposed safety improvements.

Council President Pro Tem Lindsay spoke in support of the proposed safety improvements and stated that if the gold tabby is approved and installed, then The Breakers would need to maintain it. Discussion ensued regarding the high cost and difficulty in maintaining tabby. Ms. Lindsay expressed support for installing a tunnel for the golf carts.

Council President Zeidman requested confirmation from Public Works Director Brazil that if the Town replaces the sidewalks with tabby, then the difference of the cost of the tabby over traditional sidewalks would be paid by The Breakers. She stated that the sidewalks on County Road are in poor condition and that she supports replacement during the undergrounding of that area. She further stated that the sidewalks along County up to Worth should be replaced as undergrounding efforts take place. Director Brazil spoke regarding the sidewalk replacements that are being addressed.

Town Manager Blouin spoke regarding the process if this item moves forward.

Council Member Cooney spoke in support of sidewalk replacements. He spoke in opposition to the pavers in the roadway and addressed the proposed safety improvements. He spoke in having a standing prohibition of no right turn on red at that light. He spoke in support of The Breakers assisting financially for the mast arm crosswalk.

Council Member Araskog spoke in support of The Breakers' proposal for the No Turn on Red at that signal. She spoke in opposition to the pavers in the roadway. She stated that if tabby is approved, then it should not be at the cost of installation and maintenance of the Town. She stated that whatever is done should be extended to Barton to keep it consistent. She expressed support for decorative concrete at the main entrance of The Breakers. She spoke in support of sending any decorative sidewalk to ARCOM or Landmarks Commission.

In response to a question by Mayor Moore, Mr. Crowley, Mr. Brazil and Ms. Strayer addressed replacing sidewalks on the west side of The Breakers.

Council President Zeidman stated that she is supportive of the PHV at Via Bethesda. She spoke regarding the gold vs. gray tabby and that the difference should be paid by The Breakers. She expressed concern over the

no right turn on red sign that has been proposed. Discussion ensued regarding the effectiveness and safety of this sign at this intersection.

Mike Reiter provided an explanation of the type of sign that is being proposed.

Town Manager Blouin spoke regarding the necessity of staff analyzing the proposed items. He spoke regarding meeting with The Breakers to further discuss these items.

Council President Zeidman stated that The Breakers is looking for Council support of the proposed items.

Town Manager Blouin stated that staff will flush out details with The Breakers and return to Town Council.

Chief Nick Caristo stated that the No Right on Red could be used during certain times in order to get drivers accustomed to the sign.

Council President Zeidman spoke regarding Council being concerned with the safety issue on County Road.

Council Member Araskog expressed concern that she is not ready to provide support at this point on any of the proposed items.

Director Brazil stated that staff will return to Council after working with The Breakers.

- c. Review of Temporary Replacement of Failing Mast Arms at Peruvian Avenue and Worth Avenue by Florida Department of Transportation.

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

Town Manager Blouin spoke regarding the failure of the mast arms and the necessity to be installed quickly due to hurricane system.

Council Member Araskog expressed concern over the proposed design.

In response to a question by Mayor Moore, Ms. Strayer spoke regarding other mast arm projects that had been planned.

- d. RESOLUTION NO. 063-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Kimley-Horn and Associates, Inc. for Engineering Design Services for Post-Mounted Signals at Hammon Avenue, Worth Avenue, and

Peruvian Avenue in the Amount of \$82,028 and Establishing a Project Budget of \$90,000.

Motion was made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to approve Resolution No. 063-2022. On roll call, the Motion passed unanimously.

C. New Business

4. Addition of Item No. XII.C.4 Consideration of scheduling an Attorney/Client Session immediately following the Town Council meeting on May 10, 2022, in the Town Council Chambers, 360 South County Road, Palm Beach, Florida, to discuss the following matter: Palm Beach Hotel Condominium Association, Inc. v. Town of Palm Beach- Case Number 50-2020-CA-002757-XXXX-MB (AG). Attorney/Client Session Attendees: Mayor Danielle H. Moore; Town Council President Margaret A. Zeidman; Town Council President Pro Tem Bobbie Lindsay; Town Council Members Julie Araskog, Edward A. Cooney, Lewis S. W. Crampton; Town Manager Kirk Blouin; Town Attorneys John C. Randolph and Joanne M. O'Connor, and Pleasanton, Greenhill, Meek & Marsaa Court Reporters.
John C. Randolph, Town Attorney

Town Attorney Randolph spoke regarding his request to hold a closed door session regarding a settlement agreement, but stated that he would like to have Paul Brazil provide background information on the settlement agreement in a public session.

Discussion ensued regarding the noticing of the item.

Director Brazil provided background information on the issue and Joanne O'Connor, Jones Foster, provided background information on the lawsuit and outlined the terms of the settlement agreement. Town Attorney and Director Brazil clarified that the settlement agreement does not address the issues that were raised during public comment regarding vehicles going outside the easement and that code enforcement needs to address those issues. Director Brazil answered questions from Council Member Cooney.

Council Member Crampton spoke in support of the settlement agreement and stated that he feels that a closed door session is unnecessary.

Council Member Araskog requested clarification of the language pertaining to the easement, to which Ms. O'Connor responded. Ms. O'Connor spoke regarding the judgment, which was an attachment to the settlement agreement, and provides for the easement.

In response to a question from Council President Pro Tem Lindsay, Ms. O'Connor provided further clarification on the judgement and the easement.

Celia Terenzio, on behalf of Mr. Hager at 231 Park Avenue, requested when the issue pertaining to over-sized vehicles on the easement will be addressed.

Town Manager Blouin stated that he will have Code Enforcement staff address this issue with her after the meeting.

Council Member Araskog provided clarification on what is being heard today. She stated that if issues arise on the weekend and at night to call the Police Department.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to accept the settlement agreement. On roll call, the Motion passed unanimously.

Council President Zeidman asked Town Manager Blouin to state what staff will do to address the issue, to which Mr. Blouin responded.

- e. Approve Request for Saturday Work to Mill and Resurface Parking Lot at 205 Royal Palm Way

This item was heard out of order of the agenda.

- 2. Implementation Plan for Coastal Resiliency - Part Two [Wayne Bergman, Director of Planning, Zoning and Building]

Discussion ensued on deferring this item to a future meeting.

It was the consensus of the Town Council to defer this item to a future meeting to be determined by Council President Zeidman.

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

C. New Business

- 5. Noise Complaints Concerning Car Washing Activities in Residential Areas. [Julie Araskog, Town Council Member]

Council Member Araskog requested that this noise issue be referred to the Ordinances, Rules and Standards Committee. Town Attorney Randolph spoke regarding a matter of car washing coming before Code Enforcement

Board, but if what is being discussed is the issue of noise, then it can be discussed.

It was the consensus of the Town Council to refer the issue of noise in regards to car washing to the Ordinances, Rules and Standards Committee.

B. Old Business

3. Discussion Regarding Café Permit Extension [Wayne Bergman, Director of Planning, Zoning and Building]

Director Bergman presented background information on the item.

Council President Zeidman spoke in support of extending the temporary COVID seating until after the Fourth of July. She stated that restaurants are still getting requests for outdoor seating due to customers' concerns about COVID. She spoke regarding restaurants needing to ensure that they're complying with the seating requirements.

Mayor Moore stated that she is not against extending the temporary outdoor seating and spoke regarding restaurants needing to be responsible to apply for the new café permits.

Council President Zeidman spoke regarding the café permit process. She expressed concern that the letter that was sent to the restaurants does not outline the process, specifically that the process will take up to 3 months to get onto the Council agenda for approval of Café Seating. She stated that restaurant owners were not aware that beginning the process in February or March would take them until after the current Covid expiration date on May 30 to be on the Council Agenda for potential approval.

Council Member Araskog spoke in opposition to extending the permits and addressed some of the restaurants that may not be applying for the café permit because they do not have the right conditions. She expressed concern over some restaurants that are not complying with the outdoor seating requirements and are causing safety hazards. She spoke regarding allowing restaurants that have filed an application for the café permit to be able to extend the temporary outdoor seating until their application is approved. She expressed concern over a lack of enforcement.

Council Member Cooney spoke in opposition to an extension of the temporary outdoor seating and addressed the letters sent by staff. He spoke regarding the temporary seating not taking the place of indoor seating, which was the intention, but rather adding to the overall seating for the restaurants. He expressed concern over issues with enforcement and spoke

regarding trying to figure out how to level the playing field in regards to enforcement.

Council President Pro Tem Lindsay spoke in opposition to an extension to the temporary outdoor seating because the restaurants have been notified sufficiently and only a few restaurants have applied. In response to questions by Ms. Lindsay, Mr. Bergman provided information on the new café permit process. She spoke regarding seats being available at restaurants and that most diners seem to be inside.

Council Member Crampton spoke regarding this program being effective when it was adopted. He spoke in support of allowing staff to deal with the process and make recommendations on the applications that come forward. He spoke in support of using the three strikes for enforcement and increasing resources to enforce the requirements.

Town Manager Blouin addressed the issue of enforcement and spoke regarding developing a plan to add more code enforcement officers.

Council President Zeidman spoke regarding some of the restaurants not understanding the café permit process and expressed concern over the timing from the notifications to complete the permitting process. Discussion ensued regarding the possibility of an extension.

Council President Pro Tem Lindsay expressed concern over restaurants applying for Café Seating having only one day a month to meet with staff. She expressed concern that the process, including the one day availability of staff was not sufficient. Town Manager Blouin clarified that the information is available on the Town website and that the one day a month is for finalizing the application. Council President Pro Tem Lindsay spoke in support of sending one more letter to notify them that the temporary outdoor seating is ending and that they need to get their application in to get a café permit in order to having outdoor seating. Mr. Bergman stated that he would send one more letter to the restaurants to notify them that the temporary seating is ending and to apply for the café permit. Discussion ensued on extending the temporary seating for those restaurants that apply for the café permit.

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”.
TIME CERTAIN: 2:00 PM [H. Paul Brazil, P.E., Director of Public Works]

This item was heard out of order of the agenda.

2. Review of a Stop Work Order Due to Three Strike Rule at 310 Clarke Avenue. [Wayne Bergman, Director of Planning, Zoning and Building]

Motion was made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to defer this item to the May 11, 2022 Development Review Meeting. On roll call, the Motion passed unanimously.

3. Garbage Collection at Town Marina
TIME CERTAIN: 3:00 PM [Bobbie Lindsay, Council President Pro Tem]

This item was heard out of order of the agenda.

4. Noise Complaints Concerning Car Washing Activities in Residential Areas. [Julie Araskog, Town Council Member]

This item was heard out of order of the agenda.

XIII. ORDINANCES

A. Second 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 Member Araskog and seconded by Council Member Crampton to adopt Ordinance No. 006-2022 on second 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.

Council Member Araskog expressed concern over language in the ordinance being too broad and requested that it be referred back to ORS.

Council Member Cooney expressed concern over the broadness of the language.

Council President Pro Tem Lindsay expressed concern over the language, as well and spoke regarding that while this ordinance began with iguanas, there there are also concerns with squirrels, rats and other wildlife.

Town Manager Blouin stated that this issue is not a great concern and that there are not any complaints at this time.

Discussion ensued regarding the proposed language changes in order to provide for enforcement.

It was consensus of the Town Council to refer this Ordinance to the Ordinances, Rules and Standards Committee for further review.

B. First Reading

1. Proposed Ordinance to Amend Chapter 42 Article V, Section 42-228 to Modify the Decibel level in Area 4 of the Town

ORDINANCE NO. 008-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 42, Environmental at Article V, Noise at Section 42-228, Nonvehicular Noise Amending the Maximum Level, dba Measurement In Geographic Area 4 to be Consistent with the Measurements in Geographic Areas 1 And 3, I.E., 61 Decibels During the Day and 55 Decibels at Night; Providing for Repeal of Ordinances or Parts of Ordinances in Conflict Herewith, Providing for Severability; Providing for Codification; Providing an Effective Date.
[Nicholas Caristo, Chief of Police]

Town Attorney Randolph read the title of the ordinance.

Motion was made by Council Member Araskog and seconded by Council Member Cooney to approve Ordinance No. 008-2022 on first reading. On roll call, the Motion passed unanimously.

XIV. ANY OTHER MATTERS

Discussion ensued regarding a discussion being added to Any Other Matters on the May 11, 2022 Development Review Meeting regarding native landscaping list and ordinance.

XV. ADJOURNMENT

Motion was made by Council Member Cooney and seconded by Council Member Araskog adjourn the May 10, 2022 Town Council meeting at 6:22 PM. On roll call, the Motion passed unanimously.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

Date