



MINUTES OF THE TOWN COUNCIL MEETING HELD ON SEPTEMBER 13, 2022

I. CALL TO ORDER AND ROLL CALL

The Town Council Meeting of September 13, 2022 was called to order at 9:30 a.m. All Council Members were found to be present except Council Member Araskog.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

III. MODIFICATIONS TO THE AGENDA

The following modification was made to the Agenda:

Addition of sub-item XI.B.3.c as follows:

RESOLUTION NO. 123-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a \$250,000 Donation from the Preservation Foundation of Palm Beach for the Establishment of a Phipps Ocean Park Project Account.

IV. APPROVAL OF AGENDA

Motion was made by Council Member Cooney and seconded by Council Member Crampton to approve the Agenda, as amended. On roll call, the Motion passed 4-0 with Council Member Araskog absent.

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

VI. COMMENTS OF MAYOR DANIELLE H. MOORE

Mayor Moore recognized the following employee milestones: Kathleen Ruderman, Police Department, 20 years of service; Kelsey Mazzola, Fire Department, 5 years of service; Austin Bradshaw, Fire Department, 5 years of service; Kraig Lake, Information

Technology, 5 years of service; and Christopher Murphy, Police Department, 5 years of service. She commended Larry Menniti (PD) on his retirement after 17 years of service.

She announced that the Town of Palm Beach received the 2022 Achievement of Excellence in Procurement Award by the National Procurement Institute. She congratulated the Procurement Department, especially Dean and Duke on their excellent work.

Mayor Moore spoke regarding the need for the Town to make an appointment to the Palm Beach County Citizens' Committee on Airport Noise (CCAN). Council Member Crampton volunteered to be appointed.

She thanked and congratulated the Police Chief and Police Department on their recent assistance with issues at the beach.

Mayor Moore announced that she will be attending the Florida League of Cities Legislative Affairs Utilities Committee meeting in Orlando.

VII. COMMENTS OF TOWN COUNCIL MEMBERS

Council Member Crampton inquired regarding Police Department promotions in the near future, to which Chief Caristo responded that the next department meeting will be held in December.

At this time Council Member Araskog joined the meeting via Zoom.

Council Member Cooney spoke regarding reality television shows being filmed on the island and expressed the importance of ensuring the Town's regulations are in place involving filming. Town Attorney Randolph stated that the Town does have regulations in place on this issue. Mayor Moore requested that the ordinance be distributed to Town Council and the potential for discussion at tomorrow's meeting. Town Manager Blouin spoke regarding the filming permits and stated that if there are any problems with film production, then those issues need to be reported in order to be resolved. Council Member Araskog read the applicable section of the code regarding filming.

Council President Zeidman spoke regarding the upcoming joint meeting with the Planning & Zoning Commission (P&ZC) in October regarding the zoning code update. She spoke regarding a meeting she held with the P&ZC, Town staff and the Zoning Code consultants. She spoke regarding a mediation she recently attended at the Town Attorney's Office. She requested that an item be placed on a future agenda to discuss what can be done with derelict vessels.

VIII. COMMUNICATIONS FROM CITIZENS

Diane Buhler, Friends of Palm Beach, spoke regarding the issue of fishermen and others who are leaving trash in the parking lot adjacent to the new gateway at the Southern Boulevard bridge and spoke regarding the necessity for trash bins in the parking lot.

Director of Public Works, H. Paul Brazil spoke regarding the possibility of an interlocal agreement with Florida Department of Transportation to assist with maintenance. Ms. Buhler announced two upcoming beach cleanup events. In response to a question from Council Member Crampton regarding obtaining a permit for her organization, to which she responded. Council President Zeidman expressed appreciation for the work that Ms. Buhler and her organization is doing and addressed the question of the Police Department allowing her organization to ride their ATV on the beach. Council Member Araskog requested that Public Works place trash bins at the parking lot by the gateway at the Southern bridge, to which Mr. Brazil responded.

Colin Goldsmith, Royal Palm Beach, expressed appreciation for the ordinance change regarding Thanksgiving hours. He requested a meeting with Town staff on additional ideas to ensure that rules are being followed. He spoke regarding having a responsible vendor program. Council Member Araskog spoke regarding this going to Council prior to Ordinances, Rules and Standards Committee (ORS). Mayor Moore spoke regarding this going to staff first.

IX. APPROVAL OF CONSENT AGENDA

The following changes were made to the Consent Agenda:

1. Item No. IX.B.1 RESOLUTION NO. 110-2022 was pulled and heard as Item No. XI.A.1;
2. Item No. IX.B.2 RESOLUTION NO. 111-2022 was pulled and heard as Item No. XI.A.2.

Council President Pro Tem Lindsay mentioned a minor revision of the minutes to change language to say, “dedicated utility easements on private property.”

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

A. MINUTES

1. Town Council Meeting Minutes
 - a. August 9, 2022 Town Council Meeting Minutes
 - b. August 10, 2022 Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of August 24, 2022.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 110-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town of Palm Beach Master Fee Schedule by Modifying Parking Placard and Paid Parking Fees, and Providing an Effective Date. – ***Pulled and Heard as Item No. XI.A.1.***
Jane Le Clainche, Director of Finance
2. RESOLUTION NO. 111-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town of Palm Beach Master Fee Schedule by Modifying Parking Fines, and Providing an Effective Date. – ***Pulled and Heard as Item No. XI.A.2.***
Jane Le Clainche, Director of Finance
3. RESOLUTION NO. 112-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2022-19, Street Sweeping and Bike Trail Sweeping to Bright Star Property Maintenance Services in the Annual Amount of \$97,160 and Establishing a Five-Year Award in the Amount of \$534,590, Based on Satisfactory Performance, Mutual Agreement and Budget Authorization.
Dean Mealy, Procurement and Contract Manager
4. RESOLUTION NO. 113-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Awarding of a Purchase Order for Milling and Paving, Town of Palm Beach Undergrounding Phases 2 and 3 South and Via Palma Roadway and Drainage Improvements to Ranger Construction Industries, Inc. in the Amount of \$1,690,811.32 and Establishing a Project Budget of \$1,944,432.
Dean Mealy, Procurement and Contract Manager
5. RESOLUTION NO. 114-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Proposed Fixed Costs for Property, Liability, Workers' Compensation, Automobile and Ancillary Coverages for FY 2023 in the Amount of \$1,086,742 and Variable Costs in the Amount of \$1,100,000; Approving A Non-Exclusive Insurance Broker Services Agreement With Relation Insurance Service of Florida, Inc. "Relation", in the Amount of \$45,000; Approving A Non-Exclusive Insurance Broker Services Agreement with Arthur J. Gallagher Risk Management Services, Inc., "AJG," In The Amount Of \$7,500; Approving A Third Party Administration Services Agreement with Preferred Governmental Claim Solution "PGCS" In The Amount Of \$54,827; Conditioning All Matters Contained Herein Subject to Approval of The Fiscal Year 2023 Budget; and Authorizing the Town Manager To Execute the Non-Exclusive Insurance Broker Services Agreements with Relation, AJG and PGCS on Behalf of the Town.
Dean Mealy, Procurement and Contract Manager

6. RESOLUTION NO. 115-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To Tyler Technologies In The Annual Amount Of \$96,500 And Establishing A Three-Year Contract Award Of \$318,450 Contingent Upon Satisfactory Vendor Performance, Mutual Agreement And Budget Authorization.
Dean Mealy, Procurement and Contract Manager
7. RESOLUTION NO. 116-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To Government Jobs Inc. D/B/A NEOGOV In The Annual Amount Of \$80,000 And Establishing A Three-Year Contract Award Of \$240,000 Contingent Upon Satisfactory Vendor Performance, Mutual Agreement And Budget Authorization.
Dean Mealy, Procurement and Contract Manager
8. RESOLUTION NO. 117-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders To Sentinel Technologies, Inc. In A Not-To-Exceed Amount Of \$200,000.
Dean Mealy, Procurement and Contract Manager
9. RESOLUTION NO. 118-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To Superion LLC. D/B/A/ Central Square In The Annual Amount Of \$210,000 And Establishing A Three-Year Contract Award Of \$693,000 Contingent Upon Satisfactory Vendor Performance, Mutual Agreement And Budget Authorization.
Dean Mealy, Procurement and Contract Manager
10. RESOLUTION NO. 119-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To Municipal Code Corporation In The Annual Amount Of \$50,000 And Establishing A Three-Year Contract Award Of \$160,000 Contingent Upon Satisfactory Vendor Performance, Mutual Agreement And Budget Authorization.
Dean Mealy, Procurement and Contract Manager
11. RESOLUTION NO. 120-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To Electronic Data Collection CRP In The Amount Of \$48,775 And Establishing A Three-Year Award In The Amount Of \$160,000 Contingent Upon Satisfactory Performance, Mutual Agreement And Budget Authorization.
Dean Mealy, Procurement and Contract Manager

12. RESOLUTION NO. 121-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2022-20, Par 3 Clubhouse Renovation to Hedrick Brothers Construction Company in the Amount of \$151,453 and Establishing a Project Budget of \$166,500 and Approving an Allocation from the Par 3 Golf Fund Contingency in the Amount of \$100,000.
Dean Mealy, Procurement and Contract Manager

C. OTHER

1. Acceptance of Donation from the Palm Beach Police & Fire Foundation
Nicholas Caristo, Chief of Police
2. Request to Consider Ordinance No. 015-2022 at Public Hearing Prior to 5:00 p.m.
Wayne Bergman, Director of Planning, Zoning and Building
3. Endorse Viking Yacht Service Center Environmental Enhancement and Seagrass Restoration Project and Approve Waivers to Town Code for Construction Hours and Noise
H. Paul Brazil, P.E., Director of Public Works
4. Mayoral Letter of Approval for Edward Byrne Memorial Justice Assistance Grant (JAG) Funds Disbursement
Nicholas Caristo, Chief of Police

V. PRESENTATIONS

- A. Town's 100-Year Anniversary as ICMA-recognized City
Kirk Blouin, Town Manager

Sarah Hannah-Spurlock of the City of Fort Lauderdale, representing International City/County Management Association (ICMA), made a presentation to the Town Council on the Town's 100-year Anniversary as an ICMA recognized city.

X. COMMITTEE REPORTS

- A. Report of the Public Works Committee Meeting Held on Thursday, August 11, 2022
Bobbie Lindsay, Chair

Chair Lindsay provided the Committee report for the August 11, 2022, Public Works Committee meeting. She spoke regarding returning water updates to the Town Council. She spoke regarding information that was presented at a recent meeting on the water pipe infrastructure in the Town and provided an update on the items that Council had requested staff to further research. She spoke regarding

municipalities moving toward a proactive policy on pipe replacement in the future. She spoke regarding the City of West Palm Beach's infrastructure replacement and spoke regarding a discussion on the various membrane technologies. She spoke regarding a review of horizontal wells and a high level review of a transmission pipeline in the intracoastal waterway. She addressed a discussion on desalination plants. Council President Zeidman requested obtaining forensic data from the City of Palm Beach on payments made for water. Discussion ensued regarding the items that are continued to being studied. Council President Zeidman spoke regarding holding a meeting with the residents and costing out the options prior to that meeting and spoke regarding having the Finance Committee review the costs. Mayor Moore spoke regarding the City of West Palm Beach Water Panel. Council Member Crampton spoke in support of staff putting together a plan for a pipe replacement program. He spoke in support of also looking at creatively partnering with the City of West Palm Beach. Town Manager Blouin spoke regarding working with the City and options for pipe replacement and moving toward membrane technology and Mr. Brazil provided additional information. Council Member Araskog spoke in support of the Finance Committee meeting on this issue prior to any public workshops. Discussion ensued regarding the Town's relationship and collaboration with the City of West Palm Beach on the water issue. The Town Council provided consensus to have staff conduct further research on the options with the City of West Palm Beach membrane technology, Lake Worth Beach membrane technology, and the intracoastal waterway distribution system. Discussion ensued regarding the Finance Committee looking at funding.

Motion was made by Council Member Cooney and seconded by Council Member Crampton to accept the Public Works Committee report. On roll call, the Motion passed unanimously.

Director Brazil provided information on work being done by the Town's lobbyist and Kimley-Horn on researching grant funding for the water projects and looking at alternatives to water sources. Discussion ensued regarding solidifying the options that are feasible prior to the Finance Committee meeting.

The Town Council recessed at 11:25 AM and reconvened at 11:45 AM.

XI. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

1. **RESOLUTION NO. 110-2022** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town of Palm Beach Master Fee Schedule by Modifying Parking Placard and Paid Parking Fees, and Providing an Effective Date. – ***Pulled from Consent Agenda***
Jane Le Clainche, Director of Finance

Mayor Moore expressed concern over the price increase for placards. She spoke regarding using a step approach.

Council Member Cooney expressed concern over the increase in placard as well as the increase in ticket prices.

Council President Pro Tem Lindsay inquired about giving discounts on placard price for residents, to which Town Attorney Randolph responded. Ms. Le Clainche provided additional information.

Council Member Crampton spoke regarding the paid parking program and expressed concern over too much of an increase. He spoke in support of setting aside some of the funds generated through the parking program to solve additional parking problems.

Council President Zeidman spoke in support of increasing the prices for the placards and for tickets. She stated that fees for parking go toward maintenance of our streets and safety. She spoke in support of assisting businesses and their employees through the placard program.

Town Manager Blouin provided background information on the item.

Council Member Araskog stated that she believes the placard prices are too low and spoke in support of the proposed increases.

Council President Pro Tem Lindsay spoke regarding the placard amounts not being substantial when they're broken down. She spoke in support of looking at giving discounts to residents on the placard and she spoke regarding using some of the revenue to go towards improvements on Worth Avenue.

Mayor Moore expressed concern over the increases due to the impact on the employees of the businesses.

Council Member Cooney spoke in support of looking at additional parking options and exploring public-private partnerships to look into parking options.

Town Manager Blouin spoke regarding working with businesses and community organizations on expanding parking options.

Jimmy Zisson, Palm Beach, spoke regarding only requiring visitors to pay for parking and to exempt residents and employees from the paid parking. Mr. Blouin explained the Town's ability to reduce parking fees for residents. Ms. Sisson spoke in support of imposing a 2% land transfer tax. Mr. Randolph explained that State statute would not allow the Town to do so.

Motion was made by Council Member Crampton and seconded by Council Member Araskog to approve Resolution No. 110-2022. On roll call, the Motion passed unanimously.

2. RESOLUTION NO. 111-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town of Palm Beach Master Fee Schedule by Modifying Parking Fines, and Providing an Effective Date. – ***Pulled from Consent Agenda***
Jane Le Clainche, Director of Finance

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve Resolution No. 111-2022. On roll call, the Motion passed 4-1 with Council Member Cooney dissenting.

B. Old Business

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

Patricia Strayer, Town Engineer, provided a brief update on the undergrounding project.

Council Member Crampton inquired about the shortfall for the project and any projected increases to the shortfall, to which Ms. Strayer and Mr. Blouin responded. Ms. Le Clainche provided additional information.

Council Member Araskog commended Ms. Strayer and staff on their work on the approved easements on various phases.

2. Evaluation of Alternatives to Relocate Garbage and Recycling Pickup at Lake Drive Park - Update
H. Paul Brazil, P.E., Director of Public Works

Director Brazil provided background information on the item, explained the alternatives for a pilot program and answered Council Members' questions.

Mayor Moore expressed concern over the possibility of impacting other residents and impacting the functionality of the Town Marina.

Council Member Crampton inquired from Mr. Brazil regarding the least impactful option. Mr. Brazil responded. Mr. Crampton spoke in support of spending money on the option to shield the residents from noise and an unsightly area.

Council President Pro Tem Lindsay spoke regarding the history of the issue. She spoke regarding the issue with the placement of the trash bins. She spoke in support of doing the proposed pilot program in order to address the issues that have been raised. She spoke in support of increasing the distance by the proposed 180' and spending the money to do the pilot program. She spoke in support of completing any construction quickly in order for the pilot program to be in place by the time season starts.

Council Member Araskog expressed concern over the pilot program impacting operations and the cost and was concerned about the Town Council making a decision prior to neighboring residents being in Town. She spoke in support of making the changes that Director Brazil mentioned.

Council President Zeidman spoke regarding a neighboring condo board having expressed some support for the changes which would move geographically the trash compactor closer to their building but at quite a distance away. She stated that this proposed pilot program is an enhancement over what is currently in place and spoke in support of making this move on a trial basis. She stated that the project should be conducted when residents of the neighboring building are in town and for 2 months to adequately evaluate. She agreed that staff should move forward with the trial prior to season to work out any issues and continue into season when residents return.

Discussion ensued regarding the vehicle needed and costs involved.

Frank Slattery, Palm Beach, spoke in support of the change in location and the pilot program.

Motion was made by Council President Pro Tem Lindsay and seconded by Council Member Cooney to proceed with the pilot program and we are ready to go on November first and then we run the pilot program for at least a couple of months and get the feedback from the neighborhood. On roll call, the Motion passed unanimously.

The Town Council meeting recessed at 1:06 PM and reconvened at 2:10 PM.

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

C. New Business

2. Short-Term and Long-Term Planning for Sargassum Removal from Beaches

TIME CERTAIN: 2:00 PM

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

Director Brazil provided background information on the item and presented the short-term and long-term solutions. Rob Weber, Coastal Program Manager, presented current conditions. Director Brazil answered Council Members questions.

Council President Pro Tem Lindsay spoke regarding the large amount of sargasso that has been on the beach this year and stated that she has never seen it at that level. She also spoke regarding the brown color of the water.

Council Member Araskog spoke regarding the possibility of working with other municipalities on trying to institute a tax or fees for the users of the port and/or jetties in order to provide funding for addressing the sargassum issue.

Council President Zeidman spoke regarding the importance of having a proactive approach to this issue and continue to monitor it. She spoke in support of adding the proposed area. In response to a question by Council President Zeidman, Director Brazil spoke regarding having a contract in place in order to do the proposed pilot project if necessary.

Council President Pro Tem Lindsay spoke in support of the proposed project. In response to questions from Ms. Lindsay, Director Brazil spoke regarding removal of the sargassum vs. burying. He spoke regarding the budget for the project.

In response to a question from Council Member Cooney, Mr. Brazil spoke regarding working the neighbor at the location where the work would be staged.

Dr. Brian LaPointe, Florida Atlantic University, provided background information on why this issue is occurring. He explained how the sargassum is forming and growing and outlined a sargassum management plan. He spoke regarding the use of heavy equipment on the beaches. He answered Council Members' questions. He spoke regarding monitoring the sargassum collected for heavy metals and other organisms prior to it being buried. He spoke regarding the ability to assist the Town with monitoring the nutrient content of the sargassum that is picked up.

In response to a question from Dragana Connaughton, Dr. LaPointe spoke regarding the best way to address the removal of sargassum and expressed concern over burying the sargassum due to excessive amounts of arsenic that can be contained in sargassum. He also spoke regarding approaches that are occurring in other municipalities, such as installing a sea fence. Ms. Connaughton spoke in support of the Town having a biologist working on this issue and that there is a proactive approach.

Ronald Matzner, Palm Beach, Executive Board of Citizens Association, spoke regarding the large mounds of sargassum on the beach in June and spoke in support of the proposed project and requested if there will be any other plans to include the South end beaches in the future.

Diane Buhler, Friends of Palm Beach, expressed concern over burying the sargassum due to the plastics that are contained in the sargassum.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to authorize staff to get hourly rate contract regarding special projects or clean-ups to be done and include raking from Angler Avenue North in program budget. On roll call, the Motion passed unanimously.

Mayor Moore emphasized the importance of working with Dr. LaPointe on the monitoring of the sargassum content. Discussion ensued and it was the consensus that Town staff would be moving forward with working with Dr. LaPointe on the monitoring.

3. Phipps Ocean Park Project Update
Carolyn Stone, Assistant Town Manager

Assistant Town Manager Stone provided background information on the project.

a. Status on Project Plans, Grant and Management Agreements
Amanda Skier, President and CEO, Preservation Foundation of Palm Beach

Amanda Skier provided an update on the project, budget changes and proposed donor terms.

Town Attorney Randolph answered a question by Mayor Moore regarding naming a portion of the park to someone out of the Phipps family.

Council Member Crampton inquired about the invasive species removal, to which Mr. Brazil responded. He spoke in support of the request from the Preservation Foundation that the large gifts be granted in perpetuity.

Council Member Araskog expressed concern over the gifts being granted in perpetuity due to future individuals not being able to be recognized. She expressed concern over the amount for the invasive species removal. Mr. Brazil addressed Ms. Araskog's questions regarding the invasive species removal. Assistant Town Manager Stone addressed Ms. Araskog's questions regarding the donor terms and agreements.

Council President Pro Tem Lindsay spoke regarding the proposal for the invasive species removal and spoke in support of the proposal.

Director Brazil provided further information on methods of the invasive species removal in response to Mayor Moore. He also spoke regarding planting sea oats and other native plants to stabilize the dunes to ensure to control future invasives.

Ms. Skier spoke regarding the donor naming in perpetuity in response to Ms. Araskog and spoke regarding a proposed donor wall and specific features that will be named for certain donors. Council Member Araskog requested further information on this prior to anything being set.

b. Estimated Budget Increases Associated with Invasive Removals

Motion was made by Council Member Crampton and seconded by Council Member Cooney to authorize Public Works to spend \$300K for removal of invasive species at Phipps Ocean Park. On roll call, the Motion passed unanimously.

c. RESOLUTION NO. 123-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a \$250,000 Donation from the Preservation Foundation of Palm Beach for the Establishment of a Phipps Ocean Park Project Account.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve Resolution No. 123-2022. On roll call, the Motion passed unanimously.

D. New Business

1. Proposed 2023 Town Council Meeting Schedule
Kirk Blouin, Town Manager

Council President Zeidman expressed concern over short timeframes for a few of the proposed dates. Discussion ensued regarding consolidating the August meeting dates.

Motion was made by Council Member Cooney and seconded by Council Member Araskog to approve the 2023 Town Council Meeting schedule. On roll call, the Motion passed unanimously.

2. Short-Term and Long-Term Planning for Sargassum Removal from Beaches
TIME CERTAIN: 2:00 PM
H. Paul Brazil, P.E., Director of Public Works

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

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

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

Kevin Bradman, homeowner, provided information on the infractions.

In response to a question from Ms. Araskog, Town Engineer Strayer and Director Brazil addressed the issue of limited construction parking permits.

Michael Conville, Beacon Construction, spoke regarding accommodations his company attempted to make for construction parking.

Ms. Strayer addressed the issue of the long timeline for approval of construction parking permit applications in response to a question from Council President Pro Tem Lindsay.

Mayor Moore spoke in support of lifting the stop work order and allowing him to complete the project.

Council President Zeidman expressed appreciation for the letter written by the owner and spoke in support of lifting the stop work order.

Motion was made by Council Member Crampton and seconded by Council Member Cooney to authorize staff to lift stop work order and grant the ability for the Contractor to apply for right-of-way permits. On roll call, the Motion passed unanimously.

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

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

Renee Alonso, President of Alonso and Associates, explained the citations that were issued and that one of the citations was issued to a sub-contractor and not to his company.

Mayor Moore expressed concern that the company has already been before Council for a three-strike violation and that the project is not close to

completion and inquired about any other remedies that the Town Council could do to address additional stop work orders from this company. Mr. Randolph and Mr. Brazil responded. Discussion ensued on the possibility of enforcing a steep fine for any future stop work orders. Mr. Brazil and Mr. Blouin spoke regarding following the policy in place and that any additional fines could be brought back to Council in an amended policy.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to direct staff to lift stop work order and grant the ability for the Contractor to apply for future right-of-way permits. On roll call, the Motion passed unanimously.

XII. ORDINANCES

A. First Reading

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

ORDINANCE NO. 004-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 42 of the Town Code of Ordinances at Article V. Noise, Section 42-199, Hours For Construction Work at Subsection (B) Limited, To Provide Additional Limitations On Dates And Hours Of Construction and Landscaping Work; Further Amending Section 421-230, Lawn Maintenance, to Add Language Providing for Certain Exceptions for the Use of Lawn Maintenance Equipment On The Wednesday Immediately Preceding Thanksgiving And On The Friday Immediately Following Thanksgiving; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Nicholas Caristo, Chief of Police

Town Attorney Randolph read the title of the ordinance.

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 Ordinance No. 004-2022 on first reading. On roll call the Motion passed unanimously.

XIII. ANY OTHER MATTERS

There were none.

XIV. ADJOURNMENT

The Town Council Meeting of September 13, 2022 was adjourned at 4:34 PM by Motion but without benefit of a Roll Call.

APPROVED:

Margaret A. Zeidman, Council President

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

Date