



# TOWN OF PALM BEACH

Minutes of the  
Town Council Meeting  
Held on December 10, 2024

## I. CALL TO ORDER AND ROLL CALL

The Town Council meeting was called to order on December 10, 2024, at 9:30 a.m. On roll call, all elected officials were found to be present.

## II. INVOCATION AND PLEDGE OF ALLEGIANCE

Acting Town Clerk Churney gave the invocation. Council President Lindsay led the Pledge of Allegiance.

## III. MODIFICATIONS TO THE AGENDA

Acting Town Clerk Churney made the following modifications to the agenda:

IX. Regular Agenda, B. Old Business, 2. Discussion on Traffic Mitigation was **moved** to 10:00 a.m. Time Certain item.

IX. Regular Agenda, C. New Business, **added** 1. Endorse Palm Beach County's Bonefish Islands Restoration Project and Amend Approved Waivers to Town Code for Construction Dates, Hours, and Noise in Lake Worth Lagoon to Include Sunday Work and Extend Waivers to August 1, 2025

VIII. Approval of Consent Agenda, C. Other, 1. Acceptance of Donation from Nelson Peltz **added** the donation for the Fire Department.

VIII. Approval of Consent Agenda, B. Resolution, 8. Resolution No. 180-2024 was **withdrawn**.

Council President Lindsay made the following modifications to the agenda:

IX. Regular Agenda, B. Old Business, 4. Discussion on Residency Requirements for Elected Officials was **deferred** to January 14, 2025.

## IV. APPROVAL OF AGENDA

**A motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran to approve the amended agenda. The motion was carried unanimously, 5-0.**

**V. COMMENTS OF MAYOR DANIELLE H. MOORE**

Mayor Moore stated that the Town Council would break for lunch at 12:20 p.m. and return at 2:00 p.m. She noted that the upcoming holidays would affect Town operations and services and directed residents to review the Town's calendar and news releases. She reminded residents to stay connected by signing up for Town alerts. The mayor reminded residents that the new 2025 parking decals were available from the Finance Dept. She recognized the Town of Palm Beach Marina Team for earning a 2024 Boater's Choice Award.

Mayor Moore recognized the employee milestones: Jeffrey Mazza, Police, with 10 years of service; Paul Colby, Public Works, with 10 years of service; Robin Rivera, with Planning, Zoning, and Building, with 5 years of service; and Monique Lalonde, Fire Rescue with 5 years of service.

Mayor Moore said she attended the YMCA Prayer breakfast at the Breakers Hotel and heard Rickie Fowler, PGA TOUR Champion, and Olympian, speak about the good things the YMCA is doing for services in Palm Beach County.

**VI. COMMENTS OF TOWN COUNCIL MEMBERS**

Council Member Moran wished everyone Happy Holidays.

Council President Pro Tem Crampton thanked the Public Works team for sand placement and restoration in the south end. He suggested a similar event for the north end after the first of the year. He thanked Mr. Blouin, the Town Manager, and Council President Lindsay for their work on the traffic issues. He restated the announcement on the new parking stickers.

Council Member Araskog thanked everyone for their work on the recent Public Safety Day event. She wondered if it was okay for residents to have already placed parking decals on their vehicles. She wished everyone a happy holiday.

Council Member Cooney shared similar sentiments about Public Safety Day. He thanked Safeguard Palm Beach and Palm Beach's Police and Fire Departments for organizing that event. He thought the location was the best yet; it was safe and provided for a wonderful event.

Council President Lindsay agreed with Council Member Cooney regarding the appropriateness of the venue for Public Safety Day.

**VII. COMMUNICATIONS FROM CITIZENS - 3-MINUTE LIMIT, PLEASE**

Jackson Payne, 244 Sunset Avenue, and his neighbor Jasmine discussed the parking problem on the commercial street. He expressed concern for the traffic, congestion, and lack of parking on the street. Jasmine agreed with Mr. Payne and thanked the staff for their understanding and attention to the issue.

Council Member Cooney responded and thought this might be a unique building where the residents should be eligible for an RPP program if there are available spaces in the area. Mayor Moore suggested expanding the Royal Poinciana area to include the

subject building. Mr. Blouin responded that the staff would follow up and examine the laws that govern that area.

Rex Sherry, 2275 S. Ocean Blvd., wondered if the road would reopen when President-Elect Trump moved to Washington, DC; he wondered if conversations with the Secret Service had occurred. Mr. Blouin speculated that President-Elect Trump would follow the previous similar pattern of returning on a Friday and staying through Sunday or Monday and some of the holidays and if that occurs the road closures would be lifted. Mr. Sherry wondered if the police cars next to the bridge needed to have their flashing lights on. Mr. Blouin responded and stated he would pass this complaint to the Palm Beach County Sheriff's Office. If possible, Mr. Sherry volunteered his services to meet with the Secret Service. Mr. Blouin provided details on providing comments to the Secret Service.

## **VIII. APPROVAL OF CONSENT AGENDA**

**A motion was made by Council Member Araskog and seconded by Council Member Cooney to approve the amended consent agenda. The motion was carried unanimously, 5-0.**

### **A. MINUTES**

1. Town Council Meeting Minutes  
*Kelly Churney, Acting Town Clerk*
  - a. November 12, 2024, Town Council Meeting Minutes
  - b. November 13, 2024, Local Planning Agency Minutes
  - c. November 13, 2024, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of November 22, 2024.  
*Wayne Bergman, Director of Planning, Zoning and Building*

### **B. RESOLUTIONS**

1. RESOLUTION NO. 165-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving an award to Rechten International Truck Inc. for a rear loader truck in the amount of \$264,310, approving a contingency in the amount of \$13,215 for total approved award in the amount of \$277,525.  
*Dean Mealy, II Procurement and Contract Manager*
2. RESOLUTION NO. 166-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving an award to Rechten International Truck Inc. for a trash dump truck in the amount of \$120,743, approving a contingency in the amount of \$7,000 for total approved award in the amount of \$127,743.  
*Dean Mealy, II Procurement and Contract Manager*
3. RESOLUTION NO. 167-2024 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 on-call consulting, permit compliance

sampling and monitoring at the Skees Road and Okeechobee Boulevard Landfill Facilities in the amount of \$129,144, approving a contingency in the amount of \$13,000 and establishing an approved project in the amount of \$142,144.

*Dean Mealy, II Procurement and Contract Manager*

**Clerk's note: This item was pulled from consent and heard under X. Regular Agenda, A.**

4. RESOLUTION NO. 168-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving an award to Envirosight for Sewer Inspection Camera in the amount of \$138,202.19, approving a contingency in the amount of \$6,900 for a total approved award in the amount of \$145,102.19.

*Dean Mealy, II Procurement and Contract Manager*

5. RESOLUTION NO. 169-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, authorizing waivers for the following Town Code of Ordinances, Section 42-198, Section 42-199 and Sections 42-226 through 229 for established service contracts and internal work completed by Town staff until May 31, 2025, as reviewed and approved by the Public Works Director and Town Manager.

*Dean Mealy, II Procurement and Contract Manager*

6. RESOLUTION NO. 176-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving the purchase of sixteen vehicles for the Police Department from Garber Fleet Services in the amount of \$733,254.25, approving a contingency in the amount \$35,856 for a total award in the amount of \$769,110.

*Dean Mealy, II Procurement and Contract Manager*

7. RESOLUTION NO. 178-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, authorizing an extension of the Health Fitness Corporation Contract for the Mandel Recreation Center for a period of six months in the amount of \$115,000.

*Dean Mealy, II Procurement and Contract Manager*

### **C. OTHER**

1. Acceptance of Donation from Mr. Nelson Peltz  
*Nicholas Caristo, Chief of Police/ Sean Baker, Fire Rescue Chief*
2. Approval of Second Driveway Opening and Authorization for the Abandonment and Dedication of Easements for 599 South County Road  
*H. Paul Brazil, P.E., Director of Public Works*

**Clerk's note: This item was pulled from consent and heard under X. Regular Agenda, A.**

3. Authorization for 441 Seaview Avenue - Use of Right-of-Way During Season  
*H. Paul Brazil, P.E., Director of Public Works*

**Clerk's note: This item was pulled from consent and heard under X. Regular Agenda, A.**

4. Authorization for 241 Seaview Avenue - Use of Right-of-Way During Season  
*H. Paul Brazil, P.E., Director of Public Works*

**Clerk's note: This item was pulled from consent and heard under X.**

***Regular Agenda, A.***

5. Authorization for Road Closure for 363 Cocoanut Row  
*H. Paul Brazil, P.E., Director of Public Works*  
***Clerk's note: This item was pulled from consent and heard under X. Regular Agenda, A.***
6. Authorization for 363 Cocoanut Row - Use of Right-of-Way During Season  
*H. Paul Brazil, P.E., Director of Public Works*

**IX. REGULAR AGENDA**

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

1. RESOLUTION NO. 167-2024 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 on-call consulting, permit compliance sampling and monitoring at the Skees Road and Okeechobee Boulevard Landfill Facilities in the amount of \$129,144, approving a contingency in the amount of \$13,000 and establishing an approved project in the amount of \$142,144.  
*Dean Mealy, II Procurement and Contract Manager*

Mr. Crampton requested that the Town Council be provided with a report on the capacity available to the Town at some point in the future. Mr. Brazil said a report and presentation would be prepared, in addition to discussing the experimental program starting at Skees Road, which would help with the long-term problem. Council President Lindsay suggested placing the report and presentation on the January 2025 Town Council meeting agenda.

**A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to approve Resolution No. 167-2024. The motion was carried unanimously, 5-0.**

2. Approval of Second Driveway Opening and Authorization for the Abandonment and Dedication of Easements for 599 South County Road  
*H. Paul Brazil, P.E., Director of Public Works*

Mr. Brazil introduced the item and the reason for the two driveways. He explained that having two driveways would be a vast improvement over one driveway due to safety concerns.

Council Member Araskog asked for further clarification, and Mr. Brazil responded.

**A motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to approve the second driveway opening and authorize the abandonment and dedication of easements for 599 South County Road. The motion was carried unanimously, 5-0.**

3. Authorization for 441 Seaview Avenue - Use of Right-of-Way During Season  
*H. Paul Brazil, P.E., Director of Public Works*

Mr. Brazil introduced the item and explained the reason for using the right-of-way.

Council Member Araskog thought there was a neighbor concern about this address. She asked if residents in the area could call if they had any complaints. Mr. Brazil stated yes.

**A motion was made by Council Member Crampton and seconded by Council Member Moran to use the right-of-way at 441 Seaview Avenue during the season. The motion was carried unanimously, 5-0.**

4. Authorization for 241 Seaview Avenue - Use of Right-of-Way During Season  
*H. Paul Brazil, P.E., Director of Public Works*

Mr. Brazil introduced the item and explained the reason for using the right-of-way.

Council Member Araskog thought the closure would impact the parking for the recreation center.

Council President Pro Tem Crampton thought Council Member Araskog had a good point. He wondered if the project could be moved to the summer months.

Mr. Brazil stated that the scaffolding would be in place for two weeks. There is one day when school is in session, and outside of rush hour, the scaffolding will be erected, then they will come back in two weeks to remove the scaffolding. Pedestrians could still traverse the sidewalk, and the parking spaces will remain available.

**A motion was made by Council Member Cooney and seconded by Council Member Moran to use the right-of-way at 241 Seaview Avenue during the season. The motion was carried unanimously, 5-0.**

5. Authorization for Road Closure for 363 Cocoanut Row  
*H. Paul Brazil, P.E., Director of Public Works*

Council Member Araskog thought the air conditioning should be installed between 10 a.m. and 2 p.m.

John Hart, project executive at the Vinetta Hotel, agreed with Council Member Araskog.

**A motion was made by Council Member Araskog and seconded by Council Member Cooney to approve the road closure for 363 Cocoanut Row on December 11, 2024, between 10 a.m. and 2 p.m. The motion was carried unanimously, 5-0.**

## **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

Patricia Strayer, Engineer, provided an update and summary of the undergrounding project status.

b. Proposed Traffic Impact Solutions for Undergrounding Work During Season Report

Patricia Strayer, Town Engineer, presented proposed traffic impact solutions for undergrounding work during the season.

Mayor Moore wondered if the street closures were varied or all at once. Ms. Strayer responded and stated that they would be staggered with flagmen.

Council Member Cooney thought this work was important to finish. He stated he received many compliments about Diane with Burkhardt.

Council Member Moran asked about the hours of the closures. Ms. Strayer stated they were from 7 p.m. to 6 a.m. Mr. Brazil assured them they would be out of the right-of-way by 6 a.m.

Council President Lindsay asked if there was any noise from the work and, if there was, to please communicate that to the residents. Mr. Brazil said there would be noise, and the residents would be notified. He also noted that the project would be lighted for safety, but care would be taken not to shine lights into any residential windows.

c. RESOLUTION NO. 175-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding the GMP for Phase 8 Undergrounding to Burkhardt Construction, Inc. in the amount of \$14,011,975, approving a contingency in the amount of \$2,101,796 and approving a project budget in the amount of \$16,113,771.

Ms. Strayer read Resolution No. 175-2024 by title only.

**A motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to approve Resolution No. 175-2024. The motion was carried unanimously, 5-0.**

d. RESOLUTION NO. 179-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding a purchase order to Kimley-Horn and Associates, Inc. for Construction Phase Services for Phase 8 Undergrounding in the amount of \$409,356, approving a contingency in the amount of \$61,403 for an approved project budget in the amount of \$470,759.

Ms. Strayer read Resolution No. 179-2024 by title only.

**A motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran to approve Resolution No.**

**179-2024. The motion was carried unanimously, 5-0.**

2. Discussion on Traffic Mitigation

**TIME CERTAIN: 10:00AM**

*Kirk W. Blouin, Town Manager*

Council President Lindsay introduced the item and explained how the discussion would be handled to move the item along efficiently. She said any actions that the Town Council decides on at this time would be on a trial basis once implemented.

Mr. Blouin, Town Manager, stated that over the last eight years, traffic had become increasingly worse year after year. It has reached a breaking point, and staff has prepared a presentation that includes actions that have been taken, or intended to be taken, and items that will require policy direction from the Town Council. He said no measures will solve the traffic issues, but incremental improvements are being sought. He said some issues are beyond the control of the Town (barges/barricades), but that does not stop the Town from communicating with federal, state, and local partners to urge them to make changes that will help alleviate traffic. Although some Department Directors may not have direct knowledge on traffic mitigation, all have met to brainstorm ideas and have submitted these ideas via memorandums which have been transferred to a worksheet that will be revised and utilized as necessary. He discussed the factors that have contributed to the current traffic issues, the main issue being volume and capacity issues. He said traffic engineers are evaluating major roadways and intersections to see what improvements may be made.

Mr. Bergman provided the 2024 Traffic Mitigation Proposals. For each proposal, he provided a proposed action, expected impact, challenges, additional information, lead department/personnel, and policy decisions for Town Council consideration or changes in procedure.

During the discussion about construction activity regulation, Council President Lindsay asked about the number of permits open at any time. Mr. Bergman responded that there are close to 1,000 - 2,000 open permits, with at least 700 very active construction project permits open at any time. This includes the large condominium remodeling projects.

Town Attorney O'Connor advised that a Traffic Emergency Declaration would be allowed when there are security threats to the public. She said this would need to be carefully considered.

Mayor Moore said there used to be a moratorium on demolitions after December 1st. It was changed because year-round residents felt they were being unduly penalized.

Council Member Araskog thought the Town was in a state of being able to declare a traffic emergency. She noted that the State should be contacted because anyone can pay to mitigate, whether they cause traffic or not. She felt this would prohibit the Town from saying no, even knowing traffic would increase. She wondered if a letter could be written to the Attorney General



informing them that the Town is in a Declaration of Emergency and is requesting an exemption.

Council President Pro Tem Crampton felt that declaring a traffic emergency would be a rationale for taking serious and strict actions to address traffic. He said in terms of the rationale for it, emergency services were affected, there had been two gun display incidents, and there had been traffic accidents. He noted that anything done after a Declaration of Emergency would have a serious effect on the town's desires.

Council Member Moran asked if the town had a venue for mitigation. She thought a plan should be developed to investigate the impacts. She hoped to have that discussion at some point. She wondered how a state of emergency could be declared when the Police and Fire Departments constantly ensure they are not having difficulties responding to emergencies.

Ms. O'Connor stated that the Code of Ordinances addresses the authority of the Chief to declare a State of Emergency. She explained that when the Chief declares a State of Emergency, he can exercise the authority outlined in the Florida Statutes. She discussed the discretionary emergency measures that the Chief may use during a state of emergency. She said the solution of declaring a state of emergency does not fit with what needs to be done to solve the traffic situation.

Mr. Blouin stated that the clarification needed had been provided.

Mr. Bergman explained that a zoning moratorium had been used in the past. He noted that they could declare one if the Town Council liked the idea and desired to implement it.

Mayor Moore sought an instant solution and acknowledged that this would not apply to active construction sites. She feared the town would open itself to lawsuits with a zoning moratorium.

Council Member Araskog thought a zoning moratorium would make a difference in the next few years. She said if it were implemented for a certain period, zones could be studied to determine how construction could be better managed in town. She noted that short-term and long-term solutions are necessary.

Council President Pro Tem Crampton thought a zoning moratorium would be a drastic measure. However, it could be included in the Zoning Code Review process to determine whether this moratorium would be effective.

Council Member Moran liked the idea of a zoning moratorium and thought staff should follow through with it, as she thought it could provide immediate relief. She was also supportive of not allowing construction to begin after the start of the season.

Council President Lindsay had some positive feelings about the Zoning

Moratorium; she liked the idea of limitations rather than all happening simultaneously. She suggested that staff look into this further and provide additional information to the Town Council.

Barbara Maclowe, 2000 S. Ocean Blvd., stated she had been greatly impacted by traffic, mainly due to the Mar-a-Lago traffic pattern. She did not think the construction could be ceased because of projects such as concrete restoration required for properties near the ocean.

Council President Pro Tem Crampton said the Town Council needed to be more intentional and aggressive when developing Declarations of Use, and enforcement needed to be more intentional, albeit challenging. Mr. Blouin responded that the businesses that currently have a Declaration of Use are audited by an attorney to verify and submit a letter of compliance affidavit to the town.

Council Member Moran thought the idea would be marginally helpful.

Council Member Araskog noted that she thought something in the Code allowed the town to audit one restaurant or club facility per year. She also recalled several months ago that, Council President Lindsay requested to keep a certain number of seats open for residents until 48 hours before the day of. She said that would also work toward the town-serving concept.

Council President Lindsay added that when it was done for Par 3, it was more of a policy in that the restaurant had to be asked to hold a certain number of seats for residents. She was also very interested in the town-serving concept. She noted that the Planning and Zoning Commission has also been looking at town service so they may make recommendations to the Town Council.

Mayor Moore noted that the key to these concepts was to apply to new applications, new people, and new requests. Mr. Blouin said there are only two Declaration of Use agreements, and rules cannot be retroactively applied to the clubs that have existed in town for years.

Mr. Blouin discussed daily traffic mitigation and acknowledged that the lights that contain AI do not work when the road is at a failure level. He stated that the Police Department has been assisting with intersections and people blocking the intersection box. He discussed an opportunity to deploy barricades on North County Road, north of Sunset Avenue, to create two lanes of traffic moving south.

Council Member Moran suggested additional staffing to manage traffic.

Mr. Blouin asked Chief Caristo to discuss traffic management staffing. Chief Caristo discussed the certifications required for the traffic employees and the hiring of additional staff.

Council Member Cooney recognized the officers helping with the traffic in the intersections.

Council Member Araskog agreed to try the suggestion. She discussed the traffic in West Palm Beach and thought that the County and West Palm Beach should join the Town in looking at traffic issues. She recommended looking at the intersection of N. County Road, Main, moving to Royal Poinciana Way; she recommended employees of the Breakers use the main entrance during peak hours.

Mr. Blouin discussed the options that Kimley Horn presented at Bradley Place. He stated that they would look at all the intersections. Mr. Brazil followed up with some details that Kimley Horn would evaluate. He noted that he had asked Kimley Horn to look at traffic regionally, within the City of West Palm Beach, and in the Town regarding growth and impacts on traffic. He said the bottom line was to increase capacity, reduce demand, or spread the demand over the day.

Council President Pro Tem Crampton noted frustration with the system at the Sunrise/Sunset/Royal Poinciana. He said having an officer there during rush hour was helpful, but that system needed further evaluation. He requested additional information on sources and uses of traffic. He wondered if The Corradino Group could help, and Mr. Bergman said yes, as part of the Zoning in Progress, they will be doing some winter traffic counts relating to food and beverage establishments. He discussed how services being scheduled by town residents were generating traffic, which contributed to the congestion.

Council Member Moran liked spreading the traffic demand throughout the day. She noted the changes made with landscaping hours and wondered if construction should also be changed.

Mr. Blouin stated that the concept with the landscaping schedule adjustments was to consider other service industries to offer flexible scheduling. He noted that by ordinance, certain work has to occur during certain hours, and this has been relaxed for the landscaping companies. He asked if the Town Council would like to relax the hours for other services. Mr. Blouin explained what flexibility in the hours might entail.

Council Member Araskog suggested staggered hours for service individuals, which she believed would help spread the traffic. She also thought the same concept should be applied to delivery personnel. Mr. Brazil said that the Town could control work hours for any job that requires a permit and was already insisting that those jobs be done during non-peak hours.

Mayor Moore discussed the fact that sometimes moving the hours is not helpful. She agreed with Council Member Araskog's suggestion to move construction hours to later.

Council Member Cooney said time was not the only factor. The challenge with allowing later hours was the daylight savings time when it gets dark very early.

Council President Pro Tem Crampton thought landscape vehicles should be limited because, currently, up to three vehicles service one residence. Mr. Blouin responded and cautioned against unintended consequences.

Tim Givens of Tim Givens Building & Remodeling spoke about construction and said that if his guys were allowed to drive over the bridge at 6:30 a.m., they could be started by 7:00 a.m. and off the island by 3:00 p.m. He noted that if the bulk of landscaping and construction professionals could be on the island at 6:30 a.m., they could be off before rush hours.

Council Member Araskog thought the early morning hours should only allow for quiet work, with the noisier work starting at 8:00 a.m.

Council Member Cooney thought an earlier exodus would be better; he said the closer to 3:30 p.m., the more traffic congestion.

Mayor Moore pointed out that the day school released students near the middle bridge at 3:00 p.m., and traffic was a single line. She wondered if staff could talk with the day school about how they queue students and parents at the end of school.

K.T. Catlin reiterated the importance of enforcing whatever policy is adopted. She made some suggestions for reducing traffic congestion by removing trips from the roadways. Mr. Givens noted that his company rarely used portable potties on construction sites.

Colin Goldsmith, the business owner of a landscape company, said that if the construction hours were changed, landscape construction vehicles would also leave the island earlier.

Mr. Blouin discussed the phasing of the undergrounding project and the consequences for the community. He said town staff had taken the initiative to control some traffic issues.

Patricia Strayer, Town Engineer, discussed the phases and the initiative to stop work on North-South streets between Wells Road and Hammon Avenue. As part of the undergrounding update, she noted there would be a request for 13 days of work to occur during nighttime hours.

Mr. Blouin discussed town right-of-way work restrictions. Mr. Brazil stated that the item would come back to restrict the hours. However, staff has minimized the issuance of right-of-way permits. He noted that the Town Council might want to consider allowing Public Works to further limit the right-of-way limits to include construction vehicles during the season.

There was a discussion about bridge openings and coordination efforts to improve the timing of the barges and the bridge openings. Mr. Blouin stated that those coordination efforts would continue to try to identify other ways to make improvements.

*Clerk's note: A short break was taken at 11:49 a.m. and resumed at 11:59 a.m.*

Mr. Blouin continued through the list of staff suggestions.

Chief Sean Baker discussed the efforts that Fire Rescue has been making to mitigate the traffic.

Mr. Blouin noted a new email address, [traffic@townofpalmbeach.com](mailto:traffic@townofpalmbeach.com), where residents can find frequently asked questions or make comments and/or suggestions.

Council Member Moran questioned whether citizens could view the cameras pointing at the bridge to view real-time traffic. Mr. Blouin stated it was a possibility and that he would investigate further.

Council President Pro Tem Crampton wondered if notifications could be sent when President-Elect Trump moves from his residence to another location. Mr. Blouin stated that he would consider the suggestion if it could be done without jeopardizing his security.

Council Member Araskog thought providing citizens with camera access could invoke litigation.

Council Member Moran wondered if the streets were monitored for traffic. Chief Caristo stated that they use drones to monitor traffic.

Mr. Blouin discussed the option of awarding contracts for services outside of peak hours. Mr. Brazil stated that when new projects are being bid, hours will be added as an alternative to see the delta between regular work hours and nighttime work.

Mr. Blouin continued with the suggestions on barge traffic construction, regional collaboration, and marine traffic management.

*Clerk's note: A lunch break was taken at 12:23 p.m. and resumed at 2:01 p.m.*

Mr. Blouin discussed the possibility of an employee shuttle program. He then introduced a Palm Beach County Countywide Transportation Master Plan RFP, a town-paid parking program, and construction management agreements.

Council President Pro Tem Crampton supported using construction management agreements to help with traffic and expanded paid parking if feasible.

Council Member Moran favored immediately extending the paid parking program all over town, with no grace period. She was also in favor of the construction management agreement, which allowed the minimum amount

of parking provided.

Council Member Araskog favored making construction companies bus their workers to the job sites. Mr. Brazil discussed what the town is doing today to help minimize the traffic impacts.

Lieutenant Paul Alber spoke about the feedback from the paid parking program. He added it would not be difficult to roll out the plan to the island's north end of the commercial district of town. Mr. Brazil discussed the process and lead time for ordering new signs.

Deputy Town Manager Bob Miracle discussed the time needed to roll out the paid parking plan.

Mayor Moore was in favor of expanding the paid parking program. She thought it was important to identify the size of properties when regulating a construction management agreement.

Council Member Araskog asked about the loss of paid parking near Sunset Avenue and Royal Poinciana Way for restaurant parking. Lt. Alber said most parking spaces are two hours. The exceptions were the beach parking, which is four hours, and County Road, Peruvian Avenue, and Worth Avenue's paid parking, which turns off at 5:00 p.m., so no payment is required.

Council Member Araskog thought a grace period should be provided to the residents.

Council Member Araskog wondered if the cost of beach parking should be lower so that beachgoers do not park in other locations with lower costs. Mr. Alber responded.

Council Member Moran wondered if the parking system could suggest where empty parking spots are located. She also asked how the parking enforcement would happen. Lt. Alber said the system could be checked by time, but the staff is working with a vendor who would provide integration to allow the parking control officers to time, mark vehicles, and monitor the Park Mobile program.

Council Member Cooney asked if Lt. Alber had received any feedback from the valet providers in the area. Mr. Alber responded.

The consensus of the Town Council was to expand the paid parking program.

Mr. Blouin stated that staff would move forward with the implementation of testing the creation of two lanes with barriers, prohibiting parking from 3:00 p.m. to 5:00 p.m.



Mr. Blouin stated that the program established for landscape vehicles will continue.

K.T. Catlin, 265 Fairview Road, thought enforcing landscape parking would be challenging. She suggested using an incentive or restricting landscape companies' visits.

Council Member Araskog noted that scheduling one landscaper to visit multiple properties could be difficult.

Colin Goldsmith, owner of a landscape company, discussed the efforts he was making to mitigate the issues. One method was using circulation routes.

Mr. Brazil noted that there was no practical way to identify and segregate some services from others.

John Hart, project executive at the Vinetta Hotel, thought that allowing construction to begin early with quiet work would improve the situation.

Council Member Araskog suggested moving the construction workers onto the island earlier and resetting the landscapers' regular hours.

Ms. Catlin stated that shuttling should be considered in conjunction with the hours. She said the number of trucks needed to be reduced.

Tim Givens of Tim Givens Building & Remodeling discussed the number of trucks needed for a construction project.

Council President Lindsay called for public comment.

Scott Lewis of Scott Lewis Gardening asked the Town Council to look at separating landscaping companies from construction companies. He said that all the complaints were about the construction in the town. He suggested a committee of private company representatives to help troubleshoot and present improvement ideas.

The Town Council agreed to temporarily allow construction to start at 7:00 a.m., with the first hour being quiet work ending at 2:30 p.m. Landscaping hours will remain at 7:30 a.m. to 3:30 p.m.

DJ Fairbanks thought that some sense of normalcy should be the goal. He was appreciative that immediate actions were being taken to mitigate traffic issues.

Mr. Goldsmith noted that his employees needed to pack up and organize their sites before they could get off the island.

Council Member Cooney suggested that when complaints are received, make sure that the complaint is related to construction or landscaping. Mr. Blouin stated that dispatch would collect that information and break it down for staff.

Mr. Blouin prompted the discussion on Town Serving.

Michael McCarty, 223 Atlantic Avenue, thought intensification of use was the most important consideration. He noted expansion projects that would increase the intensification of use and wondered about the unintended consequences. He thought the traffic study should be reviewed before placing limitations on restaurants and clubs. He noted that clubs were less intense uses than restaurants.

Mr. Blouin asked for a recommendation concerning the zoning moratorium.

Town Attorney O'Connor explained the difference between a zoning moratorium and a zoning in progress. She thought the zoning moratorium was a more extreme measure and that it could be discussed with code reform.

Council Member Araskog asked about using Zoning in Progress rather than a moratorium.

Mayor Moore expressed her concerns about a zoning moratorium, which included not allowing construction because there would be lasting impacts and unintended consequences from a moratorium. She shared examples. She did not think a moratorium was a fair option.

Council President Pro Tem Crampton agreed with Mayor Moore. He thought that residents depended on certain processes regarding their properties, and if they were taken away, it would not be fair. He thought the council needed to be balanced in its decision.

Council Member Moran asked if something could be done to control the timing of construction projects. She noted that Mr. Brazil managed the issuance of right-of-way permits.

Council Member Cooney and Council President Lindsay agreed with Council Member Moran. They all thought the right-of-way permits could control some of the traffic.

Council Member Araskog favored a zoning in progress. She also wondered if the applications could be limited.

Mr. Bergman stated that many large commercial projects were forthcoming and already in process. Council President Pro Tem Crampton wondered if the projects could be timed to alternate the volume.

Council President Lindsay asked Town Attorney O'Connor to study the issue to better control the number of permits issued and provide legal

guidance.

KT Catlin, 265 Fairview Road, thought zoning in progress would negatively impact property values, and a moratorium could create a backlog of projects.

Mr. Blouin prompted the discussion about Construction Management Agreements.

Council President Lindsay called for public comment.

Simon Taylor, 3801 PGA Blvd., argued that President-Elect Trump should not be allowed to live at Mar-a-Lago.

Anita Seltzer, 44 Cocoanut Row, addressed a safety issue at Royal Palm Way.

*Clerk's note: A short break was taken at 4:15 p.m. and resumed at 4:25 p.m.*

Mr. Blouin stated there was one additional item to be discussed regarding traffic. There was a marathon planned for Sunday, December 15, 2024,

Captain Will Rothrock discussed the details of the race.

Town Attorney O'Connor asked about the compromise offered for this year regarding running under the middle bridge. Captain Rothrock said they are running under the bridge when they take off, but coming back, they will be along Flagler.

Council Member Moran asked for additional details about the race, which included the hours and the ability for emergency vehicles to pass through the area of the race. Captain Rothrock responded.

Council Member Araskog thought the Town should deny the request.

Mayor Moore stated that she had a conversation with the staff, during which she was told there would be no impact on the middle bridge. Captain Rothrock stated that there was no intention to mislead Mayor Moore, but there would be some impact on the middle bridge.

Council Member Araskog thought the Town should ask West Palm Beach to fix the lights if the Town approves the race. Mr. Brazil responded that the staff was working with Palm Beach County on the lights. Council Member Araskog apologized and did not understand that the issue with the lights was with the County, not West Palm Beach.

Council Member Cooney thanked the staff for working with West Palm Beach. He acknowledged the disruption.

***A consensus of the Town Council was no objection to the marathon being held on Sunday, December 15, 2024, in West Palm Beach.***

Mr. Blouin stated that he would communicate the Town Council's will to the West Palm Beach staff.

3. Discussion Regarding Town Election, Caucus, and Qualifying Dates  
*Kelly Churney, Acting Town Clerk*

**A motion was made by Council Member Moran and seconded by Council Member Cooney to defer the item to allow the Town Clerk's Office to further research the cost and to extend an invitation to Palm Beach County Supervisor of Elections Wendy Sartory Link to attend an upcoming meeting to discuss stand-alone elections. The motion was carried unanimously, 5-0.**

4. Discussion on Residency Requirements for Elected Officials  
*Bobbie D. Lindsay, Town Council President*  
***Clerk's note: This item was deferred to January 14, 2025, at item IV. Approval of Agenda.***

Anita Seltzer, 44 Cocconut Row, shared comments with the Town Council regarding the election. She suggested voting by hand, a small-town democracy.

5. Review of Request from Palm Beach Gardeners and Landscape Association

Scott Lewis of Scott Lewis Gardening stated that due to the ordinance, the landscapers were the only industry that could not work for four days over the span of one week during the holidays. He also stated that the traffic problem in Palm Beach was a county problem, not a Town problem. He recommended allowing a conversation with staff to discuss a responsible vendor program with the staff.

Mr. Blouin stated he would investigate the responsible vendor program. He indicated he was unfamiliar with Mr. Lewis's statement regarding the holiday hours and would have to research this.

There was a brief discussion about the work week hours during the holidays. Council Member Moran stated that this was an unusual season, with two holidays (Christmas Eve and New Year's Eve) falling in two weeks.

**A motion was made by Council Member Moran and seconded by Council Member Cooney to allow the landscapers to work on Christmas Eve and New Year's Eve from 7:30 a.m. to 12:30 p.m., with the first hour of work to be quiet work only. The motion was carried 4-1, with Council Member Araskog dissenting.**

*Clerk's note: Council Member Cooney left the meeting at 5:02 p.m.*

### **C. New Business**

1. Endorse Palm Beach County's Bonefish Islands Restoration Project and

Amend Approved Waivers to Town Code for Construction Dates, Hours, and Noise in Lake Worth Lagoon to Include Sunday Work and to Extend Waivers to August 1, 2025

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

**A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to allow Sunday work and extend the waiver to August 1, 2025. The motion carried unanimously, 4-0, with Council Member Cooney absent.**

#### **D. Quarterly Litigation Report**

1. Quarterly Litigation Report  
*Joanne O'Connor, Town Attorney*

Town Attorney O'Connor pointed out three items on the litigation report. The first was no new litigation against the Town had been filed. She pointed out the litigation regarding the Paramount and stated a new mediation meeting had been scheduled for Wednesday, February 5, 2025. The third item she highlighted was the Midtown Beach Case, on a court trial docket spanning from March 10, 2025, to May 2, 2025. More information about whether and when that case may go to trial will be available in February.

### **X. ORDINANCES**

#### **A. Second Reading**

1. ORDINANCE NO. 036-2024 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 22 - Businesses, By Repealing Article V - Commercial Motion Picture Making And Simultaneously Adopting A New Article V - Filming Operations To Regulate The Issuance Of Permits For Filming Or Photography On Or Affecting Town Property And Filming Or Photography That impacts Or Requires Town Services; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

*Joanne O'Connor, Town Attorney*

Town Attorney Joanne O'Connor read Ordinance No. 036-2024 by title only.

**A motion was made by Council Member Araskog and seconded by Council Member Moran to adopt Ordinance No. 036-2024 on the second reading. The motion was carried unanimously, 4-0, with Council Member Cooney absent.**

### **XI. ANY OTHER MATTERS**

There were no other matters discussed at this time.

### **XII. ADJOURNMENT**

**A motion was made by Council Member Araskog and seconded by Council Member Moran to adjourn the meeting at 5:30 p.m. The motion was carried unanimously, 4-0, with Council Member Cooney absent.**

APPROVED:

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Bobbie D. Lindsay, Town Council President

ATTEST:

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Kelly Churney, Acting Town Clerk

Date: \_\_\_\_\_