

**MINUTES OF THE REGULAR SESSION  
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA  
MARCH 14, 2019**

Present: Darryl C. Aubrey, Sc.D., Mayor  
Mark Mullinix, Vice Mayor  
David B. Norris, President Pro Tem  
Susan Bickel, Councilmember  
Deborah Searcy, Councilmember  
Andrew D. Lukasik, Village Manager  
Len Rubin, Village Attorney  
Melissa Teal, Village Clerk

ROLL CALL

Mayor Norris called the meeting to order at 7:30 p.m. All members of Council were present. All members of staff were present.

INVOCATION AND PLEDGE OF ALLEGIANCE

President Pro Tem Bickel gave the invocation and Mayor Norris led the public in the Pledge.

APPROVAL OF MINUTES

The Minutes of the Regular Session held February 28, 2019 were approved as written.

ADMINISTRATION OF COUNCILMEMBERS OATHS

Village Clerk Melissa Teal administered the Oath of Office to re-elected councilmembers Susan Bickel and David Norris. Said Oaths are attached to the official Minutes of Record.

COUNCIL REORGANIZATION

Mayor Norris opened the floor to nominations for the office of Mayor. David Norris nominated Darryl Aubrey for Mayor. With no other nominations for Mayor, Darryl Aubrey was declared Mayor.

Susan Bickel nominated Mark Mullinix for Vice Mayor. With no other nominations for Vice Mayor, Mark Mullinix was declared Vice Mayor.

Susan Bickel nominated David Norris for President Pro Tem. With no other nominations for President Pro Tem, David Norris was declared President Pro Tem.

Thereafter, the names of Darryl Aubrey, Mark Mullinix, and David Norris were entered into Resolution 2019-21.

RESOLUTION 2019-21 APPOINTING COUNCIL OFFICERS

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Aubrey to adopt Resolution 2019-21 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPOINTING THE MAYOR, VICE MAYOR AND PRESIDENT PRO TEM FOR THE UPCOMING YEAR; AND PROVIDING FOR AN EFFECTIVE DATE.

Thereafter, the motion to adopt Resolution 2019-21 passed unanimously.

ADMINISTRATION OF OFFICER OATHS

Village Clerk Melissa Teal administered the Oath of Office to Mayor Aubrey, Vice Mayor Mullinix, and President Pro Tem Norris. Said Oaths are attached to the official Minutes of Record.

ORDINANCE 2019-01 – BOARDS AND COMMITTEES

A motion was made by President Pro Tem Norris and seconded by Councilmember Bickel to adopt and enact on second reading Ordinance 2019-01 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, RELATING TO VILLAGE BOARDS AND COMMITTEES; AMENDING ARTICLE I, "IN GENERAL," OF CHAPTER 2, "ADMINISTRATION," OF THE VILLAGE CODE OF ORDINANCES BY AMENDING SECTION 2-1, "BOARDS AND COMMITTEES," TO INCREASE THE NUMBER OF MEMBERS AND ELIMINATE ALTERNATE MEMBERS, MANDATE THE START TIME OF MEETINGS, AND CLARIFY PROVISIONS REGARDING VACANCIES, REMOVAL AND APPOINTMENT; AMENDING DIVISION 2, "AUDIT COMMITTEE," OF ARTICLE III, "ADMINISTRATIVE CODE," OF CHAPTER 2 OF THE VILLAGE CODE TO REVISE THE MEMBERSHIP AND TERMS AND REMOVE REDUNDANT LANGUAGE; AMENDING ARTICLE IV, "WATERWAYS BOARD," OF CHAPTER 5, "BOATS, DOCKS AND WATERWAYS," OF THE VILLAGE CODE OF ORDINANCES TO REVISE THE MEMBERSHIP AND TERMS AND REMOVE REDUNDANT LANGUAGE; AMENDING ARTICLE II, "MINIMUM CONSTRUCTION STANDARDS," OF CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES TO REPEAL SECTION 6-18, "CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS," AMENDING ARTICLE II, "GOLF ADVISORY BOARD," OF CHAPTER 9, "COUNTRY CLUB," OF THE VILLAGE CODE OF ORDINANCES TO REVISE THE MEMBERSHIP AND TERMS, REMOVE REDUNDANT LANGUAGE AND ELIMINATE MANDATORY MONTHLY MEETINGS; AMENDING ARTICLE VIII, "BUSINESS ADVISORY BOARD," OF CHAPTER 17, "LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES TO REVISE THE MEMBERSHIP AND TERMS AND REMOVE REDUNDANT LANGUAGE; AMENDING ARTICLE III, "RECREATION ADVISORY BOARD," OF CHAPTER 20, "PARKS, PLAYGROUNDS AND RECREATION," OF THE VILLAGE CODE OF ORDINANCES TO REVISE THE MEMBERSHIP AND TERMS, REMOVE REDUNDANT LANGUAGE AND ELIMINATE MANDATORY MONTHLY MEETINGS; AMENDING CHAPTER 21, "PLANNING AND DEVELOPMENT," OF THE VILLAGE CODE OF ORDINANCES BY AMENDING ARTICLE II, "PLANNING COMMISSION," TO REVISE THE MEMBERSHIP AND TERMS, REMOVE REDUNDANT LANGUAGE, AND PROVIDE FOR ADDITIONAL DUTIES AND BY AMENDING ARTICLE III, "BOARD OF ADJUSTMENT," TO PROVIDE THAT THE PLANNING COMMISSION SHALL SERVE THIS FUNCTION AND REQUIRE THAT A CONCURRING VOTE OF A MAJORITY OF ALL MEMBERS IS REQUIRED TO GRANT A VARIANCE; CREATING A NEW ARTICLE IV OF CHAPTER 24, "STREETS, SIDEWALKS AND PUBLIC PLACES," OF THE VILLAGE CODE OF ORDINANCES TO CREATE AN ENVIRONMENTAL COMMITTEE AND PROVIDE FOR ITS MEMBERSHIP AND DUTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Per Council direction at its February 28, 2019 Regular Session, Mr. Rubin noted Section 2-1 had been revised to read that "all Village boards and committees shall endeavor to schedule a regular meeting once per month."

ORDINANCE 2019-01 – BOARDS AND COMMITTEES *continued*

Mayor Aubrey opened the public hearing.

Rita Budnyk, 804 Shore Drive, asked for clarification regarding regular meetings. Mr. Rubin advised that “endeavor” was not mandatory, as there may be times when the board doesn’t have a quorum or has nothing to discuss. Ms. Budnyk suggested perhaps boards should be required to meet at least once every three months.

There being no further comments from the public, Mayor Aubrey closed the public hearing.

Brief discussion took place concerning soliciting applicants for Village boards, including the new Environmental Committee.

Thereafter, the motion to adopt and enact Ordinance 2019-01 on second reading passed unanimously.

CONSENT AGENDA APPROVED

Councilmember Searcy moved to approve the Consent Agenda. President Pro Tem Norris seconded the motion, which passed unanimously. The following items were approved:

Resolution – Janitorial Services Contract – Approving an Amendment to the Contract for Janitorial Services with AK Building Services, Inc. for additional Community Development Department office space.

Resolution – Temporary Buildings – Amending Resolution No. 2017-18 to provide additional funding for the continued lease of two temporary buildings for the Country Club Project.

Receive for file Minutes of the Police and Fire Pension Board meeting held 11/14/18.

Receive for file Minutes of the Planning Commission Meeting held 2/5/19.

Receive for file Minutes of the Library Advisory Board Meeting held 2/26/19.

RESOLUTION 2019-24 – LAPTOP COMPUTERS PURCHASE

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Searcy to adopt Resolution 2019-24 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING AND AUTHORIZING THE PURCHASE OF TWENTY-EIGHT (28) DELL LAPTOP COMPUTERS FOR USE BY THE POLICE DEPARTMENT PURSUANT TO PRICING ESTABLISHED BY STATE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik stated the new laptops would replace the current vehicle laptops that were purchased when the Village joined the Northcom dispatch system. Mr. Lukasik noted the cost is within budget.

Director of Information Technology Michael Applegate responded to questions from the Council.

Thereafter, the motion to adopt Resolution 2019-24 passed unanimously.

RESOLUTION 2019-25 – BUILDING DIVISION SERVICES

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Searcy to adopt Resolution 2019-25 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A SECOND AMENDMENT TO AN AGREEMENT WITH M.T. CAUSLEY, LLC FOR BUILDING OFFICIAL, PLAN REVIEW AND INSPECTION SERVICES FOR FISCAL YEAR 2019 PURSUANT TO PRICING ESTABLISHED IN AN EXISTING AGREEMENT BETWEEN M.T. CAUSLEY AND THE CITY OF FORT LAUDERDALE AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE SECOND AMENDMENT ON BEHALF OF THE VILLAGE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik reported on the extension of the Village's agreement with M.T. Causley for building official, building inspection, and plan review services. Mr. Lukasik explained the contract provides for one full-time and one part-time position.

Thereafter, the motion to adopt Resolution 2019-25 passed unanimously.

VILLAGE COUNCIL MATTERS/REPORTS

Mayor Aubrey expressed appreciation to President Pro Tem Norris for his outstanding service as Mayor during the past year.

Councilmember Bickel announced the Village is accepting artwork for the upcoming Art Show on April 4, 2019. It was noted that artists must be Village residents to enter their work.

Vice Mayor Mullinix reported that W.T. Dwyer High School's head football coach, Jack Daniels, is retiring. Vice Mayor Mullinix asked that Council consider issuing a commendation in recognition of Coach Daniels. This request will come back for further discussion at the next meeting.

Mr. Lukasik gave an update on the Anchorage Park floating docks project.

Vice Mayor Mullinix reported hearing concerns regarding the Boat and RV survey.

Vice Mayor Mullinix commented briefly on the boat dock issue with Mr. Bozzuto.

Vice Mayor Mullinix reported on the recent Audit Committee meeting and Nowlen, Holt and Miner auditor Terry Morton's recommendation that the Village seek to obtain a more favorable interest rate on vehicle leases in the future.

Councilmember Searcy reported on items discussed at the last Recreation Advisory Board meeting, including enforcing the code on use of private docks and considering strengthening the code language or clarifying the word "occupant." Councilmember Searcy stated the Board suggested forming an ad hoc committee to review issues related to boats in the water. By consensus, the Council agreed to discuss this matter at an upcoming Workshop Session. Councilmember Searcy noted the meeting was attended by Russell Ruskay, the new Parks and Recreation Director. Mr. Ruskay is a former resident who served as the Village's Recreation Director in 1982.

Councilmember Bickel announced the upcoming Neighborhood Enhancement Team event. Special Projects Director Chuck Huff reported on efforts to paint the homes at 708 and 740 Firetree Road on Saturday, March 16, 2019 from 7:30 a.m. to 1:00 p.m. Mr. Huff stated a block party would be held in conjunction with the NET house painting event.

VILLAGE MANAGER MATTERS/REPORTS

Mr. Lukasik reported on the two methodologies used for the Boat and RV survey: 1) a random, controlled, statistically significant written survey; and 2) an online survey. Mr. Lukasik stated the survey company was tabulating the written surveys and results would be discussed at the Special Session on April 3, 2019.

Mr. Lukasik commented briefly on the issue of Mr. Bozzutto's dock.

Mr. Lukasik gave a presentation concerning fence heights in the side yard of corner lots. Discussion ensued regarding Appendix C, Section 45-36(D) of the Village Code: "fences built within the area between the property line and the building setback line shall not exceed six (6) feet in height; provided, however, that no walls or fences may be erected between the front yard setback and the street line..." and "On corner lots, walls or fences shall not exceed four (4) feet in height within the area between the side line of the lot which fronts on a street, and the front building setback line extended of the adjacent side street lot." Council consensus was in favor of allowing six foot fences with a 10 foot setback from the right-of way on back-to-back corner lots. It was suggested that properties on the west side of Prosperity Farms Road be allowed a six foot fence with less setback. It was suggested that there be a moratorium on issuing permits for six-foot fences on a corner lot. Discussion ensued concerning uniformity of materials on the same property. Because changing allowable fence heights is a zoning code text amendment, Mr. Rubin advised the matter must go to the Planning Commission before being considered by the Council. It was determined to place this item on the April 2, 2019 Planning Commission agenda for review and recommendation, with an ordinance to be placed on first reading at the April 11, 2019 Village Council Regular Session.

Mr. Lukasik presented an update on the Country Club construction project, including the budget and change orders.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:20 p.m.

  
Melissa Teal, MMC  
Melissa Teal, MMC, Village Clerk