

**MINUTES OF THE REGULAR SESSION
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA
APRIL 8, 2021**

Present:

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

ROLL CALL

Mayor Aubrey 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

Mayor Aubrey gave the invocation and Vice Mayor Searcy led the public in the Pledge.

APPROVAL OF MINUTES

The Minutes of the Regular Session held March 25, 2021 were approved as written.

STATEMENTS FROM THE PUBLIC

Mayor Aubrey read into the record a public comment received from Lisa Gallagher, 704 Teal Way. In her comment, Ms. Gallagher expressed concerns regarding the construction of large homes on smaller lots within the Village and recommended that the Village pass a zoning in progress ordinance to allow more oversight of the residential design of new homes being constructed in the Village.

Mayor Aubrey read into the record a public comment received from Kelli Preti, 700 Teal Way. In her comment, Ms. Preti requested that the Village pass a zoning in progress ordinance to address the outdated residential building code. Ms. Preti expressed concerns regarding the building of homes within the Village without taking regard for impacts on storm-water run-off, drainage, and green space.

Mayor Aubrey read into the record a public comment received from Carol Chana, 125 Atlantic Road. In her comment, Ms. Chana asked why Lakeside Park was not locked every night and that she had expressed her concerns to the Village Manager.

PUBLIC HEARINGS AND QUASI-JUDICIAL MATTERS

There were no ex-parte communications declared for the next three items.

MOTION - DIMENSIONAL EXCEPTION APPLICATION FOR 2526 HONEY ROAD

Principal Planner Alex Ahrenholz explained and described the applicant's recreational vehicle location, its dimensions and the dimensions of the property. Mr. Ahrenholz showed pictures of the recreational vehicle, its screening and its location. Mr. Ahrenholz stated that staff was recommending approval of the dimensional exception request with the condition that the applicant plants additional shrubs along the west property line at a minimum of 4 feet, and to be grown to screen the RV at 90 percent opacity within 2 years. If any trees or shrubs on adjacent properties that currently provide screening are removed, the applicant must replace them on their property or the neighboring property within six months of their removal.

Mayor Aubrey opened the public hearing on the Dimensional Exception Application for 2526 Honey Road.

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

A motion was made by President Pro Tem Mullinix and seconded by Vice Mayor Searcy to approve the Dimensional Exception Application for 2526 Honey Road subject to the condition recommended by staff.

Thereafter, the motion was approved unanimously.

MOTION - DIMENSIONAL EXCEPTION APPLICATION FOR 756 BUTTONWOOD ROAD

Principal Planner Alex Ahrenholz explained and described the applicant's recreational vehicle location, its dimensions and the dimensions of the property. Mr. Ahrenholz showed pictures of the recreational vehicle, its screening and its location. Mr. Ahrenholz stated that staff was recommending approval of the dimensional exception request with the condition that the applicant plants additional shrubs along the east property line at a minimum of 4 feet, and to be grown to screen the RV at 90 percent opacity within 2 years. If any trees or shrubs on adjacent properties that currently provide screening are removed, the applicant must replace them on their property or the neighboring property within six months of their removal.

Mayor Aubrey opened the public hearing on the Dimensional Exception Application for 756 Buttonwood Road.

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

A motion was made by President Pro Tem Mullinix and seconded by Vice Mayor Searcy to approve the Dimensional Exception Application for 756 Buttonwood Road subject to the condition recommended by staff.

ORDINANCE 2021-06 CODE AMENDMENT – GOLF CARTS

A motion was made by President Pro Tem Mullinix and seconded by Councilmember Norris to adopt on first reading Ordinance 2021-06 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING CHAPTER 18, "MOTOR VEHICLES AND TRAFFIC," OF THE VILLAGE CODE OF ORDINANCES BY ADOPTING A NEW ARTICLE IV, "GOLF CARTS;" PROVIDING FOR DEFINITIONS; PROVIDING FOR THE OPERATION OF GOLF

ORDINANCE 2021-06 CODE AMENDMENT – GOLF CARTS *continued*

CARTS WITHIN THE VILLAGE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik explained the reason for the ordinance. Mr. Lukasik stated that historically the driving of golf carts has been popular within the Village. Mr. Lukasik explained the differences between golf carts and low speed vehicles. Golf carts cannot exceed 20 miles per hour and a person must be 14 years or older to operate a golf cart. The proposed ordinance would permit the use of golf carts on Village streets but would not permit the use of golf carts on streets or roads that are owned or maintained by Palm Beach County or the State of Florida.

Mayor Aubrey read into the record a public comment received from Ryan Kadyszewski, 501 Overlook Drive. In his comment, Mr. Kadyszewski expressed that he was in favor of the proposed ordinance to allow golf carts to be driven on Village streets.

Discussion ensued among Councilmembers regarding the proposed ordinance to allow golf carts to be driven on Village streets.

Thereafter, the motion to adopt on first reading Ordinance 2021-06 passed unanimously.

CONSENT AGENDA

Councilmember Norris moved to approve the Consent Agenda. Vice Mayor Searcy seconded the motion which passed unanimously. The following items were approved:

Receive for file Minutes of the Library Advisory Board meeting held 2/23/21.

Receive for file Minutes of the Audit Committee meeting held 3/8/21.

Receive for file Minutes of the Infrastructure Surtax Oversight Committee meeting held 3/16/21.

Resolution approving the sole source purchase of one Holmatro Extrication Combi-Tool Package from Purchase Point Equipment Supply LLC at a total cost of \$19,271; and authorizing the Amendment of the Capital Fund Budget to fund the purchase.

RESOLUTION 2021-29 – AMENDING RESOLUTION 37-78 TO ASSIGN THE VILLAGE HISTORIAN POSITION

A motion was made by Councilmember Norris and seconded by President Pro Tem Mullinix to adopt Resolution 2021-29 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING RESOLUTION 37-78 TO ALLOW THE VILLAGE MANAGER TO ASSIGN A STAFF MEMBER TO PERFORM THE FUNCTIONS OF THE VILLAGE HISTORIAN; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik explained the purpose of the resolution. Mr. Lukasik explained that after the Village Historian's resignation, Library Director Zak Sherman had taken on the duties and responsibilities of the Village Historian and has continued to do so since 2018. Mr. Lukasik stated that Mr. Sherman has done a great job of preserving, collecting, and archiving the Village's historical records, therefore staff was recommending the amendment of Resolution 37-78 to give the Village

RESOLUTION 2021-29 – AMENDING RESOLUTION 37-78 TO ASSIGN THE VILLAGE HISTORIAN POSITION *continued*

Manager the ability to assign a staff member to the Village Historian position. The amendment would not preclude Village Council from appointing a Village Historian by resolution if they wish.

Thereafter, the motion to adopt Resolution 2021-29 passed unanimously.

RESOLUTION 2021-30 – SEAWALL CONSTRUCTION AGREEMENT

A motion was made by Councilmember Bickel and seconded by Vice Mayor Searcy to adopt Resolution 2021-30 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING AN AGREEMENT FOR CONSTRUCTION OF SEAWALL WITH DONNA AND JEFFREY PALUMBO AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Public Works Director Chuck Huff explained that the Village owned approximately 45 feet of seawall that runs adjacent to a portion of the North Palm Beach Country Club Golf Club. Donna and Jeffrey Palumbo have offered to replace the Village owned portion of seawall which was in need of repair at no cost to the Village. The Palumbos were in the process of replacing the seawall adjacent to their property and want to ensure that both seawalls were aesthetically compatible, structurally sound, and that the height of the seawalls comply with all current Village code requirements.

Mayor Aubrey read into the record a public comment received from Kathleen Baummier, 909 Eucalyptus Road. In her comment, Ms. Baummier asked if the homeowner would be able to use the seawall owned by the Village for their personal use.

Mr. Huff explained that the Palumbos would not be able to use the portion of seawall owned by the Village for their personal use.

President Pro Tem Mullinix asked if the portion of Village owned seawall could be sold to the Palumbos.

Attorney Rubin explained that the Village Charter required a referendum question in order to sell any Village owned property.

Thereafter, the motion to adopt Resolution 2021-30 passed unanimously.

REPORTS (SPECIAL COMMITTEES AND ADVISORY BOARDS)

Chairman Tom Magill presented the Annual Report of the Audit Committee.

MAYOR AND COUNCIL MATTERS/REPORTS

Mayor Aubrey recommended implementing a moratorium on rebuilds and property expansions pending further review of the Village's residential building code.

Councilmember Bickel stated that she had previously recommended review of the Village's code with regard to pervious and impervious surfaces due to environmental reasons and that she would support a moratorium of the Village's residential building code.

MAYOR AND COUNCIL MATTERS/REPORTS *continued*

Discussion ensued between staff and Councilmembers regarding how to implement a moratorium or a zoning in progress on the Village's residential building code.

Councilmember Norris recommended looking into finding a way to speed up the process of the requirements necessary for the Village to have a zoning in progress.

Mr. Lukasik and Mr. Rubin explained and discussed the different options or possibilities for having either a zoning in progress or moratorium.

Discussion continued between staff and Councilmembers regarding how to implement a moratorium or a zoning in progress on the Village's residential building code.

Mr. Lukasik stated that he and staff would report back with ideas and strategies on how to implement a moratorium or a zoning in progress on the Village's residential building code.

Councilmember Bickel stated that it did not matter to her whether the men on Council wanted to wear either casual or formal business attire to Council meetings year round versus wearing casual business attire during spring and summer months and wearing formal business attire during the fall and winter months. Councilmember Bickel stated that it could be each Councilmen's decision on what they chose to wear.

Mayor Aubrey, President Pro Tem Mullinix and Councilmember Norris agreed that they would continue with the tradition of wearing casual business attire during spring and summer months and wearing formal business attire during the fall and winter months.

Stephen Poh, Director of Parks and Recreation gave an update on the upcoming Heritage Day festivities taking place on April 9th and 10th. Mr. Poh stated that the Easter events and festivities were successful and everyone had a great time. A movie night was scheduled at Osborne Park on Saturday, May 15th and the Baseball Group's opening ceremony will be taking place on Saturday, April 10th at 9 a.m. and Vice Mayor Searcy would be throwing the first pitch.

Councilmember Bickel announced the first Environmental Committee speaker series at Farmer's Table on Saturday, April 10th at 10 a.m. The topic would be on gardening and home grown food. Councilmember Bickel stated that the Environmental Committee was also planning to have a Community Garden at Osborne Park.

Mr. Poh announced that a cleanup would be taking place for Earth Day at Lakeside Park on April 18th at 9 a.m.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:25 p.m.



Jessica Green, MMC, Village Clerk