

**MINUTES OF THE REGULAR SESSION  
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA  
OCTOBER 8, 2020**

Present:

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

ROLL CALL

Mayor Bickel 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

Vice Mayor Mullinix gave the invocation and Mayor Bickel led the public in the Pledge.

APPROVAL OF MINUTES

The Minutes of the Regular Session held September 24, 2020 were approved as written.

PUBLIC HEARING AND MOTION – REASONABLE ACCOMMODATION REQUEST

Mr. Rubin stated that the Reasonable Accommodation Request was filed by Reprieve LLC for community residences located at 800, 804, and 808 Prosperity Farms Road. Mr. Rubin began a presentation and explained that the applicant was seeking a reasonable accommodation from the Village's definition of term family, which limits the number of unrelated persons living in a single housekeeping unit to three (3). The applicant was seeking approval for four (4) unrelated persons to reside in each two-bedroom community residence. Mr. Rubin explained Section 45-2 of the Village code and the Federal Fair Housing Amendments Act. Mr. Rubin concluded the presentation and stated the conditions that staff was recommending for approval.

Mayor Bickel opened the public hearing.

There being no comments, Mayor Bickel closed the public hearing.

Discussion ensued between Mr. Rubin, staff and Council regarding the Reasonable Accommodation Request.

A motion was made by Councilmember Searcy and seconded by President Pro Tem Norris to approve a conditional Reasonable Accommodation Request filed by Reprieve, LLC for Community Residences located at 800, 804, and 808 Prosperity Farms Road.

Thereafter, the motion passed 4 to 1 with Mayor Bickel, President Pro Tem Norris, Councilmember Aubrey and Councilmember Searcy voting aye and Vice Mayor Mullinix voting nay.

ORDINANCES – REZONING COMMERCIAL PROPERTIES

(1) ORDINANCE

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Aubrey to adopt on first reading an Ordinance entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REZONING TWENTY PARCELS OF PROPERTY LOCATED ON THE NORTH SIDE OF NORTHLAKE BOULEVARD EAST OF SOUTHWIND DRIVE AND WEST OF U.S. HIGHWAY ONE TOTALING APPROXIMATELY 16.312 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO THE C-NB NORTHLAKE BOULEVARD COMMERCIAL DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

(2) ORDINANCE

A motion was made by Councilmember Aubrey and seconded by President Pro Tem Norris to adopt on first reading an Ordinance entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REZONING FIVE PARCELS OF PROPERTY LOCATED ON THE NORTH SIDE OF NORTHLAKE BOULEVARD EAST OF NORTHLAKE DRIVE AND WEST OF LAKE CIRCLE TOTALING APPROXIMATELY 2.218 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO THE C-NB NORTHLAKE BOULEVARD COMMERCIAL DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

(3) ORDINANCE

A motion was made by Vice Mayor Mullinix and seconded by President Pro Tem Norris to adopt on first reading an Ordinance entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REZONING NINE PARCELS OF PROPERTY LOCATED ON THE NORTH SIDE OF NORTHLAKE BOULEVARD WEST OF PROSPERITY FARMS ROAD AND EAST OF NORTHLAKE DRIVE TOTALING APPROXIMATELY 4.241 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO THE C-NB NORTHLAKE BOULEVARD COMMERCIAL DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

(4) ORDINANCE

A motion was made by Councilmember Aubrey and seconded by Vice Mayor Mullinix to adopt on first reading an Ordinance entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REZONING FIVE PARCELS OF PROPERTY LOCATED ON THE

(4) ORDINANCE *continued*

NORTH SIDE OF NORTHLAKE BOULEVARD WEST OF ALTERNATE A1A AND EAST OF PROSPERITY FARMS ROAD TOTALING APPROXIMATELY 2.956 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO THE C-NB NORTHLAKE BOULEVARD COMMERCIAL DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

(5) ORDINANCE

A motion was made by Councilmember Searcy and seconded by Councilmember Aubrey to adopt on first reading an Ordinance entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REZONING A PARCEL OF PROPERTY LOCATED ON THE WEST SIDE OF U.S. HIGHWAY ONE NORTH OF THE C-17 CANAL (400 U.S. HIGHWAY ONE) TOTALING APPROXIMATELY 1.76 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE CB COMMERCIAL DISTRICT TO THE C-MU US-1 MIXED USE DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

(6) ORDINANCE

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Aubrey to adopt on first reading an Ordinance entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REZONING A PARCEL OF PROPERTY LOCATED ON THE NORTHEAST CORNER OF U.S. HIGHWAY ONE AND ANCHORAGE DRIVE SOUTH (500 U.S. HIGHWAY ONE) TOTALING APPROXIMATELY 1.94 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE CB COMMERCIAL DISTRICT TO THE C-MU US-1 MIXED USE DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

(7) ORDINANCE

A motion was made by President Pro Tem Norris and seconded by Councilmember Aubrey to adopt on first reading an Ordinance entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REZONING TWO PARCELS OF PROPERTY LOCATED ON THE WEST SIDE OF U.S. HIGHWAY ONE NORTH OF EBBTIDE DRIVE (639 U.S. HIGHWAY ONE/POETS WALK MEMORY CARE) TOTALING APPROXIMATELY 2.73 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE C-1A LIMITED COMMERCIAL DISTRICT TO THE C-MU US-1 MIXED USE DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

(8) ORDINANCE

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Aubrey to adopt on first reading an Ordinance entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REZONING A PARCEL OF PROPERTY LOCATED ON THE SOUTHEAST CORNER OF U.S. HIGHWAY ONE AND ANCHORAGE DRIVE SOUTH (420 U.S. HIGHWAY ONE) TOTALING APPROXIMATELY 2.72 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE CB COMMERCIAL DISTRICT TO THE C-MU US-1 MIXED USE DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

(9) ORDINANCE

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Searcy to adopt on first reading an Ordinance entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REZONING A PARCEL OF PROPERTY LOCATED ON THE EAST SIDE OF PROSPERITY FARMS ROAD NORTH OF NORTHLAKE BOULEVARD (300 PROSPERITY FARMS ROAD) TOTALING APPROXIMATELY 0.57 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE C-1A LIMITED COMMERCIAL DISTRICT TO THE C-S SHOPPING COMMERCIAL DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

(10) ORDINANCE

A motion was made by President Pro Tem Norris and seconded by Councilmember Aubrey to adopt on first reading an Ordinance entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REZONING A PARCEL OF PROPERTY LOCATED ON THE NORTH SIDE OF YACHT CLUB DRIVE WEST OF U.S. HIGHWAY ONE (1037 MARINA DRIVE) TOTALING APPROXIMATELY 11.80 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE C-1A LIMITED COMMERCIAL DISTRICT TO THE C-S SHOPPING COMMERCIAL DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

(11) ORDINANCE

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Aubrey to adopt on first reading an Ordinance entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REZONING A PARCEL OF PROPERTY LOCATED ON THE NORTHEAST CORNER OF CASTLEWOOD DRIVE AND WETTAW LANE (200 CASTLEWOOD DRIVE) TOTALING APPROXIMATELY 0.77 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE C-1A LIMITED COMMERCIAL

(11) ORDINANCE *continued*

DISTRICT TO THE C-S SHOPPING COMMERCIAL DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

(12) ORDINANCE

A motion was made by Councilmember Aubrey and seconded by President Pro Tem Norris to adopt on first reading an Ordinance entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REZONING A PARCEL OF PROPERTY LOCATED ON THE NORTH SIDE SHORE COURT EAST OF U.S. HIGHWAY ONE (139 SHORE COURT) TOTALING APPROXIMATELY 1.46 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE C-1A LIMITED COMMERCIAL DISTRICT TO THE C-S SHOPPING COMMERCIAL DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

(13) ORDINANCE

A motion was made by President Pro Tem Norris and seconded by Councilmember Searcy to adopt on first reading an Ordinance entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REZONING A VACANT PARCEL OF PROPERTY LOCATED ON THE SOUTHEAST CORNER OF U.S. HIGHWAY ONE AND YACHT CLUB DRIVE (200 YACHT CLUB DRIVE) TOTALING APPROXIMATELY 1.41 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE C-1A LIMITED COMMERCIAL DISTRICT TO THE C-MU US-1 MIXED USE DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Jeremy Hubsch explained that the Ordinances would rezone certain properties to make them consistent with the new zoning districts that were approved on September 24<sup>th</sup>. Mr. Hubsch began a presentation and explained which properties would be rezoned.

Thereafter, the motions to adopt the thirteen (13) Ordinances rezoning commercial properties on first reading passed unanimously.

CONSENT AGENDA

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

Motion – Approving the suspension of the 11/26/20 and 12/24/20 Council meetings in observance of national holidays.

Receive for file Minutes of the Golf Advisory Board meeting held 8/17/20.

Receive for file Minutes of the Library Advisory Board meeting held 9/22/2020.

RESOLUTION 2020-63 – FRDAP GRANT FOR TENNIS COURT IMPROVEMENTS

A motion was made by President Pro Tem Norris and seconded by Vice Mayor Mullinix to adopt Resolution 2020-63 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING A GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE RECEIPT OF FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM GRANT FUNDS FOR TENNIS COURT IMPROVEMENTS AND AUTHORIZING EXECUTION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Country Club General Manager Beth Davis explained the reason for obtaining the grant. Ms. Davis stated that the grant funds would be used to laser grade four to five tennis courts and to place approximately 240 linear feet of channel drains and landscape around the courts. The work will begin in May of 2021.

Thereafter, the motion to adopt Resolution 2020-63 passed unanimously.

RESOLUTION 2020-64 – ENGINEERING SERVICES FOR ANCHORAGE PARK MARINA DRY STORAGE COMPOUND RENOVATION PROJECT

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Aubrey to adopt Resolution 2020-64 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING A PROPOSAL FROM ENGENUITY GROUP, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE ANCHORAGE PARK MARINA DRY STORAGE COMPOUND RENOVATION PROJECT AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE ALL REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Russ Ruskay, Recreation Manager stated that the proposal was for design services for the Anchorage Park Marina Dry Storage renovation project on the north side of the park only. Mr. Ruskay discussed the current condition of the dry storage and the waiting lists for dry storage spaces. Mr. Ruskay stated that trailer parking spaces would be increased from 20 spaces to 34 spaces.

Emily O'Mahoney from 2GHO began a presentation of the design concepts for the dry storage renovation project.

Councilmember Aubrey asked for the total amount budgeted for the project.

Mr. Ruskay stated that \$400,000 was budgeted for the project and that \$200,000 of that budget would be provided by grant funds. Mr. Ruskay stated that the total cost of the project would be dependent on what options were chosen.

Vice Mayor Mullinix asked if the south side dry storage would be affected.

Mr. Ruskay explained that the south side storage would be removed and moved to the north side storage. This would open up the south side to include more trailer parking spaces.

Vice Mayor Mullinix expressed his concerns regarding the proposed loss of the south side dry storage and having too much asphalt and not enough green space at the park.

RESOLUTION 2020-64 – ENGINEERING SERVICES FOR ANCHORAGE PARK MARINA DRY STORAGE COMPOUND RENOVATION PROJECT *continued*

Discussion ensued between staff and Council regarding the proposed design for the project.

Councilmember Searcy asked if the Recreation Advisory Board's recommendations would be taken into consideration when designing the project.

Mr. Ruskay stated that the Recreation Advisory Board's recommendations would be forwarded to the design team and the design options would be brought back to Council and the Recreation Advisory Board.

Thereafter, the motion to adopt Resolution 2020-64 passed unanimously.

RESOLUTION 2020-65 – PARKS AND RECREATION NEEDS ASSESSMENT CONTRACT

A motion was made by Councilmember Searcy and seconded by Councilmember Aubrey to adopt Resolution 2020-65 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA ACCEPTING THE PROPOSAL SUBMITTED BY BARTH ASSOCIATES LLC TO CONDUCT A PARKS AND RECREATION NEEDS ASSESSMENT AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A CONTRACT FOR SUCH SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik explained the purpose and need for a Recreation Needs Assessment.

Mr. Ruskay gave a brief background regarding the need for a Recreation Needs Assessment. Mr. Ruskay explained what a Recreation Needs Assessment would provide and what would take place once it was implemented. Mr. Ruskay stated that Mr. Barth from Barth and Associates was present for questions if needed.

Discussion ensued between staff, Mr. Barth and Council regarding the purpose and implementation of a Recreation Needs Assessment.

Vice Mayor Mullinix and President Pro Tem Norris expressed their concerns with the timing of the Recreation Needs Assessment.

Discussion ensued between Councilmembers regarding the timing of the Recreation Needs Assessment and whether or not it should be postponed until after the consequences and new reality of the Covid-19 pandemic were determined.

Thereafter, the motion to adopt Resolution 2020-65 passed 3 to 2 with Mayor Bickel, Councilmember Aubrey and Councilmember Searcy voting aye and Vice Mayor Mullinix and President Pro Tem Norris voting nay.

VILLAGE COUNCIL MATTERS/REPORTS

Vice Mayor Mullinix stated that the new Country Club Monument Sign was amazing and impressive.

Councilmember Searcy stated that certain members of Advisory Boards whose terms had expired had not yet been brought back for reappointment. Councilmember Searcy recommended re-evaluating the Village's Advisory Boards and Committees, and giving a one-year extension to board members whose terms expired in April 2020.

Discussion ensued between Councilmembers regarding the re-evaluation of the Village's Advisory Boards and Committees, and an extension of terms.

Council came to consensus to give board members whose terms expired in 2020 a one-year extension and to discuss and re-evaluate the Village's Advisory Boards and Committees at a future Council meeting.

Mayor Bickel stated she was able to have Allamanda Elementary school participate with the Village in the Read for the Record event. Mayor Bickel stated that she would send out an email to all Village employees asking for participation.

VILLAGE MANAGER MATTERS/REPORTS

Mr. Lukasik stated that Council and staff would be physically returning to the Council Chambers for the next Council meeting on October 22<sup>nd</sup>. The meeting will also be conducted virtually utilizing Zoom which would make the meeting accessible to the public. Social distancing protocols will still be in place and Plexiglas has been installed on the dais for the safety of the Councilmembers.

Mr. Lukasik gave an update on the life safety issue at the Rocket Fuel property and stated that Code Enforcement and Community Development staff were working on addressing the issue.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:57 p.m.

  
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Jessica Green, MMC, Village Clerk