

**MINUTES OF THE REGULAR SESSION
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA
MARCH 25, 2021**

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 March 11, 2021 were approved as written.

RESOLUTION 2021-21 – ACCEPTING ELECTION RESULTS

A motion was made by Councilmember Aubrey and seconded by Vice Mayor Mullinix to adopt Resolution 2021-21 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ACCEPTING AND DECLARING THE RESULTS OF THE MARCH 9, 2021 GENERAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Thereafter, the motion to adopt Resolution 2021-21 passed unanimously.

ADMINISTRATION OF COUNCILMEMBER OATHS

Village Clerk Jessica Green 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 Bickel opened the floor to nominations for the office of Mayor. Deborah Searcy nominated Darryl Aubrey for Mayor. With no other nominations for Mayor, Darryl Aubrey was declared Mayor.

Susan Bickel nominated Deborah Searcy for Vice Mayor. Mark Mullinix nominated David Norris for Vice Mayor. David Norris declined the nomination for Vice Mayor. With no other nominations for Vice Mayor, Deborah Searcy was declared Vice Mayor.

Susan Bickel nominated Mark Mullinix for President Pro Tem. With no other nominations for President Pro Tem, Mark Mullinix was declared President Pro Tem.

Thereafter, the names of Darryl Aubrey, Deborah Searcy, and Mark Mullinix were entered into Resolution 2021-22.

RESOLUTION 2021-22 – APPOINTING COUNCIL OFFICERS

A motion was made by President Pro Tem Norris and seconded by Councilmember Searcy to adopt Resolution 2021-22 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 2021-22 passed unanimously. Village Clerk Jessica Green administered the Oath of Office to Mayor Aubrey, Vice Mayor Searcy, and President Pro Tem Mullinix. Said Oaths are attached to the official Minutes of Record.

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

DIMENSIONAL EXCEPTION APPLICATION FOR 909 EUCALYPTUS 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 if any of the trees or shrubs on adjacent properties that were currently providing screening were removed, that they be replaced on the applicant's property or neighboring property within six months of removal.

A motion was made by President Pro Tem Mullinix and seconded by Vice Mayor Searcy to approve the Dimensional Exception Application for 909 Eucalyptus Road subject to the condition recommended by staff.

Thereafter, the motion was approved unanimously.

DIMENSIONAL EXCEPTION APPLICATION FOR 2526 HONEY ROAD

Mr. Ahrenholz stated that the Dimensional Exception Application for 2526 Honey Road would not be heard since the applicant had not done the noticing requirements in time. Mr. Ahrenholz stated that the application would be heard at the next Council meeting on April 8th.

PUBLIC HEARING ON FILL PERMIT APPLICATION TO INSTALL FILL AND CREATE SEAWALL AT 508 ANCHORAGE DRIVE

Mr. Lukasik stated that the public hearing on the fill permit application would need to be continued to the April 22nd Council meeting in order to give the Environmental Committee the opportunity to review the application.

A motion was made by Vice Mayor Searcy and seconded by Councilmember Bickel to continue the public hearing on the permit application to install fill and create a seawall at 508 Anchorage Drive to be heard at the Council meeting on April 22, 2021.

Thereafter, the motion was approved unanimously.

PUBLIC HEARING AND SECOND READING OF ORDINANCE 2021-05 CODE AMENDMENT – CANDIDATE QUALIFYING PERIOD

A motion was made by Councilmember Norris and seconded by Councilmember Bickel to adopt and enact on second reading Ordinance 2021-05 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING CHAPTER 10, "ELECTIONS," ARTICLE I, "IN GENERAL," OF THE VILLAGE CODE OF ORDINANCES BY AMENDING SECTION 10-5, "CANDIDATES FOR OFFICE; QUALIFYING," TO AMEND THE QUALIFYING DATES FOR THE VILLAGE'S GENERAL ELECTION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Village Clerk Jessica Green stated that the ordinance was passed on first reading at the previous Council meeting. Mrs. Green stated that the Palm Beach County Supervisor of Elections requested that the Village move its qualifying period to an earlier time frame in order for them to have sufficient time to prepare, create, print and mail vote-by-mail ballots. The ordinance would change the Villages current qualifying period from the first seven business days of January to the first seven business days of December.

Mayor Aubrey opened the public hearing on the Candidate Qualifying Period ordinance.

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

Thereafter, the motion to adopt and enact on second reading Ordinance 2021-05 passed unanimously.

CONSENT AGENDA

Item 11 was removed from the Consent Agenda and placed on the Regular Agenda. Thereafter, the Consent Agenda, as amended, was approved unanimously. The following items were approved:

Receive for file Minutes of the Golf Advisory Board meeting held 1/18/21.

Receive for file Minutes of the Environmental Committee meeting held 2/8/21.

RESOLUTION 2021-23 – BLANKET PURCHASE ORDER FOR SIDEWALK REMOVAL, REPLACEMENT & REHABILITATION WORK

A motion was made by President Pro Tem Mullinix and seconded by Vice Mayor Searcy to adopt Resolution 2021-23 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A BLANKET PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$38,000.00 WITH FLYING SCOT, INC. FOR SIDEWALK REMOVAL AND REPLACEMENT AND REHABILITATION WORK ON LIGHTHOUSE DRIVE UTILIZING PRICING ESTABLISHED IN AN EXISTING CITY OF PALM BEACH GARDENS CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik explained the purpose of the resolution. Mr. Lukasik stated that the purchase order would exceed the original amount of \$11,000 due to additions that needed to be made to the original scope of work. The new amount of the purchase order would be \$38,000.

RESOLUTION 2021-23 – BLANKET PURCHASE ORDER FOR SIDEWALK REMOVAL, REPLACEMENT & REHABILITATION WORK *continued*

Thereafter, the motion to adopt Resolution 2021-23 passed unanimously.

RESOLUTION 2021-24 – FISCAL YEAR 2020 ANNUAL FINANCIAL REPORT

A motion was made by Councilmember Norris and seconded by Vice Mayor Searcy to adopt Resolution 2021-24 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT PREPARED BY THE VILLAGE AUDITOR FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020 AND AUTHORIZING ITS FILING WITH THE STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

Terry Morton, Nowlen, Holt & Miner, reviewed the Comprehensive Annual Financial Report (CAFR) for the fiscal year ending September 30, 2020. Chairman Tom Magill presented comments on behalf of the Audit Committee and congratulated and commended Finance Director Samia Janjua and her staff for routinely and consistently doing a great job with the Village's finances.

Vice Mayor Searcy commended Finance Director Samia Janjua and her staff for their efforts in obtaining another Certificate of Achievement for Excellence in Financial Reporting.

Thereafter, the motion to adopt Resolution 2021-24 passed unanimously.

RESOLUTION 2021-25 – POLICE MOTORCYCLE PURCHASE

A motion was made by Vice Mayor Searcy and seconded by President Pro Tem Mullinix to adopt Resolution 2021-25 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING THE PURCHASE OF TWO BMW POLICE MOTORCYCLES FROM BMW MOTORCYCLES OF FORT LAUDERDALE; WAIVING THE VILLAGE'S PURCHASING POLICIES AND PROCEDURES; AUTHORIZING THE SURPLUS OF TWO EXISTING POLICE MOTORCYCLES; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Works Manager Susanne Hachigian explained that the current Victory motorcycles that the Village had leased were no longer being manufactured since the company had gone out of business. The Victory motorcycles have had frequent mechanical issues and staff has had difficulty in obtaining the parts necessary to perform some of the needed repairs. As a result of the issues with the Victory motorcycles, staff was recommending the purchase of two 2021 BMW Motorcycles from BMW Motorcycles of Fort Lauderdale.

Mayor Aubrey asked how many miles per year were the police motorcycles driven.

Police Chief Jenkins stated that the police motorcycles are driven approximately 4000 miles per year.

Thereafter, the motion to adopt Resolution 2021-25 passed unanimously.

RESOLUTION 2021-26 – PUBLIC WORKS DEPARTMENT LOADER BACKHOE PURCHASE

A motion was made by Vice Mayor Searcy and seconded by Councilmember Bickel to adopt Resolution 2021-26 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING THE PURCHASE OF A JOHN DEERE 310SL LOADER BACKHOE FROM DOBBS EQUIPMENT, LLC PURSUANT TO PRICING ESTABLISHED IN AN EXISTING FLORIDA SHERIFF'S ASSOCIATION CONTRACT FOR HEAVY EQUIPMENT; AUTHORIZING THE SURPLUS OF AN EXISTING BACKHOE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik explained that the 1999 John Deere loader backhoe utilized by the Public Works Department was scheduled to be replaced in the next fiscal year and was included in the 5-Year Capital Improvement Plan. Staff was recommending its immediate replacement due to the loader backhoe experiencing multiple mechanical breakdowns which has resulted in staff being unable to perform various jobs and projects throughout the Village.

Thereafter, the motion to adopt Resolution 2021-26 passed unanimously.

RESOLUTION 2021-27 – AGREEMENT WITH TREASURE COAST REGIONAL PLANNING COUNCIL FOR ADDITIONAL ENGINEERING SERVICES FOR U.S. HIGHWAY 1 CORRIDOR PROJECT

A motion was made by Vice Mayor Searcy and seconded by Councilmember Norris to adopt Resolution 2021-27 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING AN AGREEMENT WITH THE TREASURE COAST REGIONAL PLANNING COUNCIL FOR ADDITIONAL ENGINEERING SERVICES RELATED TO THE U.S. ONE CORRIDOR PROJECT AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik gave a brief background and current status of the traffic study for the proposed lane repurposing project for U.S. Highway One. Mr. Lukasik explained that as a result of the Village's submittal of an application to the Florida Department of Transportation for a lane repurposing feasibility analysis, FDOT has requested additional information to complete the analysis. The work that is required to provide the additional information is outside the scope of services within the Phase 1 and Phase 2 traffic study agreements with Treasure Coast Regional Planning Council.

President Pro Tem Mullinix stated that he was not in support of the U.S. Highway 1 lane repurposing project and that many residents that he had spoken to were also not in support of the project. President Pro Tem Mullinix expressed his concerns with the amount of money already spent for the proposed project.

Councilmember Bickel stated that while campaigning for the recent election, she spoke with residents and kept track of the feedback she received regarding the proposed U.S. Highway 1 lane repurposing project and that the responses she received were 50/50.

Discussion ensued between Councilmembers regarding the proposed U.S. Highway 1 lane repurposing project.

RESOLUTION 2021-27 – AGREEMENT WITH TREASURE COAST REGIONAL PLANNING COUNCIL FOR ADDITIONAL ENGINEERING SERVICES FOR U.S. HIGHWAY 1 CORRIDOR PROJECT *continued*

Lisa Jensen, 606 Shore Road, stated that she had reached out and requested to speak with President Pro Tem Mullinix regarding her support of the proposed U.S. Highway 1 lane repurposing project but that President Pro Tem Mullinix did not respond to her requests.

Thereafter, the motion to adopt Resolution 2021-27 passed 4 to 1 with Mayor Aubrey, Vice Mayor Searcy, Councilmember Bickel and Councilmember Norris voting aye and President Pro Tem Mullinix voting nay.

MAYOR AND COUNCIL MATTERS/REPORTS

Vice Mayor Searcy wished everyone a Happy Passover and reminded residents of the upcoming Easter festivities in the Village.

Councilmember Bickel reminded residents of another cleanup of Lakeside Park on Sunday morning from 9 a.m. to 11 a.m. and that community service hours were available for teens if they participate in the cleanup. Councilmember Bickel announced that the Resident Art Exhibition would be taking place March 29th through April 12th in the Library Obert Room.

President Pro Tem Mullinix addressed Ms. Jensen's comment and stated he was out of town for two weeks which conflicted with the times that Ms. Jensen was available. President Pro Tem Mullinix stated that he never stated that he had not heard from or spoken to residents who were in support of the U.S. Highway 1 lane repurposing project but that the majority of the those he heard from or spoken to were not in support of the project.

VILLAGE MANAGER MATTERS/REPORTS

Mr. Lukasik stated that the Anchorage Dry Storage update would need to be postponed to a future Council meeting due to the fact that staff needed to get answers for questions that were raised by residents at a meeting that recently took place regarding the project.

Councilmember Bickel stated that the residents were grateful that their concerns were heard and the discussion on the Anchorage Dry Storage project was being postponed.

Mr. Lukasik stated that the Covid-19 vaccine distribution at the Jewish Community Synagogue was successful.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:32 p.m.



Jessica Green, MMC, Village Clerk