



DRAFT

TOWN OF HIGHLAND BEACH TOWN COMMISSION MEETING MINUTES

Town Hall / Commission Chambers
3614 South Ocean Boulevard
Highland Beach, Florida 33487

Date: January 05, 2021
Time: 1:30 P.M.

1. CALL TO ORDER

Mayor Hillman called the meeting to order at 1:30 P.M.

2. PRESENT UPON ROLL CALL

Commissioner John Shoemaker
Commissioner Evalyn David
Commissioner Peggy Gossett-Seidman
Mayor Douglas Hillman
Town Manager Marshall Labadie
Town Attorney Glen Torcivia (virtually)
Town Clerk Lanelda Gaskins

ABSENT

Vice Mayor Greg Babij

3. PLEDGE OF ALLEGIANCE

The Town Commission led the Pledge of Allegiance.

4. ADDITIONS, DELETIONS, AND APPROVAL OF THE AGENDA

Mayor Hillman added a "Discussion on COVID-19 vaccines and update on the possibility of getting the vaccine in Highland Beach" as Item 11AA and a "Discussion on the agenda documents for commission meetings " as Item 11E under New Business.

MOTION: David/Gossett-Seidman - To accept the agenda with the two additions.

The motion passed on a 4 to 0 vote.

5. PRESENTATIONS / PROCLAMATIONS

A. None.

6. PUBLIC COMMENTS AND REQUESTS NON-AGENDA AND AGENDA ITEMS ONLY

Mayor Hillman opened public comments. Town Clerk Gaskins mentioned Margarita and John Chattelear were present for public comments.

Mrs. Margarita Chattelear spoke about the manatees near Bel Air Drive, the residents' safety near Intracoastal Drive, and the property damage caused by the wakes from speeding boats on the Intracoastal waterways. She also spoke about establishing a local ordinance to protect the manatees based on Florida laws (Manatee Sanctuary Act and the Florida Fish and Wildlife Manatee Program).

Mr. John Chattelear also spoke about the speeding boats and the property damage caused by the wakes along the Intracoastal waterways.

7. ANNOUNCEMENTS

Mayor Hillman read the announcements.

A. Board Vacancies

1. Board of Adjustment & Appeals Board - Two vacancies and one upcoming reappointment for a three-year term

Financial Advisory Board - One vacancy and three upcoming reappointments for a three-year term

Natural Resources Preservation Advisory Board - One upcoming vacancy and four upcoming reappointments for a three-year term

Planning Board - One vacancy for an unexpired term ending April 30, 2022, and one upcoming reappointment for a three-year term

2. Certification of Inadequate Attendance to the Natural Resources Preservation Advisory Board Meetings for Member Dario Tertan.

B. Meetings and Events

1. January 12, 2021 - 2:00 P.M. Code Enforcement Advisory Board Meeting

January 18, 2021 Town Hall Closed in Observance of Martin Luther King, Jr. Day

January 19, 2021 - 1:30 P.M. Town Commission Meeting

January 28, 2021 - 3:00 P.M. Financial Advisory Board Regular Meeting

C. Board Action Report

1. December 2020 Board Action Reports

8. ORDINANCES

- A. Ordinance No. 2021-001 / Elevation Provisions (Second Reading) (This Ordinance was advertised as Ordinance No. 20-006 on 12/26/2020)**

An Ordinance of the Town of Highland Beach, Florida, amending the Code of Ordinances, Chapter 30 “Zoning Code” and Chapter 6 “Buildings and Structures” to eliminate redundant provisions relating to finish floor elevations and to reference the base flood elevation for the height of seawalls; providing for the repeal of all ordinances in conflict; providing for severability and codification; and providing for an effective date. (First Reading was December 01, 2020)

Mayor Hillman mentioned Ordinance No. 2021-001 / Elevation Provisions was a second reading. The Ordinance was advertised as Ordinance No. 20-006 on 12/26/2020.

Building Official Jeffrey Remas read the Ordinance title into the read and presented it.

MOTION: Shoemaker/David - To accept (adopt) Ordinance No. 2021-001.

Upon roll call, the Ordinance passed on a 4 to 0 vote.

- B. Ordinance No. 2021-002 / Administrative Amendments (Second Reading) (This Ordinance was advertised as Ordinance No. 20-007 ON 12/26/2020)**

An Ordinance of the Town of Highland Beach, Florida, adopting Administrative Amendments to the 7th Edition (2020) of the Florida Building Code; providing for the repeal of all laws in conflict; providing for severability; and providing an effective date. (First Reading was December 01, 2020)

Mayor Hillman mentioned Ordinance No. 2021-002 / Administrative Amendments was a second reading. The Ordinance was advertised as Ordinance No. 20-006 on 12/26/2020.

Building Official Remas presented this item.

MOTION: David/Gossett-Seidman - To accept (*adopt*) Ordinance No. 2021-002.

Upon roll call, the Ordinance passed on a 4 to 0 vote.

C. Proposed Ordinance / Modifying Construction Work Hours

An Ordinance of the Town of Highland Beach, Florida, amending Chapter 12, "Construction Sites," of the Town Code of Ordinances, to modify the permitted construction hours and adopt new regulations for construction activities on Saturdays; providing for the repeal of all ordinances in conflict; providing for severability and codification; providing an effective date.

Mayor Hillman read Item 8C title into the record.

Town Manager Labadie explained the proposed changes regarding the construction site restrictions on Saturdays, the holiday exceptions, the waiver process, and the construction hours.

Mayor Hillman called for public comments. Town Clerk Gaskins mentioned Ms. Kiri Borg and Mr. Steven Parks were joining the meeting virtually.

Ms. Kiri Borg voiced her concerns and was not in support of modifying the construction work hours.

Mr. Steven Parks spoke about modifying the construction work hours with Saturday limitation and the benefits for allowing and adjusting the construction work hours.

MOTION: David/Shoemaker - To approve the Proposed Ordinance.

Upon roll call, the Proposed Ordinance passed on a 3 to 1 vote with Commission Gossett-Seidman dissenting.

9. CONSENT AGENDA

A. None.

10. UNFINISHED BUSINESS

A. Continued discussion on 2020 Water/Wastewater Revenue Sufficiency Rate Study – Water and Wastewater Systems.

Mayor Hillman called for Ms. Natasha Moore, Vice-Chairperson for the Financial Advisory Board, to give her presentation on this matter. Ms. Moore provided additional information that was placed on the dais for the Town Commissioners.

Town Manager Labadie indicated that Mr. Robert Ori and Mr. Mark Tuma (Raftelis Financial Consultant, Inc.) reviewed Ms. Moore's proposal.

Ms. Moore presented an in-depth analysis of her review of the 2020 Water/Wastewater Revenue Sufficiency Rate Study provided by the Consultants. She spoke about her proposed uniform rate structures.

Mr. Robert Ori and Mr. Mark Tuma of Raftelis Financial Consultant Inc. joined the meeting virtually. They presented a PowerPoint presentation updating the Town Commission on the 2020 Water/Wastewater Revenue Sufficiency Rate Study (for more information about this item, please visit the Town's Media Archives & Minutes webpage to access and view the audio/video recording).

Mayor Hillman began to make a motion to accept Natasha's proposal. However, a discussion ensued about the proposed rate structure during the motion.

Town Manager Labadie clarified and restated the motion was to accept Natasha Moore's proposal as presented on January 5, 2021, with the following conditions:

- 1) That \$50,000 of additional revenue is to be generated in year one with the first three tiers of the rate structure.
- 2) The wastewater cap is reset at \$20,000.
- 3) The bi-monthly reporting now commences for the Commission moving forward after every billing; and
- 4) The development of the education program commences with two parts: (1) billing education on the rate structure change and (2) on the conservation water elements.

MOTION: Hillman/David - To accept Natasha's proposal with conditions (as stated above).

Upon roll call, the motion passed on a 4 to 0 vote.

11. NEW BUSINESS

AA. Discussion on COVID-19 Vaccine Update. Mayor Hillman. (This item was added to the agenda)

Mayor Hillman spoke about a blog published by Mr. Ross. The blog included an email that Mr. Hillman sent to the residents in his building, the president of Aberdeen, and several board directors within his community informing them about COVID-19 vaccine information. Mayor Hillman explained that he spoke with Town Manager Labadie about getting with Palm Beach County to possibly set up a POD (point of distribution) within Highland Beach.

Town Manager Labadie talked about the complexity involving the distribution process for the COVID-19 vaccine.

Chief of Police Hartmann also spoke about the COVID-19 vaccine process and the continuing conversations with the Palm Beach County Division of Emergency Management on this matter. Town Manager Labadie explained that the vaccines are coming soon. He also encouraged the residents to view the Town's website for information on the COVID-19 vaccine.

A. Natural Resources Preservation Advisory Board December 9, 2020, Board Action Report

1. Consideration of the Natural Resources Preservation Advisory Board's "Take Pride in our Beach" Educational Initiative outline, including proposed banner language.

Town Planner Ingrid Allen introduced this item.

Mr. Steven Parks, Chairperson of the Natural Resources Preservation Advisory Board, joined the meeting virtually and spoke about the Board's educational initiative outline, including the proposed bucket tree and banner.

There was discussion about encouraging the citizens to clean up the beach, minimizing wording on the banner, a slogan and color scheme, the bucket trees, the trash receptacles on the beach, and beach access. There was further discussion about getting the residents to support the program, a campaign with synergy to include developing a logo, a theme, a color, and a single message.

Town Manager Labadie mentioned Town Planner Ingrid Allen, Public Works Director Pat Roman, and Terisha Cuebas will help with this project. With the Town Commission directive, staff will come up with something. Mayor Hillman mentioned he would check with Rodrigo.

The Town Commission favored the Natural Resources Preservation Board's educational initiative.

Mayor Hillman recessed the meeting at 4:44 p.m., and the meeting reconvened at 5:00 p.m.

B. Discussion of the Draft Gravity Sewer System Closed Circuit Television (CCTV) Inspections Report.

Mayor Hillman read Item 11B title into the record.

Aaron Cutler, Vice President/Construction Department Manager with Baxter & Woodman, Inc., present this item.

The Town Commission thanked Mr. Cutler for his presentation (for more information about this item, please visit the Town's Media Archives & Minutes webpage to access and view the audio/video recording).

- C. Approve and authorize the Town Manager to execute Task Order No. 19 in an amount of \$48,956.92 described herein by issuing a Purchase Requisition to Baxter & Woodman, Inc. (consultant) for the American's Water Infrastructure Act (AWIA) Risk & Resiliency Assessment Report and Emergency Response Plan Update.**

Mr. Cutler presented this item and explained the need for the American's Water Infrastructure Act Risk & Resiliency Assessment Report and Emergency Response Plan was to comply with the AWIA regulations before the June 30, 2021 deadline.

MOTION: Shoemaker/David – To approved Item 11C.

The motion passed on a 4 to 0 vote.

D. November 17, 2020 - Commission Meeting Minutes

Mayor Hillman read Item 11D title into the record.

MOTION: Gossett-Seidman/David – To accept November 17, 2020, Commission Meeting Minutes, as amended.

The motion passed on a 4 to 0 vote.

Commissioner David inquired about Item 7A2 in regards to sending a letter to the gentleman (Mr. Dario Tertan) who missed three consecutive board meetings. Town Clerk Gaskins explained that the certification of the board member's inadequate attendance was to make the Town Commission aware as directed in the resolution (meant Ordinance No. 18-004). Mrs. Gaskins explained that Mr. Tertan verbally expressed that he would resign from the board but never submitted a written letter of resignation. The Town Clerk's Office always included Mr. Tertan in the email communication about board meetings, but he never responded. The Town Clerk's Office notified Mr. Tertan about his resignation from the board.

E. Discussion on Agenda Documents for Commission Meetings (This item was added to the agenda)

There was discussion about the timing related to submitting agenda items to the Town Clerk's Office, whether the items had supporting documents (materials) or no supporting documents (topics only). The Town Commission's **recommendation** was to change the agenda item submission due dates for items with no supporting documents to Monday, eight days before the meeting date. The agenda item submission due dates for items with supporting documents would remain the same as previously noted on the schedule.

There was discussion about the volume of materials the Town Commission received within the hardcopy agenda packet and the same packet accessible on the Town's website. The Town Commission's **recommendation** was to reduce the number of pages for the agenda items with lots of supporting documents (material); for staff to provide an executive summary based on the content, review the materials prior to distribution to the

commissioners and include a note within the Town Commission agenda packet referring them to the Town's website for more details; and for those commissioners who want a hardcopy of the details to contact staff and request a copy.

12. TOWN COMMISSION REPORTS

Commissioner John Shoemaker had no comments.

Commissioner Evalyn David asked if a referendum would be needed for the sanitary sewer project. Town Manager Labadie responded it would require a referendum.

Commissioner Peggy Gossett-Seidman briefly spoke about Margarita Chattelear's public comment. She mentioned Town could look at this matter in the future. However, the Town has very limited capability of monitoring such activity.

Mayor Douglas Hillman inquired about a Charter Review Committee. Town Manager Labadie explained an item was forthcoming in February. Mayor Hillman gave an update on his conversation with Mr. Pierce about the acceptable boats. They have not agreed on the height of the boats.

13. TOWN ATTORNEY'S REPORT

Town Attorney Torcivia announced that Attorney Leonard Rubin officially had joined his firm as a partner.

14. TOWN MANAGER'S REPORT

Town Manager Labadie provided an update on the following:

He will keep the Town Commission informed about the COVID-19 vaccines.

He sent the Draft Descriptive Profile Fire Services Step 1 and the Building Department Report to the Town Commission.

He welcomed Lieutenant Michael Oh to the Police Department.

Finance Director Matthew Lalla was back and will roll out the financial system at the end of the month.

Lois Albertson and Terisha Cuebas have drafted the communication plan.

The crosswalks landings are in the process of being installed with the truncated domes.

The Water Storage Tank was complete with the new Town logo.

He encouraged the residents to stay tuned for information related to the COVID-19 vaccine.

15. ADJOURNMENT

Mayor Hillman adjourned the meeting at 6:09 P.M.

APPROVED at the February 16, 2021, Town Commission Meeting.

ATTEST:

Douglas Hillman, Mayor

Transcribed by Ganelle Thompson
Administrative Support Specialist

Lanelda Gaskins, MMC
Town Clerk

Date

lg: 02/10/2021

Disclaimer: Effective May 19, 2020, per Resolution No. 20-008, all meeting minutes are transcribed as a brief summary reflecting the event of this meeting. Verbatim audio/video recordings are permanent records and are available on the Town's Media Archives & Minutes webpage: <https://highlandbeach-fl.municodemeetings.com/>