

DRAFT



TOWN OF HIGHLAND BEACH TOWN COMMISSION MEETING MINUTES

TOWN HALL COMMISSION CHAMBERS
3614 S. OCEAN BLVD., HIGHLAND BEACH, FL

Date: December 17, 2024
Time: 1:30 PM

1. CALL TO ORDER

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

2. ROLL CALL

Commissioner Donald Peters
Commissioner Evalyn David
Vice Mayor David Stern
Mayor Natasha Moore
Town Manager Marshall Labadie
Town Attorney Leonard G. Rubin
Town Clerk Lanelda Gaskins

ABSENT
Commissioner Judith Goldberg

3. PLEDGE OF ALLEGIANCE

The Town Commission led the Pledge of Allegiance to the United States of America.

4. INVOCATION

None.

5. APPROVAL OF THE AGENDA

MOTION: David/Stern – A motion was made to approve the agenda as presented, which passed unanimously, 5 to 0.

6. PRESENTATIONS / PROCLAMATIONS

None.

7. PUBLIC COMMENTS

There were no public comments.

8. **ORDINANCES** (Public Comments will be limited to three (3) minutes per speaker per item after Commission initial discussion.)

A. Ordinance No. 2024-003 (Second Reading/Public Hearing)

An Ordinance of the Town Commission of the Town of Highland Beach, Florida, amending Chapter 1, "General Provisions," of the town code of ordinances by adopting a new Section 1-13, "Electronic Publication of Notices;" providing for the repeal of all ordinances in conflict; providing for severability and codification; and providing for an effective date (First Reading was December 3, 2024).

Mayor Moore read the title of Ordinance No. 2024-003, noting this was the second reading. Town Attorney Rubin mentioned that the ordinance allows legal notices to be published on the County's website instead of in a newspaper, resulting in significant cost savings.

Mayor Moore opened the public hearing. There were no public comments, the public hearing was closed.

MOTION: David/Stern - A motion was made and seconded to approve Ordinance No. 2024-003 on second reading. Upon Roll Call: Commissioner David (Yes); Vice Mayor Stern (Yes); Commissioner Peters (Yes); and Mayor Moore (Yes). The motion passed unanimously on a 4 to 0 vote.

B. Proposed Ordinance / Amending the Town Zoning Code (Chapter 30) relating to Home-based Businesses

An Ordinance of the Town Commission of the Town of Highland Beach, Florida, amending Section 30-67, "Uses Permitted, Special Exception, and Prohibited Uses," and Section 30-131, "Definitions of Terms," of Chapter 30, "Zoning Code," of the town code of ordinances to rename the existing home occupation use to "Home-Based Businesses" and modify the regulations to ensure consistency with state law, providing for the repeal of all ordinances in conflict; providing for severability and codification; and providing for an effective date.

Mayor Moore read the title of the proposed ordinance. Town Planner Ingrid Allen explained that the amendment aligns home-based business regulations with Florida law, following House Bill 403, which prohibits local governments from licensing or otherwise regulating a home-based business. This amendment is part of the Town's Strategic Priorities Plan. The Town Commission reviewed the ordinance on October 15 and agreed to include a cross-reference to the Town Sign Code (Chapter 23). On November 14, 2024, the Planning Board reviewed and recommended approval. The amendment is consistent with the Town's Comprehensive Plan and Zoning Code. The Town Commission had no changes to the proposed ordinance.

Mayor Moore opened public comments.

Mr. Richard Greenwald inquired about license requirements. Town Planner Allen explained the licensure process related to the county application and the Town's review and sign off procedure.

Hearing no further comments, Mayor Moore closed public comments.

MOTION: David/Stern - A motion was made and seconded to approve an Ordinance of the Town Commission of the Town of Highland Beach, Florida, amending Section 30-67, "Uses Permitted, Special Exception, and Prohibited Uses," and Section 30-131, "Definitions of Terms." (Proposed Ordinance approved). The motion passed unanimously, 4 to 0.

C. Proposed Ordinance / Amendment to the Accessory Marine Facilities (AMF) and seawall regulations

An Ordinance of the Town Commission of the Town of Highland Beach, Florida, amending Chapter 6, "Buildings and Structures," of the town code of ordinances by amending Section 6-128, "approval required for bulkheads, seawalls, retaining walls; required notification of abutting property owners," to provide a maximum seawall cap and docket width; amending Chapter 30, "Zoning," by amending Section 30-68, "Supplemental District Regulations," to provide a maximum height for boat lifts, a maximum extension for accessory marine facilities into canals and lakes, a maximum seawall cap and dock width, and ladder regulations and amending Section 30-131, "Definition of Terms," to provide definitions that pertain to accessory marine facilities; providing for the repeal of all ordinances in conflict; providing for severability and codification; and providing for an effective.

Mayor Moore read the title of the Proposed Ordinance. Town Planner Allen provided an overview of the public meetings regarding the proposed amendment concepts to the Accessory Marine Facilities (AMF) and seawall regulations. She explained the ladder provisions in Section 30-68(g)(8) and the non-substantive housekeeping changes including the addition of designee where particular Town staff duties are referenced in the proposed ordinance.

The Commission discussed ladder regulations and the floating vessel platform. Town Attorney Rubin clarified that the floating vessel platform will be addressed as a separate item at a future Commission meeting.

Mayor Moore opened public comments.

Mr. Richard Greenwald
Mr. Timothy Ruotolo

Hearing no further comments, Mayor Moore closed the public hearing.

MOTION: David/Peters - A motion was made and seconded to approve an Ordinance of the Town Commission of the Town of Highland Beach, Florida, amending Chapter 6, "Buildings and Structures," of the town code of ordinances by amending Section 6-128, "approval required for bulkheads, seawalls, retaining walls; required notification of abutting property owners." The motion passed unanimously, 4 to 0.

9. **CONSENT AGENDA** (These are items that the Commission typically does not need to discuss individually, and which are voted on as a group.) Public Comments will be limited to three (3) minutes per speaker per item after Commission initial discussion.

A. October 15, 2024 Town Commission Meeting Minutes

November 19, 2024 Town Commission Meeting Minutes

- B. Approve and authorize Odyssey Manufacturing Co. to replace the turnkey acid dosing pump skid and related components in an amount of \$138,167.78 for the Water Treatment Plan utilizing a piggyback of the City of Pompano Beach Agreement No. 1693. This is a planned and approved project for fiscal year 2025.**

MOTION: David/Stern - A motion was made and seconded to approve the Consent Agenda, which passed unanimously, 4 to 0.

10. **UNFINISHED BUSINESS** (Public Comments will be limited to three (3) minutes per speaker per item after Town Commission initial discussion.)

A. Continued discussion of Fiscal Year (FY) 2024-2025 Strategic Priorities Plan Update and 5-Year Capital Improvement Plan

The Town Manager Labadie provided an update on the Fiscal Year 2024-2025 Strategic Priorities Plan and the Five-Year Capital Improvement Plan (CIP), highlighting accomplishments from Fiscal Year 2023-2024. He reviewed the four operational categories of the Strategic Priorities Plan: Operational Excellence, Public Infrastructure & Resiliency, Community Safety, and Community Enrichment & Sustainability, and Emerging Issues.

Additionally, the Town Manager Labadie noted that Town Attorney Rubin will present a legal opinion on the floating vessel platform at the January 21, 2025, meeting. He recommended adding Floating Vessel Platform as Special Project 8 (SP 8) following the conclusion of the Marina Accessory Structure Ordinance Amendments. He will present the Five-Year CIP to the Financial Advisory Board at their next meeting.

The Town Commission expressed satisfaction with the updates and plans as presented.

11. **NEW BUSINESS** (Public Comments will be limited to three (3) minutes per speaker per item after Town Commission initial discussion.)

A. Development Order Application No. PZ-24- 4 / Daniel Edwards

Consider an application by Toly Pappas, Randall Stofft Architects, requesting site plan approval for a new three story, two-unit (5,217 square foot per unit) townhome development with pool and spa for the property located at 4306 South Ocean Boulevard.

Mayor Moore read the title of the item and asked the Board Members if they had any ex parte communications to disclose. The Members had no ex parte communications.

Mayor Moore opened the public hearing and called Town Planner Allen to present the application.

Town Planner Allen presented development order application No. PZ -24-4, followed by Town Commission discussion regarding draining, and the sidewalk.

Applicant Toly Pappas of Randall Stofft Architects provided comments.

Hearing no further comments, Mayor Moore closed the public hearing.

MOTION: David/Stern – A motion was made and seconded to approve Development Order Application No. PZ-24-Z / Daniel Edwards. Based upon roll call: Commissioner David (Yes); Vice Mayor Stern (Yes); Commissioner Peters (Yes) and Mayor Moore (Yes). The motion passed unanimously on a 4 to 0 vote.

B. Consider a request for a Town of Highland Beach Right-of-Way (ROW) permit for the property located at 4306 South Ocean Boulevard.

Mayor Moore read the title of this item.

Town Planner Allen presented this item as well.

MOTION: David/Stern - A motion was made and seconded to approve a request for a Town of Highland Beach Right-of-Way (ROW) permit for the property located at 4306 South Ocean Boulevard. Based upon roll call: Commissioner David (Yes); Vice Mayor Stern (Yes); Commissioner Peters (Yes) and Mayor Moore (Yes). The motion passed unanimously on a 4 to 0 vote.

C. Resolution No. 2024-035

A Resolution of the Town Commission of the Town of Highland Beach, Florida, supporting the procurement and oversight of consultants for the development of a Countywide Transportation Plan; supporting the formation of a Technical Advisory Committee for the same; and providing an effective date.

Mayor Moore read the title of Resolution No. 2024-035.

Town Manager Labadie presented this item.

MOTION: David/Peters – A motion was made and seconded to approve Resolution No. 2024-035. The motion passed unanimously, 4 to 0.

12. TOWN COMMISSION COMMENTS

Commissioner Donald Peters extended holiday wishes to everyone and highlighted the success of the 75th Town's Anniversary Mingle Jingle event.

Commissioner Evalyn David commented on the success of the Town's 75th Town Anniversary Mingle and Jingle event, and wished everyone a Merry Christmas, Happy Hanukkah, and Happy Holidays.

Vice Mayor David Stern also commented on the success of the Town's 75 Anniversary Mingle and Jingle event. He extended warm holiday wishes to everyone. He provided an update on building permits and installation of the electric vehicle charging stations at his condominium building.

Mayor Natasha Moore spoke about the success of the Town's 75 Anniversary Mingle and Jingle event and has received positive feedback about this event.

13. TOWN ATTORNEY'S REPORT

Town Attorney Rubin wished everyone Happy Holidays and a Happy New Year. He informed the Town Commission that the state is introducing new rules which preempt municipal regulations pertaining to charging stations and will send the information to staff.

14. TOWN MANAGER'S REPORT

Town Manager Labadie acknowledged Officers Pitti and Leo for apprehending a suspect who committed a crime. They recovered the stolen items. He also spoke about the success of the Town's 74th Anniversary Mingle and Jingle event and thanked staff, Father Horgan, and everyone. He wished everyone peace, love, and happiness and Happy Holidays.

15. ANNOUNCEMENTS

Mayor Moore read the announcements as follows:

Board Vacancies

Board of Adjustment and Appeals Board

One (1) vacancy for a three-year term

Code Enforcement Board

One (1) for a three-year term
and One (1) vacancy for an unexpired
ending May 30, 2025

Meetings and Events

January 01, 2025 Town Hall closed in observance of New Year's Day
January 14, 2025 1:00 P.M. Special Magistrate Hearing
January 16, 2025 9:30 A.M. Planning Board Regular Meeting
January 20, 2025 Town Hall closed in observance of Martin Luther King Jr. Day
January 21, 2025 1:30 P.M. Town Commission Meeting

Board Action Report

None.

16. ADJOURNMENT

The meeting adjourned at 2:37 P.M.

APPROVED: March 04, 2025, Town Commission Meeting.

Signed minutes on file in the
Town Clerk's Office

ATTEST:

Natasha Moore, Mayor

Transcribed by
Lanelda Gaskins

Lanelda Gaskins, MMC
Town Clerk

Date

Disclaimer: Effective May 19, 2020, per Resolution No. 20-008, all meeting minutes are transcribed as a brief summary reflecting the events 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/>.