



# TOWN COUNCIL MEETING MINUTES

May 22, 2024 at 5:30 PM

Council Chambers – 340 Ocean Drive and YouTube

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PRESENT: PEGGY WHEELER, MAYOR  
DD HALPERN, VICE MAYOR  
MARIANNE HOSTA, VICE MAYOR PRO TEM  
JACOB ROSENGARTEN, COUNCILMEMBER  
DIANA DAVIS, COUNCILMEMBER

ALSO PRESENT: DAVID DYESS, TOWN MANAGER  
LEONARD RUBIN, TOWN ATTORNEY  
FRANK DAVILA, DIRECTOR OF PLANNING & ZONING  
ISABELLA HICKEY, SENIOR PLANNER  
ANDREA DOBBINS, PROJECT COORDINATOR/RISK MANAGER  
CAITLIN E. COPELAND-RODRIGUEZ, TOWN CLERK  
FIORELLA VERDECIA, ADMINISTRATIVE SECRETARY

AUDIENCE: 36

**CALL TO ORDER – 5:30PM**

**PLEDGE ALLEGIANCE TO THE FLAG**

**ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA – None**

**PRESENTATIONS**

1. Swearing in New Police Officers
2. Employee of the Year - 2023

**COMMENTS FROM THE TOWN MANAGER, THE TOWN ATTORNEY, AND STAFF**

**COMMENTS FROM THE PUBLIC**

*All Non-Agenda items are limited to three (3) minutes. Anyone wishing to speak is asked to complete a comment card with their name and address prior to the start of the meeting as well as state their name and address for the record when called upon to speak (prior to addressing the Town Council). Town Council will not discuss these items at this time.*

*Public Comments Opened at 5:50pm.*

*Public Comments Closed at 6:09pm.*

## CONSENT AGENDA

3. Town Council Meeting Minutes for May 8, 2024
4. Special Event Request - 2024 Loggerhead Triathlon
5. Easement Agreements for Celestial Way Drainage Project
6. Asset Disposals
7. Year to Date (YTD) Financial Statements

***MOTION:*** Halpern/Rosengarten made a motion to approve the consent agenda.

***ACTION:*** The motion passed unanimously.

## COUNCIL ACTION/DISCUSSION ITEMS *(A public comment period was provided for each item below.)*

8. Public Hearing and First Reading on Ordinance No. 788 – Electronic Publication of Legal Notices and Advertisements on Palm Beach County’s Website

***MOTION:*** Davis/Rosengarten made a motion to approve Ordinance No. 788 on first reading.

***ACTION:*** The motion passed unanimously.

9. Legislative Updates – *(see attached updated memorandum.)* - ***No Action Needed***

10. Kagan Park Ground Cover Discussion

***MOTION:*** Rosengarten/ Halpern made a motion to approve moving forward with selecting the new playground equipment and proceeding with Option #4.

***ACTION:*** The motion failed 2-3 with Mayor Wheeler, Vice Mayor Pro Tem Hosta, and Councilmember Davis opposed.

***Mayor Wheeler passed the gavel.***

***MOTION:*** Wheeler/ Hosta made a motion to cancel the playground selection and apply for a FRDAP grant in the amount of \$150,000 (75% state funding/25% local funding) and make the immediate minor repairs to the existing equipment; with a funding request of \$10,000 from contingency for the repairs and the agreement for RMPK’s services for the grant application.

***ACTION:*** The motion failed 2-3 with Vice Mayor Halpern, Councilmember Rosengarten, and Councilmember Davis opposed.

***MOTION:*** Davis made a motion to cancel the playground selection and apply for a FRDAP grant in the amount of \$150,000 (75% state funding/25% local funding) and make the immediate minor repairs to the existing equipment along with the temporary replacement of ground cover; with a funding request of \$30,000 from contingency for the repairs, wood mulch ground cover, and the agreement for RMPK’s services for the grant application.

***ACTION:*** The motion failed for lack of a second.

11. Discussion on Reconsidering Bicycle Access At JB# 7

***Mayor Wheeler, Councilmember Rosengarten, and Councilmember Davis gave consensus to have staff create a warning policy to enforce against bicycle offenders at JB#7.***

12. Suggestions for code improvements for new projects requiring a landscape plan.

*Council gave unanimous consensus to have staff obtain a landscaping code benchmark comparative analysis utilizing codes from Palm Beach County, Town of Palm Beach, Town of Jupiter, and other similar jurisdictions.*

13. Discussion on a relief option for nonconforming single-family residences

*Council gave unanimous consensus to have staff proceed in preparing a code text amendment for the mechanical equipment section of Chapter 34 to incorporate language that addresses minor changes for equipment installed pursuant to a permit that would otherwise be considered nonconforming.*

14. Discussion on a Proposed Modified Donation Policy

*Council gave unanimous consensus to have staff proceed in creating a resolution to adopt the proposed modified donation policy to provide that Council approve all donations of public safety equipment and to reference Council consideration of the Town's financial goals or positions.*

15. Discussion on Polco Survey Ideas

*Council gave unanimous consensus to have staff send out a survey to gather input from the public on the Council's goals.*

## **COMMENTS FROM THE COUNCIL**

*(See attached handout provided by Councilmember Rosengarten.)*

*Council gave unanimous consensus to have staff propose an amendment to the code to regulate the height of tiered walls.*

*Mayor Wheeler, Vice Mayor Halpern, and Councilmember Davis gave consensus to get a list of all 2024 eligible grants along with more detailed information and a longer timeframe to review.*

*Council gave unanimous consensus to have a discussion on the replacement of the chain link fence adjacent to the dune walkover and have the Hanukkah event be two hours long (5pm-7pm).*

*Vice Mayor Halpern, Councilmember Rosengarten, and Councilmember Davis gave consensus to have a discussion on North Palm Beach's recent Ordinance regulating the volume and massing of single-family dwellings on the next agenda.*

## **ADJOURNMENT**

Mayor Wheeler adjourned the meeting at 9:08pm.

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Peggy Wheeler, Mayor

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Caitlin E. Copeland-Rodriguez, Town Clerk