

MINUTES FROM THE SPECIAL TOWN COUNCIL MEETING HELD ON FEBRUARY 17, 2000

I. CALL TO ORDER AND ROLL CALL

President Jack McDonald called the meeting to order at 9:33 a.m. on February 17, 2000, in the Town Council Chambers. On roll call, the following Elected Officials were found to be in attendance: Mayor Lesly Smith, President McDonald, President Pro-Tem Sam McLendon, Councilman Norman Goldblum, and Councilman Allen Wyett. Councilman William Brooks was absent. Also present for all or part of the meeting were: Town Manager Robert J. Doney, Town Attorney John C. Randolph, Personnel Director William Crouse, Police Chief Frank Croft, Assistant Fire-Rescue Chief Ken Koeltz, Information Systems Manager Spencer Wilson, Recreation Director Russell Bitzer, Public Works Director Al Dusey, Town Engineer Jim Bowser, Planning, Zoning & Building Director Robert Moore, Risk Coordinator Karen Temme, and Town Clerk Mary Pollitt.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Town Clerk Pollitt, and the Pledge of allegiance was led by President McDonald.

III. APPROVAL OF AGENDA

President Pro-Tem McLendon made a motion to approve the agenda. The motion was seconded by Councilman Goldblum and carried unanimously.

IV. SCHEDULE A TOWN COUNCIL WORKSHOP FOR OVERVIEW OF THE TOWN CHARTER AND CODE, ADMINISTRATIVE ISSUES, LEGAL ISSUES, ELECTED OFFICIALS' COMMUNICATIONS WITH STAFF, AND DEPARTMENTAL OPERATIONS

The Town Council set a Town Council Workshop date for Thursday, March 2, 2000, 9:30 a.m. After discussion, Mayor Smith said laws have changed since the last workshop was held and all the Town Council members would benefit from attending the workshop.

Responding to a question from Councilman Wyett, Robert Moore, Director of Planning, Zoning & Building, reported a workshop regarding the north end zoning was scheduled for February 24th at 7:00 p.m. in the Town Council Chambers.

Councilman Wyett requested that be deferred to allow his attendance as he will be out of town that week.

Mr. Moore replied it was too late to do that, because all the invitations and surveys were mailed and the meeting could not be postponed. Responding to Councilman Wyett, he said the Town Council had not approved that date; however, this was an informational meeting with the residents and the consultants and additional meetings would be scheduled.

Councilman Wyett requested the Town Council be informed of these meetings in the future to make sure any members would be available who wanted to attend the meetings.

V. CONSIDERATION OF ALTERNATIVES FOR THE RENOVATION OF TOWN HALL AND POSSIBLE CONSTRUCTION OF A NEW FIRE-RESCUE STATION OR PLANNING, ZONING, AND BUILDING DEPARTMENT FACILITY (*Deferred from August 10, November 9, and December 14, 1999*)

President McDonald said he originally thought some decisions could be made at this meeting but the Town Manager and the Public Works Department did not think that was possible. President McDonald asked Town Manager Doney what he would like to see accomplished at this meeting?

Town Manager Doney replied informational material could be exchanged through the various parties, and the parking requirements for employees needed to be addressed as part of a complete package. He added that the FY99 fund balances that will be available shortly are being considered as one of the possible funding alternatives for any plan.

Public Works Director Dusey provided a background for the project. He said the Neiman Marcus developer gave property at the southwest corner of Peruvian and South County Road to the Town, known as the Boynton Landscape Property, and Town Council directed staff to investigate possible uses for that property. (Former) Assistant Town Manager Peter Elwell surveyed the Town departments to determine needs. Planning, Zoning & Building expressed a strong need for additional space based on the over crowding occurring in that department. The Fire-Rescue Department expressed a future need for larger equipment bays for the Central Fire Station.

Mr. Dusey continued that the Town Council authorized a selection process for architects in February, 1999, and the Town Council approved Digby Bridges, Marsh & Associates at the April Town Council meeting. He said that \$17,500 was approved at the May meeting to develop a needs analysis and conceptual plan for whatever developed from the needs analysis. In August of 1999, the Town Council agreed to defer the plan until the staff could confer and that input was presented to the Town Council in December, 1999. The Town Council suggested that Gray Mobil station should be considered as a possible alternative. He reported that all of the information developed over a year's time period was being presented at this meeting for location of a Fire-Rescue station and/or Planning, Zoning, & Building department plus parking alternatives.

Mr. Dusey said the Gray Mobil Station, based on County assessments which often are 80% of true values, was estimated to be worth approximately \$2.5 million. The station was offered to the Town for \$3.5 million. The appraisal cost would be approximately \$2,000 plus costs for an environmental assessment which would be approximately \$5,000.

Mr. Dusey requested the Town Council consider the Boynton Landscape lot, recalling that past Town Councils requested the lot not be used for anything but park land. He said 2/3 of the lot was considered as a park with 1/3 on the west end being considered for parking which would provide 24 additional spaces at a total estimated cost of \$250,000. He added that those spaces may be shared with merchants in the area after working hours.

Mr. Dusey said the cost estimates presented to the Town Council are based on conceptual plans only and should not be looked at as budget figures but are sufficient for decision making. He said if a preferred alternative emerges from the meeting, additional design development would be done with detailed estimates.

Mr. Dusey reviewed the four alternatives outlined in Jim Bowser's February 10, 2000, memorandum: alternate #1 with the Fire-Rescue Station on the Beaumont lot with a third floor option (variance needed) with options for additional parking spaces (Mr. Dusey noted that at the bottom of page 3 on the memorandum to purchase Gray Mobil and construct a parking lot would cost \$2,740,000 not \$2,240,000); alternate #2 with the Planning, Zoning & Building on the Beaumont lot-leaving the Fire-Rescue Department in Town Hall; alternate #3 with the Fire-Rescue Station located on the Gray Mobil lot; and alternate #4 with the Planning, Zoning & Building department on the Gray Mobil lot. Mr. Dusey said he thought all the information the Town Council requested was provided in this memorandum.

Councilman Wyett said he had not heard an absolute need for the Town to spend approximately \$7.5 million. He said he knew the P Z & B department was restricted for space; however, the Town is experiencing the largest building boom in the history of the Town, and the building boom will not last forever. He said he thought the justification should be studied to spend this money for the expansion; however, there were three additional alternatives besides the four mentioned.

President Pro-Tem McLendon asked Mr. Dusey if any consideration was given to car pooling the employees to reduce the number of needed parking spaces?

Mr. Dusey replied it had not been considered with this study; however, some years ago this was discussed-parking in West Palm Beach and coming into Palm Beach. He said the plan was thought to be somewhat restrictive.

President Pro-Tem McLendon said he had a problem with the proposed cost for each parking space.

Mayor Smith said the Gray Mobil Station was too expensive and cited the example of the Preservation Foundation building which was converted from a gas station and had major environmental problems with underground gas tanks. She said she saw no reason to consider the gas station with a price of \$3.5 million, and the price was ludicrous. Mayor Smith asked if the alternatives could be considered taking the Gray Station out of the picture thus saving time?

Mr. Dusey replied if the Council would provide input on the goals, the staff could do a cost comparison. He added the advantage of the Gray Station, assuming it is not an EPA brown field, is that it would not destroy existing parking. He said using the Beaumont lot results in a loss of 50 existing spaces, and if the Town Council directed that 158 spaces should be provided, then the Gray Station is not as expensive as it appears.

Mayor Smith said she was not sure 158 spaces would be the magic number; however, none of the

proposals she saw included any underground parking. She said the Town's parking problem lasts approximately four months, and then the tourists go home. Mayor Smith said the Town did not want to see block after block of paved over parking lots or two story parking garages, and that is not an option. She suggested if the Grays wanted to negotiate at a lower figure that could be considered.

Councilman Wyett commented that \$2.5 million is a high figure considering the use of the property and what the future use could be considering it is in an historic district.

President Pro-Tem McLendon ascertained that the analysis presented to the Town Council assumed the cost would be \$2.5 million.

Responding to a question from Mr. Doney, Mr. Dusey replied an appraisal would cost \$2,000 plus \$5,000 for an environmental assessment. He suggested the Town would need both of them.

President Pro-Tem Wyett said the numbers on the proposals were not totaled, and he asked what the range was, from bottom to top?

Mr. Dusey replied not all of the parking alternatives would be acceptable, and he did not want to presuppose what the Council would choose from the alternatives, as that was a policy question.

Architect Mark Marsh addressed the issue of the size requirements of the departments. He said the study they conducted compared other municipalities and national standards. He pointed out that the deficient Town Hall areas are Human Resources (45% deficient); Town Clerk (20% deficient); Finance Department (30% deficient); Planning, Zoning & Building Department (47% deficient); and the general Town facilities (60% deficient). He said the current facility would be approximately 89,000 square feet based on the criteria.

Mr. Marsh noted that one alternative, the Fire-Rescue Station on the Beaumont lot, included underground parking.

President McDonald asked for comments from the Mayor and Town Council regarding Alternative Number 2.

Mayor Smith said she did not think that the Planning, Zoning & Building department should have a new building.

President McDonald said he agreed with that comment.

President Pro-Tem McLendon questioned if it were feasible to widen the Town Hall structure?

Mr. Dusey responded the walls would not be widened, but the door openings would be resized, creating three openings in lieu of four openings.

Councilman Wyett said he did not approve of enlarging the present Fire-Rescue station at a cost of \$1 million, as it was not cost effective. He added the Town is getting by at the present time and the need to enlarge is generated by the increasing size of the trucks.

President McDonald requested comments from the Mayor and Town Council regarding Alternative Number 3.

President Pro-Tem McLendon said he did not want to look at this alternative too seriously until the price of the property is known. He said he agreed with Mayor Smith's comments regarding the price of the property.

Mr. Doney said Councilman Brooks relayed to him before he left town, that due to the complexity of the considerations and alternatives, he would like to participate in depth when these issues were considered at a future meeting.

Mr. Marsh said the proposed reduction of the four doors on the Fire Station to three doors is workable, and the critical thing would be to keep a balance that would respect the landmark status.

President McDonald requested comments on Alternative Number 4.

Councilman Goldblum said he had looked at all four alternatives and questioned the proposed figures for the Gray Mobil Station. He said with the addition of 24 spaces on the Boynton Landscape property and 28 spaces on Australian Avenue that would provide 171 parking spaces. He said he did not know if the proposed figures were in an affordable range.

Mayor Smith asked Architect Marsh what the cost of modifying the Fire station from the four doors to the three doors and increasing the depth of the station would be?

Mr. Marsh and Mr. Dusey replied it would be approximately \$250,000.

Mayor Smith asked why that part of project could not be considered at the present time? She asked if the Fire department considered this an emergency project?

Assistant Fire-Rescue Chief Ken Koeltz responded the trucks were being parked inside presently, and vehicles were ordered with smaller mirrors on the sides. He said the height of the bays is important and the present trucks are inches from the ceiling.

President Pro-Tem McLendon asked what justification there was for a 50% increase in parking spaces?

Mr. Dusey replied many spaces were utilized on the street presently, and there was an attempt to free up spaces on Australian and Peruvian Streets. He added that a small percentage was due to expected growth.

President Pro-Tem McLendon said he did not think the Town could anticipate a reduction in activity connected to building in the Town.

Responding to questions from Councilman Wyett, Assistant Chief Koeltz replied that although larger fire trucks are one issue, the Fire-Rescue department does not have sufficient room to store hazardous materials, bumper gear, or medical equipment. He said these items are currently in every area conceivable—broom closets, etc.

Mr. Moore pointed out his department does have a space problem, and said he will present to the Finance & Taxation Committee the possibility of leasing space to accommodate the needs of his department. Mr. Moore said his department can continue operating but they will need additional space.

Councilman Wyett suggested the possibility of adding on to the existing Town Hall third floor and that might be the least expensive method. He suggested the Boynton Landscaping property, although the condition of the building was not the best, could possibly be utilized by the Building Department on an interim basis.

Mayor Smith said there was no question that the staff was instructed to do an analysis of the space needs as part of the long range plan for the Town of Palm Beach, and Mr. Marsh was hired as part of that analysis. Mayor Smith said as much as she knew some of the space at the Boynton Landscape lot could be utilized for the Building Department, but she was still thinking it should be a park with perhaps a small building with parking spaces on the west end with a park on the east end of the property. She questioned why a proposal was not submitted with landscaping to screen the parking and perhaps a small building?

Mr. Dusey said the Building Department could be located there with limited parking unless underground parking was utilized which is very expensive. He recalled that the Town Council expressed a desire early on to have only a park at that location. He said a two story building could be constructed with limited parking.

Mr. Moore said a variance may be required to address the zoning requirements for that property. Mr. Moore said the 19,000 square foot lot would replace a park that was only 9,000 square feet as part of the Neiman-Marcus/Goodman trade off. Mr. Moore said Mr. Goodman required that the property be used by the Town only and not sell or swap the property to a competitor who would build on the property.

Mayor Smith ascertained that the Town would use the property for a park and for Town use. She suggested all alternatives should be explored before a decision is reached.

Mr. Dusey said a newly constructed building on that property would be similar to Alternative 2 at a cost of approximately \$1.6 million for purposes of discussion.

Mr. Marsh pointed out there was a cost factor included in the options for creating a park on the Boynton property with parking.

Mayor Smith said she did note the \$250,000 figure and suggested donations may be forthcoming for the park.

Mr. Doney suggested the Town Council may want to direct staff to get appraisals or supply additional information and schedule another meeting.

President McDonald said he would like to see the issue placed on the March 14th agenda.

Councilman Wyett commented that he would not like to lose the gas station as that would leave the Town with only one gas station on Royal Poinciana and that would create a traffic problem on Royal Poinciana. He said he did not want to force the residents to go to West Palm Beach to fill up their cars.

Attorney Randolph clarified that the zoning determined the use of the property.

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Mr. Dusey requested direction from the Town Council for any information that was needed before the March 14th meeting and gave the examples of the Building Department located or not located on the Beaumont lot or the Gray's Mobil site. Those could be eliminated as alternatives. He said if the Town Council wanted to maintain the existing amount of parking spaces, the cost of that could be determined.

President McDonald requested a consensus from the Town Council members on the following issues:

1. Beaumont property - split consensus on locating the Fire-Rescue Station on this lot;
2. Gray Mobil property - do not consider locating the Fire-Rescue Station on this lot;
3. Beaumont property - consensus to not locate P Z & B on this lot;
4. Gray Mobil property - do not consider locating P Z & B on this lot;
5. Parking - consensus that the Town needs additional employee parking;
6. Boynton Landscape Property - consensus that the east end of the property should be used as a park and approximately 7,000 sq. ft. of the property screened for 24 parking spaces on the east end of the property;
7. 150 Australian Ave. - consensus to investigate the possibility of purchasing this property for parking.

The following is a verbatim transcription of the discussion regarding the 7 leased spaces in the Beaumont parking lot.

Dusey: We lease 7 spaces in the Beaumont lot. It seems to me that if we are worried about parking for employees and what not and buying things and spending money to create parking spaces that we probably ought to end those leases.

McD: All right, we're okay. Who are they?

Doney: We have it, but it's through attrition when somebody comes back and renews their lease. But we can do it.

Dusey: The Palm Beach Newspaper has, I can't read this—I don't know what the number is. U. S. Postal Service.

Doney: I think the Palm Beach Newspaper was just one.

Dusey: Town Center, whatever that is and Lin Lee.

McD: Are these month to month leases for these spaces?

Dusey: From my understanding from the conversation we had with the Finance Director, there is no long term contract, that probably 30 days notice or something reasonable would be required.

McD: All right. We'll ask the Council if they would like to cancel those leases with proper notice. Mr. Wyett?

Wyett: Yes. I would cancel those leases and also address myself to the Palm Beach Daily News. I believe it is the policy of the Town not to issue tickets on Council days in this area.

McD: All right. Mr. Goldblum?

Goldblum: Yes.

McD: Mayor Smith?

Smith: Are we being paid \$22,000 for the lease of each one of these spaces?

Dusey: No. \$75—

Smith: That is the figure to build new parking, so if we're not being paid that, I vote that we cancel the contracts.

McD: I vote we cancel. Mr. McLendon?

McL: Once versus lifetime then. Yes.

McD: All right. I think it is unanimous to cancel those 7 spaces, Mr. Dusey, if there are 7. Any further direction Mr. Dusey?

Doney: 60 days?

Dusey: I don't think we have to worry about that. I think you have given us what we need to perhaps do some summarizations for you on options as they may currently exist. Basically, you have boiled down to a possibility of Beaumont for the fire station; the use of a piece of Boynton for 24 parking spaces; pursuing the purchase of 150 Australian for 28 spaces; elimination of the 7 leases (4 are for U.S. Postal Service).

McD: That is accurate. Mr. Goldblum?

Goldblum: I don't know if we said this formally, but we spoke about it. Investigating what is available to be leased for over flow of the departments at the present time and what type of leases we can get.

End of Verbatim transcript.

Councilman Goldblum made a motion to investigate the amount of square footage the Town needs; check the availability of space for leasing purposes; type of lease; and price of the space for the Planning, Zoning, and Building Department. The motion was seconded by President Pro Tem McLendon. The motion carried 4-0 as Councilman Brooks was absent from the meeting.

Mr. Dusey questioned if the Town Council wished to pursue the expansion of the third floor on Town Hall.

President McDonald asked if Councilman Wyett would like to make a motion regarding that issue, because he had made the suggestion.

Councilman Wyett made a motion to authorize a study for the feasibility of expanding the third floor of Town Hall without destroying the integrity of the building. The motion was seconded by President Pro-Tem McLendon. On roll call, Councilman Wyett and President Pro Tem McLendon voted in favor of the motion. Councilman Goldblum and President McDonald opposed the motion. Mayor Smith voted "no" to break the tie vote as Councilman Brook was absent from the meeting. The motion failed 2 - 3.

Mr. Dusey said he had no more questions.

VI. ANY OTHER MATTERS

Mr. Doney said he had two matters to add other "Any Other Matters".

Mr. Doney announced that Tuesday, February 22, 2000, at 5:01 p.m. is the second reading of the Zoning Ordinance in the Town Council Chambers.

Mr. Doney said there will be a Special Town Council meeting on March 7, 2000, at 9:30 a.m. regarding telecommunications. The next regular Town Council meeting will be on March 14, 2000.

Attorney Randolph requested that he be afforded an opportunity at the 5:01 p.m. meeting on February 22, 2000, to add to the agenda the issue of a settlement regarding a lawsuit.

The Town Council agreed that item would be added to the February 22nd agend.

VII. ADJOURNMENT

The meeting was adjourned at 11:05 a.m.

Mary A. Pollitt, Town Clerk