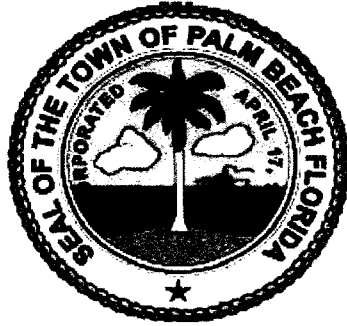




# TOWN OF PALM BEACH

Minutes of the Town Council Meeting  
Held on April 8, 2025

**I. CALL TO ORDER AND ROLL CALL (01:12)**

Council President Lindsay called the Town Council meeting to order at 9:31 a.m. On roll call, all council members were found to be present.

**II. INVOCATION AND PLEDGE OF ALLEGIANCE (01:27)**

Town Clerk Churney gave the invocation, and Council President Lindsay led the Pledge of Allegiance.

**III. MODIFICATIONS TO THE AGENDA (02:10)**

The following modifications were made to the agenda:

- The recognition of Alicia "Maisie" Grace was withdrawn
- A reconsideration to add incumbent members to the Retirement Board of Trustees ballot was added before VIII. A.
- The time certain for the Seaview Park Field Lighting Proposal from Friends of Recreation changed to 11:15 a.m. from 10:30 a.m.

**IV. APPROVAL OF AGENDA (06:50)**

**A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to approve the agenda, as amended. The motion carried unanimously, 5-0.**

**V. RECOGNITIONS**

- A. Recognition of Alicia "Maisie" Grace for her Service on the Architectural Commission (ARCOM) from June 2024 to March 2025**  
***Clerk's note: This item was withdrawn at the Approval of the Agenda, Item VI.***

- B. Recognition of Basilica of Saint Edward, R. Rev. Archimandrite Glen J. Pothie (1:20:52)

**TIME CERTAIN: 11:00AM**

Mayor Moore read the proclamation in recognition of Saint Edward's becoming a Minor Basilica.

Father Glen Pothie explained his title and stated that the designation of Minor Basilica ties Saint Edwards to Rome. He noted it was a long process, but in the end, this is a great honor bestowed on Saint Edwards.

Council Member Cooney encouraged everyone to attend a service at Saint Edward. He spoke about his family history with the church.

*This discussion lasted approximately 8 minutes. To listen, please click the link on the agenda topic above.*

**VI. SWEARING IN OF ELECTED OFFICIALS (07:45)**

- A. The Honorable Judge Lisa Small

1. Mayor Danielle H. Moore
2. Julie Araskog
3. Edward A. Cooney

Mayor Moore introduced the Honorable Judge Lisa Small, who administered the Oath of Office to Mayor Moore and Town Council Members Julie Araskog and Edward A. Cooney.

**VII. ORGANIZATIONAL ITEMS (20:27)**

- A. Election of Town Council President Pursuant to Section 3.01 of the Town Charter

After the ballots were tallied, Council Member Lindsay was reelected as Town Council President.

**A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to approve the Election of Bobbie D. Lindsay as Town Council President. The motion carried unanimously, 5-0.**

- B. Election of Town Council President Pro Tem Pursuant to Section 3.01 of the Town Charter (21:13)

After the ballots were tallied, Council Member Crampton was reelected as Town Council President Pro Tem.

**A motion was made by Council Member Cooney and seconded by Council Member Araskog to approve the Election of Lewis S.W. Crampton as Town Council President Pro Tem. The motion carried unanimously, 5-0.**

#### **VIII. PRESENTATIONS**

**A. Presentation by Rhonda Giger, General Counsel for the Palm Beach County Commission on Ethics (21:56)**

Ms. Giger gave a short presentation and announced the anniversary of the Palm Beach County Commission on Ethics.

*This discussion lasted approximately 5 minutes. To listen, please click the link on the agenda topic above.*

**B. Presentation on Living Shoreline Project at 800 Block of North Lake Way (2:32:52)**

**TIME CERTAIN: 12:00 PM**

*Bobbie D. Lindsay, Town Council President*

a. Authorization to Apply for a Florida Inland Navigation District (FIND) Waterways Assistance Program (WAP) Grant for the Town of Palm Beach North Lake Way Living Shoreline Project

RESOLUTION NO. 040-2025 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing an Application for A Florida Inland Navigation District (FIND) Waterways Assistance Program (WAP) Grant for the Town of Palm Beach North Lake Way Living Shoreline Project.

Beth Dowdle, 301 Chilean Avenue, and chair of the Conservation Committee for the Garden Club of Palm Beach, presented a series of slides describing the proposed area for the living shoreline project west of the Lake Trail and south of Bahama Lane. She explained why this area was an ideal location for planting mangroves and that mangroves fix carbon, clean water, and stabilize and protect the shoreline. She thanked Palm Beach Country Club, who owns the land in front of the project, Town staff, the Mayor, and Town Council, the Garden Club of Palm Beach, the Palm Beach Day Academy, and the Palm Beach County Environmental Resource Management department ("ERM"), and MANG for their interest and endorsement of the project.

A few seventh-grade students and their Palm Beach Day Academy teachers spoke about the importance of mangroves and how they support the environment. The students presented a petition with about 40 signatures in support of the project.

Kim Frisbie, 6 Via Flagler, a Garden Club of Palm Beach member, also spoke about the benefits of mangroves.

Mr. Brazil further discussed the project and the town's procedure if the Town Council decided to proceed with the project.

Council Member Cooney thought it seemed like an outstanding project. He noted it was an evacuation route and asked if it would protect the road. Mr. Brazil said yes. Council Member Cooney suggested seeking a contractor to eliminate the permeated swath in the Palm Beach Country Club's hedge. Council Member Cooney asked for the percentage linear length of the shoreline, and Mr. Brazil said approximately half of the lake front lineal footage is in front of the Palm Beach Country Club. Council Member Cooney said the vista would also have to be preserved, and Mr. Brazil explained that part of the permit conditions would mandate trimming to preserve the vista but reap the benefit of the mangroves.

Council President Pro Tem Crampon thought the project nicely represented Earth Day, which included many benefits the barrier island needed. He said there was a nice exhibit at the Cox Science Center.

Mayor Moore supported the project and thought it was a nice proposal.

Council Member Moran wondered when the grant would be awarded, which she believed was in October. Mr. Brazil said additional donations were anticipated, but the worst-case scenario would be for the town to front the funds and seek reimbursement.

Council President Lindsay was supportive of the project.

**A motion was made by Council Member Araskog and seconded by Council Member Cooney to approve Resolution No. 040-2025, with the condition that the staff look for additional grants for this project. The motion carried unanimously, 5-0.**

*This discussion lasted approximately 27 minutes. To listen, please click the link on the agenda topic above.*

#### **IX. BOARD AND COMMISSION PRESENTATIONS AND APPOINTMENTS (32:21)**

Council President Lindsay asked the Town Council to consider adding

incumbents John Copeland and Thomas Parker to the ballots. She stated they missed the deadline, were in good standing, and wanted to continue serving on the board.

*There was a consensus by the Town Council to add both incumbent members to the ballot.*

**A. Presentations By the Applicants and Appointments to the Retirement Board of Trustees (35:22)**

The following applicants, John W. Copeland, Joshua Harlan, Thomas Parker, and David Sabath, presented to the town council and answered questions about their qualifications. Mark Davies was unable to attend.

*Clerk's note: A short break was taken at 10:23 a.m. The meeting resumed at 10:32 a.m.*

**A motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran to approve the appointments of John W. Copeland and Thomas Parker as members of the Retirement Board of Trustees. The motion carried unanimously, 5-0.**

*This discussion lasted approximately 19 minutes. To listen, please click the link on the agenda topic above.*

**X. COMMENTS OF MAYOR DANIELLE H. MOORE (54:22)**

Mayor Moore thanked the following employees for their service to the Town:

Alejandro Dominguez (FR), Charles Reeves (FR), Alisa Cox (PW), and Joshua Farrar (FR) for 5 years; Lynne Menniti (PW) for 10 years; Joseph Guelli (PD) and Nicholas Caristo (PD) for 20 years; Terri Bayard (IT) for 25 years; and Joseph Brown (PW) for 30 years.

She announced the following employee retirements:

Hugo Rivero (PW) of 36 years, Lynne Menniti (PW) of 10 years, and Karen Temme (Risk) of 26 years. She also stated that Joseph Brown (PW) had entered the DROP.

Mayor Moore thanked the Palm Beach Civic Association for its Annual Meeting on Monday, April 7, 2025, at which she presented the state of the town. She congratulated Council Members Araskog and Cooney on their reappointments.

Mayor Moore announced:

- Phipps Ocean Park renovation will begin on May 1, 2025.
- Annual Spring Celebration on April 19, 2025, at 10:00 a.m. at Seaview

Park

- A reminder to get the 2025 white parking decal
- A reminder to sign up for Town alerts and news releases using Stay Connected on the Town's website.

Mayor Moore announced that the Town has been awarded the ASCE Palm Beach Branch 2025 Project of the Year for the North Fire Station.

Lastly, she stated that the recent traffic in the town has been good, and the atmosphere was pleasant.

**XI. COMMENTS OF TOWN COUNCIL MEMBERS (1:01:58)**

Council Member Moran congratulated the newly re-elected council members and the Police Department for their excellent traffic coordination.

Council President Pro Tem Crampton congratulated Mayor Moore and Council Members Araskog and Cooney on their reappointments. He commented on the vibrancy of the Morton and Barbara Mandel Recreation Center and Paul Brazil for participating in the meeting regarding the beach around Sloan's Curve.

Council Member Araskog congratulated the Mayor and Council Member Cooney. She asked to add a discussion under Any Other Matters regarding a memorandum from Joanne O'Connor regarding quasi-judicial and speaking at meetings. She congratulated the mayor on her state of the town and thanked the Palm Beach Civic Association for their meeting. She was proud of Detective Giselle Bido and the Police Department for their selfless and courageous acts. She acknowledged Robert Young and Minnie Pulitzer for their courageous acts as well.

Council Member Cooney thanked the community for allowing him to serve and the town staff for helping him with all his requests. He also commented on the hard-working professional town staff members.

Council President Lindsay was grateful for all the elected members and thanked Mayor Moore for her positive presentation and upbeat message at the Civic Association's Annual State of the Town event.

Council Member Cooney discussed the aggressive and scary traffic situation. While he understands frustrations, he expressed concern about the safety of residents.

Council President Lindsay agreed with Council Member Cooney and expressed concern about underage residents using motorcycles and motorized bikes. She thanked the Police Department for sending a flyer on the issue and putting

information in the newspaper. Council Member Cooney also expressed concern about golf carts overloaded with young children being driven by underage residents.

**XII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE (1:17:41)**

Harvey Kinzelberg, 260 N. Ocean Blvd., expressed frustration with the Shore Protection Board for publicly shaming residents who will not sign a perpetual easement.

**XIII. APPROVAL OF CONSENT AGENDA (1:20:18)**

Council President Lindsay asked if there were any changes to the consent agenda.

Council Member Araskog asked to pull Resolution No. 035-2025 for discussion.

There were no other changes to the agenda.

**A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to approve the consent agenda, as amended. The motion carried unanimously, 5-0.**

**A. MINUTES**

1. Town Council Meeting Minutes  
*Kelly Churney, CMC, Town Clerk*
  - a. March 4, 2025, Town Council Meeting Minutes
  - b. March 5, 2025, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its March 26, 2025, Meeting.  
*Wayne Bergman, Director of Planning, Zoning, and Building*

**B. RESOLUTIONS**

1. RESOLUTION NO. 034-2025 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving a Change Order to DB Ecological Services, Inc. in the amount of \$27,000 related to Sea Turtle Nesting Monitoring.  
*Dean Mealy, II, Procurement and Contract Manager*
2. RESOLUTION NO. 035-2025 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding ITB No. 2025-011, North County Road Drainage Improvements to Huurr Homes LLC in the amount of \$783,177.38, approving a

contingency in the amount of \$157,435 and establishing a project budget in the amount of \$940,612.

*Dean Mealy, II, Procurement and Contract Manager*

***This item was pulled from the consent agenda and was not included in the approval.***

3. RESOLUTION NO. 036-2025 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding SS NO. 2025-006, Worth Ave Media Blasting and Pressure Washing Services to Green Earth Power Washing in the amount of \$263,500, approving a contingency in the amount of \$26,350, and approving a project budget in the amount of \$289,850.

*Dean Mealy, II, Procurement and Contract Manager*

4. RESOLUTION NO. 038-2025 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding RFQ No. 2025-002, Coastal Engineering Services to the following four firms: Coastal Protection Engineering Services, LLC, Geosyntec Consultants, Cummins Cederberg, Inc., and Moffatt & Nichol.

*Dean Mealy, II, Procurement and Contract Manager*

**C. OTHER**

1. Town-wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status

*H. Paul Brazil, P.E., Director of Public Works*

**XIV. BOARD/COMMISSION ANNUAL REPORT (26:12)**

- A. Annual Report of the Architectural Commission (ARCOM)

*Jeffery W. Smith, Chair*

Mr. Smith gave the Architectural Commission's annual report and answered the Town Council's questions.

**A motion was made by Council President Pro Tem Crampton and seconded by Council Member Araskog to accept the Architectural Commission's (ARCOM) annual report. The motion carried unanimously, 5-0.**

*This discussion lasted approximately 7 minutes. To listen, please click the link on the agenda topic above.*

**XV. PUBLIC HEARINGS**

- A. RESOLUTION NO. 032-2025 (1:29:23)** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning Portions of Existing Public Utility Easements Within the Property Commonly Known as 100 Ocean Terrace, in the Town of Palm Beach, Florida.

*H. Paul Brazil, P.E., Director of Public Works*

Patricia Strayer, Public Works Engineer, read the resolution. She stated that they had not received any comments after the public notice was sent, all the utilities had abandoned the easement, and the town staff recommended approval.

Council Member Cooney asked if this was Florida Power and Light's easement. Ms. Strayer said it was a portion of a five-foot easement where the town had retained the portion where public utilities are located.

Council President Lindsay called for public comment. No one indicated a desire to speak.

**A motion was made by Council Member Cooney and seconded by Council Member Araskog to approve Resolution No. 032-2025. The motion carried unanimously, 5-0.**

*This discussion lasted approximately 3 minutes. To listen, please click the link on the agenda topic above.*

**XVI. REGULAR AGENDA**

**A. Matters Pulled From Consent Agenda: If needed**

- 2. RESOLUTION NO. 035-2025 (1:32:13)** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding ITB No. 2025-011, North County Road Drainage Improvements to Huurr Homes LLC in the amount of \$783,177.38, approving a contingency in the amount of \$157,435 and establishing a project budget in the amount of \$940,612.

*Dean Mealy, II, Procurement and Contract Manager*

Patricia Strayer, Public Works Engineer, presented the resolution and discussed its history, which led to its consideration.

Council Member Moran was in favor of the drainage improvements.

Council Member Araskog expressed traffic concerns when the improvements were being made. Mr. Brazil stated that the best time to make the improvements was during the summer months.

Council Member Cooney said he grew up in the area and discussed safety concerns.

Council President Lindsay agreed with Council Member Cooney and had witnessed the safety concerns.

Council Member Moran understood Council Member Araskog's concerns but did not want to postpone the necessary improvements.

**A motion was made by Council Member Cooney and seconded by Council Member Araskog to approve Resolution No. 035-2025. The motion carried unanimously, 5-0.**

*This discussion lasted approximately 9 minutes. To listen, please click the link on the agenda topic above.*

**B. Old Business**

1. Seaview Park Field Lighting Proposal from Friends of Recreation (1:41:21)

**TIME CERTAIN: 10:30AM**

*Mark Bresnahan, Director of Recreation*

Mr. Bresnahan introduced the Friends of Recreation, who would be making the presentation: Natalie Emerson at 261 Nightingale Trail, Kimberly Goodwin at 201 Ocean Terrace, and Tara Vecellio at 196 Via Del Mar.

Ms. Emerson opened the presentation about adding field lighting at Seaview Park. She answered previous questions about providing field lighting. She stated that the Town Council had asked for data on current youth participation programming at the recreation center, data on what programming would be added if field lighting were approved, engagement, and Q&A with the "Sea" Street residents. She allowed town staff to be involved in the process and to open an RFI process.

Next, Ms. Goodwin discussed youth programming at the youth center and what the calendar would look like if the field lighting were approved.

Mr. Bresnahan did not learn any new information from the RFI. He said if this process were moved forward, the town would consult a lighting expert.

Ms. Emerson stated that the Friends of Recreation have completely funded the cost. She noted that if the quotes were lower than expected, they would be happy to use the money to improve the field drainage.

Council Member Moran asked for specific information about who would be using the lighting. Mr. Bresnahan outlined the uses and said the programming would be focused on youth (14 and under) soccer, lacrosse, and flag football.

Council President Pro Tem Crampton asked if staff would be present when the lights were being used and wondered if staff would be turning off the lights. Mr. Bresnahan stated that staff would be present until 8 p.m. Council President Pro Tem Crampton asked about the maintenance costs for the proposed lights. Mr. Bresnahan responded. Council President Pro Tem Crampton asked about the height of the lights compared to the building. Deputy Town Manager Carolyn Stone responded with the dimensions. Council President Pro Tem Crampton wondered if the staff could commit to a 60% town-serving aspect. Mr. Bresnahan stated he could try, which may result in losing programs. Council President Pro Tem Crampton asked about the timing of the programs to alleviate some of the traffic.

Council Member Cooney thanked the new members of the Friends of Recreation for engaging in the community. He understood the strong merit of keeping local youth off their screens and engaging in outdoor activities. Council Member Cooney wanted to engage a highly competent engineer to reduce light pollution in the community. He asked about the field conditions and wondered if the new lights would affect them. Mr. Bresnahan stated the new drainage had worked very well, and if the lights were approved, it could lead to additional play.

Council Member Araskog asked about the height of the main building. The town staff did not know for certain, but thought it was around 20 feet. Council Member Araskog said she was concerned because the lights would be near the town's gateway. She said many residents did not write comments but were concerned about the aesthetics. She pointed out that the Breakers tennis lights were 19 feet, and this

proposal was 25 feet. She thought additional landscaping should screen the lights, and the lighting height should be lowered. She asked for a 3-D visual to see the conditions and thought it would be helpful for the residents. She questioned if the lights would affect the traffic north and south, adjacent to the lights. Mr. Brazil stated that if the Town Council wanted to proceed, the Town should engage a landscape architect to provide renderings and landscape options.

Mayor Moore asked about the height of the poles in the Tennis Courts, to which Mr. Bresnahan responded that they were 20 feet. Mayor Moore cautioned against raising the town serving requirement since many young residents play on travel teams. She thanked the Friends of Recreation for bringing a proposal forward and thought the project should proceed to the Architectural Commission for design review.

Mr. Brazil said that if the Town Council were to move the project forward, they would have an opportunity to see the proposal several more times.

Council President Lindsay confirmed that the lights would only be used for youth programs. She also asked about the specific months in which the lights would be used. Mr. Bresnahan stated that the primary months would be November, December, January, and February, with a smaller usage in October and March. Mr. Brazil said the preliminary design would be returned to the town council.

Council President Pro Tem Crampton acknowledged the large number of families with young children in the town. He thought that the Architectural Commission should have the opportunity to review the aesthetics and was glad to hear that the town council would get to see the plan again to make a final decision.

Council Member Moran thought this proposal would help keep the community safe, healthy, and vibrant, as the mayor stated.

Council Member Araskog discussed which months the lighting would be used until 8 p.m., since sunset was before 8 p.m. She also thought that traffic should be considered. She reiterated that she was willing to move this forward, but with conditions.

Council President Lindsay called for public comment.

Matt Smith, 1237 N. Ocean Way, and a member of Friends of Recreation, stated that a common complaint was that the kids' programming had to end early in the winter months. He stated that the money had been raised, they engaged the surrounding residents, and they did not hear any opposition. The lighting engineer said 24 feet would be the optimum height for the field activities. He advocated approval.

Council Member Araskog wondered if any remedies could be designed to protect the gateway. Mr. Smith responded.

Ms. Emerson stated that the Friends of Recreation did not want to propose anything that was not aesthetically pleasing. She thought that at this point, the aesthetics would be under the purview of the town council.

**A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to approve the proposal conceptually to allow staff to develop a concept that would return to the Town Council for approval, which would then move to the Architectural Commission, with a final presentation and review by the Town Council. The motion carried unanimously, 5-0.**

*This discussion lasted approximately 51 minutes. To listen, please click the link on the agenda topic above.*

2. RESOLUTION NO. 033-2025 (3:38:15) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving a Change Order in the amount of \$100,000 for Water Feasibility Study to Kimley-Horn and Associates, Inc.  
*Dean Mealy, II, Procurement and Contract Manager*

Mr. Brazil spoke about the work completed by Kimley-Horn and discussed the work that still needed to be completed.

Council Member Cooney asked about funding, and Mr. Miracle stated there was money in the budget.

Mayor Moore wondered if there were other options, and Mr. Blouin said there were none.

Council Member Araskog asked what they would be completing. Mr.

Brazil responded.

**A motion was made by Council Member Cooney and seconded by Council Member Moran to approve Resolution No. 033-2025. The motion carried unanimously, 5-0.**

*This discussion lasted approximately 8 minutes. To listen, please click the link on the agenda topic above.*

3. Discussion on Traffic Mitigation - Signal Timing County Road Corridor (3:43:56)

*Kirk Blouin, Town Manager*

Mr. Brazil explained that this presentation was educational. He stated it would include Sunset to Royal Poinciana, further south, and how the three lights work together. Subsequently, the town council can discuss whether to extend the initiative.

Adam Kerr of Kimley-Horn explained the signals along the County Road Corridor.

Council Member Cooney spoke about his personal experience with the pedestrian crossings and asked about the timing of the traffic signals. Mr. Kerr responded. Council Member Cooney wondered if the system could be any more efficient. Mr. Kerr stated that the system was state-of-the-art and adjustments were consistently made.

Council Member Araskog said she receives complaints at the intersection of Main Street and County. Mr. Kerr said he adjusted that signal as they noticed it allowed too much time.

Council Member Moran wondered if there was a way to engineer the pedestrian buttons so one overrode the other, and if there was a possibility of eliminating the right on red on Sunset, maybe only during certain hours. Mr. Brazil stated he would investigate the possibilities. Council Member Moran wondered if the mast arm would have a negative effect north of Bradley Place. Mr. Kerr responded that he thought the operations would be better than the operations at County Road. He also noted there is much less volume on the road in that area, and the bridge openings were often the primary cause of the delays. Council Member Moran wondered if there were more visible uniforms for the traffic police to provide additional safety.

Council President Pro Tem Crampton told the Town Council to remember this conversation when they begin to discuss the upcoming

projects at The Breakers; he recommended a construction management agreement and wondered if this study would provide input. Mr. Brazil responded that the Corradino Group.

Council Member Cooney agreed with Council Member Moran's suggestion that law enforcement officers staffing the intersections wear more visible uniforms.

*This discussion lasted approximately 27 minutes. To listen, please click the link on the agenda topic above.*

4. Update on North End Beach Nourishment Project (3:00:11)  
**TIME CERTAIN: 1:00 PM**

*H. Paul Brazil, P.E., Director of Public Works*

Mr. Brazil introduced the item and stated that Sara Gutekunst would make a presentation.

Sara Gutekunst, Coastal Coordinator, presented a summary of the Army Corps of Engineers' accomplishments to date.

Mayor Moore inquired about the project management. Mr. Brazil acknowledged that the coordination may have been better and stated he would work with the Army Corps to improve the projects in the future.

Council Member Cooney received complaints from the public and wondered about the duration of the disruption. Ms. Gutekunst stated it was about six weeks. Council Member Cooney acknowledged that it was safely roped off and monitored for safety. He also stated that the dollar savings were worth the disruption.

Council Member Araskog stated that the workmen were professional and courteous.

Council President Lindsay discussed the phone calls she received and outlined the concerns, one of which was that people were walking on the dunes. She recommended roping off the dunes for any similar projects that occur in the future.

Council President Lindsay stated that the native sand was provided free because of inlet dredging maintenance, and the town was

fortunate to receive this benefit. She wondered if the beach's slope was appropriate for the turtles to nest on.

Council Member Moran stated that she found people walking in the dunes in other areas of the beaches. She wondered if signs notifying people to stay out of the dunes could be erected.

Council Member Cooney stated that several visitors to Palm Beach have been less than courteous. A short discussion ensued about littering around the town.

Council President Lindsay called for public comment.

Dragana Connaughton, 267 Merrain Road, spoke about a historic access that the town has used to access the beach, near N. Ocean Blvd. and Onondaga. She wondered why the Army Corps did not use their easement on the north end, which would only affect about five residents. Mr. Brazil responded that the access was used to get equipment on and off the beach. Ms. Connaughton wondered if placing the sand south of the jetty would be more efficient than placing the new wet sand on the existing dry sand. Mr. Brazil responded that the problem with placing sand immediately south of the jetty would be that the ocean could not move the sand. He further explained that the goal with this material is to place it as far south as possible for a positive long-term outcome. Ms. Connaughton wondered if there was a more efficient way to move the sand.

*This discussion lasted approximately 37 minutes. To listen, please click the link on the agenda topic above.*

### **C. New Business**

#### **1. Landfill Capacity Information (3:41:42)**

*H. Paul Brazil, P.E., Director of Public Works*

Mr. Brazil provided an update on the landfill capacity. He said that over ten years ago, Public Works knew the Okeechobee would be lost as a landfill site. Materials were being taken to Skees to see if it would be successful. Annually, Public Works evaluated the capacity and how the site was managed. With the latest permit renewal, the town had the ability to reduce. Therefore, the town could grind and leave materials onsite, accelerating the decomposition. The operating/capital budget includes starting the trial experience, and the Department of

Environmental Protection was onboard. He said capacity would be approximately 31 years without the reduction, and it is believed that the reduction would improve that. He also said the town was in a good place, environmentally.

*This discussion lasted approximately 2 minutes. To listen, please click the link on the agenda topic above.*

2. Discussion on Formation of Water Resources TaskForce  
*Bridget Moran, Town Council Member*  
***Please note: Ms. Moran withdrew her item from the agenda.***

## **XVII. DEVELOPMENT REVIEW MATTERS**

- A. Review of Draft Declaration of Use Agreement - ZON-24-0055 (COA-24-0022) 120-132 N County Road - Palm Beach Synagogue (4:49:50)  
***TO BE HEARD AFTER THE COMPLETION OF THE REGULAR BUSINESS OR AFTER 2:00 P.M.***

*Wayne Bergman, Director of Planning, Zoning, and Building*

Harvey Oyer, the attorney representing The Palm Beach Synagogue, reviewed the requested declaration of use agreement that he prepared. He discussed some conditions upon which an agreement was not reached. Attorney O'Connor explained the language in the proposed agreement.

Council Member Araskog wondered how the current application could be changed to become effective immediately. Ms. O'Connor responded.

Council Member Cooney asked if the Palm Beach Synagogue provided the holidays listed, which Mr. Oyer confirmed. He wondered if the major holidays in the agreement should reference those in Article III. 2.

Town Attorney O'Connor stated she spoke to Mr. Oyer about the special events and suggested they provide the police department with details on parking, traffic, and police needs, similar to Mar-a-Lago. Mr. Oyer agreed to the suggestion.

Council Member Cooney said there would be some creativity on the parking agreements. He noted that the code requirements were very strict. Attorney O'Connor cautioned against giving away parking spaces. Council Member Cooney referred to the 6:30 start time and stated that he could offer flexibility on that time since the traffic is pretty slow by that time.

Mr. Oyer discussed his request to move the Levy's lecture series from 6:30 to 6 p.m., with no one allowed to arrive until 5:30 p.m.

Council Member Araskog stated she was concerned about the 5:30 p.m. start time and thought it would impact traffic.

Council Member Moran commented on the declaration of use. She said regarding the public right of way, she did not think it should be spelled out in the Declaration of Use Agreement. She suggested striking that out of the agreement. She also felt that valet parking should be required, regardless of the use, anytime more than 72 attendees are expected. She thought that four events per month were too much. She said that residency requirements should be applied to the school attendees. She also felt that more than a gentleman's agreement was needed concerning parking.

Mayor Moore asked what happened to the parking agreement that the Synagogue had with the Archdiocese for the Greens Pharmacy lot. Mr. Oyer said there is an agreement with a neighbor with substantial parking. The agreement has been in place for 25 years and is still in place, but the neighbor does not want any public disclosure or discussion about the agreement.

Council Pro Tem President Crampton agreed that a stronger parking plan was needed. He thought it was a good idea to communicate in advance with the Police Department for special events.

Michael Scharf, 225 Dunbar Road, expressed concern about the strict declaration of use agreement for a town-serving religious institution. He questioned whether other institutions in town had the same restrictions. He stated he would send the town council and staff an outline of his concerns.

Paul Levy, 225 Tangier Avenue, spoke about the Levy Forum series that had been ongoing for three years. He said there had never been a parking problem during those three years.

*Clerk's note: A short break was taken at 4:16 p.m. The meeting resumed at 4:23 p.m.*

Town Council continued to review the Declaration of Use Agreement by paragraph and offered additional suggestions.

Mr. Oyer had two issues: the timing for special events to begin, and the other

was in section 5 regarding the maximum number of attendees at an event in the social hall, which should be 230. He said that the Levy Lecture was lecture style. He did not want to have a great speaker at the Levy Lecture series and be limited to 230. He added that he would like an allowance for up to the maximum fire code for a seated lecture-style event, so long as parking is available.

Attorney John Eubanks expressed his concerns about the conditional approval and parking. He said the Levy Lectures were huge events, and they did impact parking.

Anita Seltzer, 44 Cocoanut Row, was confused about when religious services would be held. She said religious services are held on Friday evenings beginning at sundown. She noted that the echo garage, non-exclusive parking agreement, did not mention Friday evenings. She further discussed the frequency of meetings at the Synagogue and the variation in dates. She further shared concerns about the parking impact. She wondered if Sunset Avenue would have to be closed, as she referred to the Corradino Group traffic analysis, which revealed failing service levels on roadways.

*The Town Council unanimously approved allowing Attorneys Oyer and O'Connor to incorporate the changes discussed into the Declaration of Use Agreement, which will be returned for review in May.*

*This discussion lasted approximately 2 hours and 55 minutes. To listen, please click the link on the agenda topic above.*

- B. Review of Draft Declaration of Use Agreement and Construction Management Agreement - ZON-24-0043 (COA-24-0018) 100, 101, 102, AND 103 Four Arts Plaza - The Society of The Four Arts (4:38:08)**  
*TO BE HEARD IMMEDIATELY FOLLOWING ITEM NO. XVII.A*  
*Wayne Bergman, Director of Planning, Zoning, and Building*

Harvey Oyer, the attorney representing The Society of the Four Arts, reviewed the requested amendments that he had made to the declaration of use agreement.

Council President Lindsay asked about the unauthorized parking and how it would be enforced. Mr. Oyer said that only permitted parking is allowed, and there have been no issues.

Council Member Araskog asked how many spaces were lost. Mr. Oyer stated he did not have the exact number. The agreement was that all parking numbers at 400 would be changed to 375.

**A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to approve the amended and restated declaration of use agreement with a change for the allowable reservations in Article III, number 3, from 400 spaces to 375. The motion carried unanimously, 5-0.**

*This discussion lasted approximately 9 minutes. To listen, please click the link on the agenda topic above.*

- C. ARC-24-0142 280 El Pueblo Way - ARCOM Decision Appeal TO BE HEARD IMMEDIATELY FOLLOWING ITEM NO. XVII. B Wayne Bergman, Director of Planning, Zoning, and Building**

**A motion was made by Council Member Cooney and seconded by Council Member Araskog to defer the appeal to the April 9, 2025, meeting. The motion was carried unanimously, 5-0.**

## **XVIII. ORDINANCES**

### **A. First Reading**

1. Proposed Ordinance to Review Chapter 18 of the Town Code Regarding Construction that Deviates from Approved Permit Plans

ORDINANCE NO. 005-2025 (4:12:12) An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 18 - Building And Building Regulations, Article VII.- Construction Site Management By Adding Section 18-354 To Address Construction That Deviates From The Approved Set Of Plans; Amending Section 2-439 of the Town Code Relating to Citation Fine Schedule; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

*Wayne Bergman, Director of Planning, Zoning, and Building*

Director Wayne Bergman provided information about when construction substantially deviates from the approved plans. He spoke about the penalties that would be implemented when the situation arises.

Council Member Araskog inquired about the procedure and whether this type of situation would go to Code Enforcement while it is going through the rest of the process. Mr. Bergman thought it should be left up to his department to determine how egregious the problem is, since it is under an active permit. He stated it could be escalated to Code at any time. Council Member Araskog asked if an owner was notified of a problem that escalates, if it would be presented to the Town Council before going to ARCOM and Landmarks, as deemed appropriate. She thought it should be presented to the town council first. Attorney O'Connor cautioned against processes that cause unnecessary delays. She also suggested an amendment to paragraph (a) might be "whenever the building official finds construction being performed in a condition that materially deviates from the approved plans."

Council President Pro Tem Crampton wondered if an outline would be provided to the public on what constitutes a deviation and discusses the fees. Mr. Bergman responded that as part of the permit application, staff would provide the new ordinance, if adopted, and an affidavit that both the owner and contractor would sign to state they acknowledge the process.

Council Member Moran thought notification and clarification should be added for a stop-work order. She also suggested adding who would be notified, which she thought was important. Mr. Bergman explained how the notice would be administered.

Council Member Cooney thought this was an increasing problem in Town. He thought it was worth trying and asked if staff could return to the Town Council if an adjustment were necessary.

Council President Lindsay wondered if there was a significant deviation that would impact a neighbor if staff could ensure notification to the neighbor. Mr. Bergman said the neighbors would automatically be notified of any unresolvable issues outside of a legislative process, such as code enforcement.

Council Member Araskog confirmed two suggested changes that will be made to the Ordinance.

Council President Lindsay called for public comment.

**A motion was made by Council Member Araskog and seconded by Council Member Cooney to approve Ordinance No. 005-2025, on first**

reading with the following changes: under 18-354(a), the word “materially” will be added between the words “that” and “deviates” in the first paragraph, and in 18-364 (a)(1) the words “and the contractor” will be added between “property” and “involved”. The motion carried unanimously, 5-0.

*This discussion lasted approximately 25 minutes. To listen, please click the link on the agenda topic above.*

**XIX. ANY OTHER MATTERS (7:44:45)**

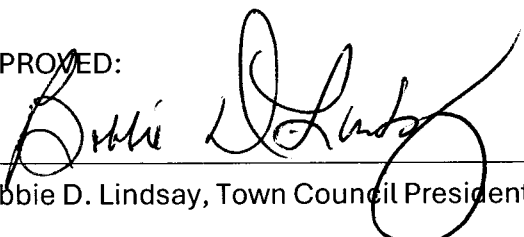
Council Member Araskog asked to discuss Town Attorney O’Connor’s letter on quasi-judicial matters.

Attorney O’Connor advised that the Town Council could appoint members to the town boards. She said the Town Council should be mindful that they are choosing great candidates to fill the roles and should foster their independence. She said there was no issue with the Town Council sitting in their meetings, but they should be mindful not to lobby those board/committee members into taking a certain position on matters.

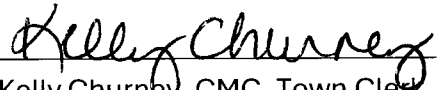
**XX. ADJOURNMENT**

**A motion was made by Council Member Araskog and seconded by Council Member Cooney to adjourn the April 8, 2025, Town Council Meeting at 6:07 p.m. The motion carried unanimously, 5-0.**

APPROVED:

  
Bobbie D. Lindsay, Town Council President

ATTEST:

  
Kelly Churney, CMC, Town Clerk  
May 13, 2025  
Date

