



Town Commission Meeting

Tuesday January 25, 2022, at 10:00 a.m.

IN ATTENDANCE

| TOWN COMMISSION | | TOWN STAFF | |
|----------------------------------|---|---|---|
| Keith Waters, Mayor | ✓ | Linda Stumpf, Town Manager | ✓ |
| Simone Bonutti, Vice Mayor | ✓ | Carmen Mattox, Chief of Police | ✓ |
| Stewart Satter, Mayor Pro Tem | ✓ | Lisa S. Petersen, Town Clerk | ✓ |
| Hank Siemon, Commissioner | ✓ | Erika Petersen, Deputy Clerk | ✓ |
| Richard Granara, Commissioner | X | Keith Davis, Town Attorney | ✓ |
| Chauncey Johnstone, Commissioner | ✓ | Matthew Pritchett, Ass't. Town Attorney | ✓ |
| John Deese, Commissioner | ✓ | Brent Watson, Water Plant Supervisor | ✓ |

PUBLIC: M. Miller, D. George, L. Barszweski (Coastal Star), Frank Mennella (1940 SOB), Robert Schemel (1500 SOB), Debbie Lynott, and John Shahzade (1940 SOB contractor)

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Town Commission called to order at 10:00 a.m.

CONSENT AGENDA:

1. Minutes December 14, 2021 Town Commission Meeting
2. Police Department Report and Fire/Rescue Response Time Report for December
3. Awarding of Bid for Intracoastal Crossing Lands End Road to South Ocean Blvd – Mock Roos

Commissioner Deese made a motion to **approve** the Consent Agenda. Commissioner Johnstone seconded the motion which prevailed by the following vote:

YES: Vice Mayor Bonutti, Mayor Pro Tem Satter, Commissioner Siemon, Commissioner Johnstone and Commissioner Deese.

REGULAR AGENDA: *Quasi-Judicial Hearing

RA. 1 *SE 22-1 1500 South Ocean Blvd:

Robert G. Schemel et al. sought the Town Commission’s approval for a special exception use to add an underground parking facility pursuant to Sections 151.133(B) and 151.565, Town Code. The proposed underground parking facility would exist as a sub-basement defined by Sec. 151.003, Town Code and would not be visible other than at the entrance, and the entrance would not be visible from the street. Robert Schemel the homeowner presented.

There was no public comment.

Vice Chair Bonutti made a motion to **approve** the special exception request. Commissioner Satter seconded the motion which prevailed by the following vote:

YES: Vice Mayor Bonutti, Mayor Pro Tem Satter, Commissioner Siemon, Commissioner Johnstone and Commissioner Deese.

***VAR 22-1-1500 South Ocean Blvd.** - Robert G. Schemel et al. seek the Town Commission's approval for a variance from applicable sections of Town Code in order to add an underground parking facility as a sub-basement with a ceiling height not to exceed ten (10) feet above the lowest point of the street abutting the property, where the code limits the ceiling height of any sub-basement to a height at or less than the lowest point of the street abutting the property (Sec. 151.003), and with a hardscaped roof that is covered in pavers where the code requires sub-basement roofs to be sodded and landscaped (Sec. 151.565). The proposed underground parking facility would not be visible other than at the entrance, and the entrance would not be visible from the street.

Vice Chair Bonutti made a motion to **approve** the variance request. Commissioner Siemon seconded the motion which prevailed by the following vote (4-1):

YES: Vice Mayor Bonutti, Commissioner Siemon, Commissioner Johnstone and Commissioner Deese.

NO: Mayor Pro Tem Satter

***VAR 22-2-1500 South Ocean Blvd.-** Robert G. Schemel et al. seek the Town Commission's approval for a variance from Sec. 151.003, Town Code in order to convert the existing detached garage into a two-level, 2-bedroom guest house with a lower-level basement not to exceed five (5) feet above the maximum allowable ceiling height, where the code limits the ceiling height of any basement to a height at or less than four and one-half (4 ½) feet above grade (Sec. 151.003).

Vice Chair Bonutti made a motion to **approve** the variance request. Commissioner Johnstone seconded the motion which prevailed by the following vote (4-1):

YES: Vice Mayor Bonutti, Commissioner Siemon, Commissioner Johnstone and Commissioner Deese.

NO: Mayor Pro Tem Satter

***VAR 22-3-1500 South Ocean Blvd.-** Robert G. Schemel et al. seek the Town Commission's approval for a variance from Section 151.139(E), Town Code in order to convert the existing detached garage into a two-level, 2-bedroom guest house with a building separation between the proposed guest house and main residence of twenty-eight (28) feet, where a minimum thirty (30) foot building separation is required.

Commissioner Deese made a motion to **approve** the variance request. Commissioner Johnstone seconded the motion which prevailed by the following vote (4-1):

YES: Vice Mayor Bonutti, Commissioner Siemon, Commissioner Johnstone and Commissioner Deese.

NO: Mayor Pro Tem Satter

At the end of the discussion, the commission asked staff to look into amending the code to avoid future conflicts.

RA. 2 Permit Extension 1940 South Ocean Blvd:

1940 South Ocean Blvd – Frank and Dolores Mennella are asking to extend Permit # 7962 to June 1, 2022.

Town Manager Stumpf gave an overview of the request, the owner and contractor were there to answer questions.

There was discussion about using a monthly percentage of the total permit fee in the future for extensions.

There was no public comment.

Commissioner Siemon made a motion to **approve** the extension request. Commissioner Deese seconded the motion which prevailed by the following vote:

YES: Vice Mayor Bonutti, Mayor Pro Tem Satter, Commissioner Siemon, Commissioner Johnstone and Commissioner Deese.

RA. 3 Appointment of Erika Petersen to Town Clerk

There was no public comment.

Vice Mayor Bonutti, made a motion to **approve** the appointment. Commissioner Siemon seconded the motion which prevailed by the following vote:

YES: Vice Mayor Bonutti, Mayor Pro Tem Satter, Commissioner Siemon, Commissioner Johnstone and Commissioner Deese.

RA. 4 Town Manager Stumpf's Report:

Code Enforcement: Town Manager Stumpf directed the Commissioners to refer to the Case Log included in their packets. Update was given regarding the completion of work on the Churchill Way pavers and update regarding the 131 S. Ocean property paying their code enforcement fine in full (\$2,800).

COVID Update: The latest from the department of Health include 75% of the eligible population was vaccinated. There were 339,330 positive cases with an 24.9% positivity rate in the state. 3,592 more people were vaccinated since the prior week. New case positivity was 24.8% in Palm Beach County.

Town Facilities Update: Town Manager Stumpf indicated repairs to the ceiling and drywall in the Police Department have gotten underway. She also stated that the generator is not working and is being repaired but will require replacement in the future. The Lands End Road roundabout is constantly being damaged. Staff is looking into reducing the diameter so that fire rescue and construction trucks don't continue to damage it.

Retiring Town Clerk Petersen Retirement: Town Manager Stumpf indicated the Town will be giving Town Clerk Petersen a retirement bonus of \$10,000 which is typically provided by the Town to long term management employees.

Staffing Update: Town Manager Stumpf updated the commission regarding the difficulty the Town has with staffing police officers. She stated we are not keeping up with other towns regarding pay and suggested we raise starting officer salary to \$55,000 to be competitive. She also advised that all non-union salaries have not kept up with inflation. The reported CPI is at 5.4%. These employees have not received any adjustments above the 3%. She is requesting consideration of a 2% across the board increase at this time.

Mayor requested Town Manager to present annual impact of raises to the commission at next meeting.

PUBLIC COMMENTS

There was none.

OTHER BUSINESS

There was none.

PUBLIC HEARING:

1. Ordinance #382- AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 151. ZONING. SECTION 151.576. CONDUCT OF BUSINESS IN DWELLING. TO ENSURE TOWN REGULATIONS FOR HOME-BASED BUSINESSES CONFORM WITH RECENT CHANGES IN STATE LAW; FURTHER AMENDING SECTIONS 151.052 (R1-A), 151.092 (R1-B), 151.132 (R1-C), 151.172 (R1-D), 151.212 (R1-E), 151.252 (R1-F), 151.292 (R2-A), 151.332 (R3-A), 151.372 (R3-B), AND 151.412 (R-C1) TO REVISE APPLICABLE REGULATIONS FOR HOME OFFICES AND OTHER ACCESSORY USES IN TOWN ZONING DISTRICTS IN ACCORDANCE WITH CHANGES IN STATE LAW; ALSO AMENDING CHAPTER 94. NUISANCES. AT SECTION 94.28 (ELECTRICAL INTERFERENCE) AND SECTION 94.31 (LIGHTING CONTROL) TO PROVIDE ADDITIONAL USE STANDARDS FOR ALL TOWN ZONING DISTRICTS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 151. ZONING. AND CHAPTER 94. NUISANCES. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (Second Reading)

Town Attorney read by title.

Vice Mayor Bonutti made a motion to **approve** Ordinance #382 on second reading. Mayor Pro Tem

Satter seconded the vote which passed by the following vote:

YES: Vice Mayor Bonutti, Mayor Pro Tem Satter, Commissioner Siemon, Commissioner Johnstone and Commissioner Deese

Meeting adjourned at 11:22 a.m.

**These minutes were presented to the Town Commission
on Tuesday February 22, 2022 for approval.**

Keith Waters, Mayor

Date Signed

Erika Petersen, Town Clerk

Date Signed