



**Town Commission Meeting**  
**Tuesday July 26, 2022, at 10:00 a.m.**

**IN ATTENDANCE**

TOWN COMMISSION		TOWN STAFF	
Keith Waters, Mayor	√	Linda Stumpf, Town Manager	√
Stewart Satter, Vice Mayor	√	Carmen Mattox, Chief of Police	√
Richard Granara, Mayor Pro Tem	X	Erika Petersen, Town Clerk	√
Hank Siemon, Commissioner	√	Keith Davis, Town Attorney	√
Chauncey Johnstone, Commissioner	√	Brent Watson, Water Plant Superintendent	√
John Deese, Commissioner	√		
Aileen Carlucci, Commissioner	<b>Zoom</b>		

**PUBLIC:** Jagbir Singh (1890 & 1900 South Ocean Blvd), Peter Papadopoulos, Yardley Appleby (400 South Ocean Bld #202A), William Stoddard (Engineer), John Olson (Landscape Architect), John Lang (Landscape Architect), Mark Higgs (PBCOE), Craig Tulepan (Kitson Partners), Tony Mauro (Contractor), Nicolbe Hernandez, Dibin George and Larry Barszweski (Coastal Star)

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**

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

**CONSENT AGENDA:**

- 1. Minutes April 26, 2022 Town Commission Meeting**
- 2. Police Department Report and Fire/Rescue Response Time Report for April, May & June**
- 3. Paver Agreement 25 Audubon Causeway**
- 4. Paver Agreement 1 Loggerhead Lane**
- 5. Disaster Recovery and Monitoring Service Agreements**

Commissioner Johnstone asked if Bird Island was owned by the former Ziff Estate. Chief Mattox answered in the affirmative and explained that the police department performs marine patrol on the weekends with no problems.

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

**YES:** Vice Mayor Satter, Commissioner Siemon, Commissioner Johnstone, Commissioner Deese and Commissioner Carlucci

**REGULAR AGENDA: \*Quasi-Judicial Hearing**

**RA.1 \*SE 22-3 – 250 South Ocean Blvd.:**

MSKP Plaza Del Mar LLC seeks the Town Commission's approval for a special exception use to modify the existing suite numbers 205, 210, 211, 214A and 214 B by completely removing all interior features and utilities to create one large suite and by recessing the exterior facades of these suites, all to make one single suite and provide space for future outdoor seating pursuant to Sections 151.453(F), Town Code. Craig Tulepan from Kitson Partners presented.

Mayor Waters asked if this would be approving outdoor space, Town Attorney Davis responded this approval would just be for the use, the actual aesthetics will be reviewed by ARCOM. There was discussion amongst the Commissioners regarding other precedents for outdoor seating in the plaza.

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

**YES:** Vice Mayor Satter, Commissioner Siemon, Commissioner Johnstone, Commissioner Deese and Commissioner Carlucci

**RA.2 \*SE 22-4 – 1900 South Ocean Blvd.:**

Jagbir & Sarla Singh seek the Town Commission's approval for a special exception use to construct a pedestrian passageway under South Ocean Boulevard (Florida Highway A1A) pursuant to Sections 151.093(F) and 151.581, Town Code. Peter Papadopoulos from Smith & Moore Architects & John Lang from Lang Design Group presented.

Vice Mayor Satter asked the architect why they are including a bulkhead on both ends, Mr. Papadopoulos responded he did not know the reason for the design of that.

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

**YES:** Vice Mayor Satter, Commissioner Siemon, Commissioner Johnstone, Commissioner Deese and Commissioner Carlucci

**RA.3 \*SE 22-5 – 1900 South Ocean Blvd.:**

Jagbir & Sarla Singh seek the Town Commission's approval for a special exception use to construct a beach house on the east side of South Ocean Boulevard (Florida Highway A1A) pursuant to Sections 151.093(B), Town Code. Peter Papadopoulos from Smith & Moore Architects & John Lang from Lang Design Group presented.

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

**YES:** Vice Mayor Satter, Commissioner Siemon, Commissioner Johnstone, Commissioner Deese and Commissioner Carlucci

**RA.4 \*SE 22-6 – 1890 South Ocean Blvd.:**

Jagbir & Sarla Singh seek the Town Commission’s approval for a special exception use to construct a pedestrian passageway under South Ocean Boulevard (Florida Highway A1A) pursuant to Sections 151.093(F) and 151.581, Town Code. William Stoddard from Schulke, Bittle & Stoddard presented.

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

**YES:** Vice Mayor Satter, Commissioner Siemon, Commissioner Johnstone, Commissioner Deese and Commissioner Carlucci

**RA.5 \*VAR 22-4 – 1400 Lands End Road:**

Michael J. McCormack & Elizabeth A. Martin seek the Town Commission’s approval for a variance to construct a garage with street facing doors where Town Zoning Code Sec. 151.181 prohibits garage doors from facing the street. The homeowner, Michael McCormack and John Olson from Spalding & Olson presented.

Mayor Waters suggested they install as much landscaping as possible to keep the garage doors camouflaged on the northern end. Vice Mayor Satter agreed.

Commissioner Johnstone asked if this would be setting a precedent which Town Attorney Davis indicated that no variance approval can be “precedent setting.”

Town Manager Stumpf indicated there was an email from a resident in opposition to the variance request.

Vice Mayor Satter made a motion to **approve** the variance request. Commissioner Siemon seconded the motion which prevailed by the following vote:

**YES:** Vice Mayor Satter, Commissioner Siemon, Commissioner Johnstone, Commissioner Deese and Commissioner Carlucci

**RA.6 Permit Extension – 1140 South Ocean Blvd.:**

The homeowner, Mark Sherman, asked to extend Permit #8028 to August 18, 2024.

Town Manager Stumpf gave a history of the project. Mayor Waters commented that five years under construction was untenable, and it was not his inclination to grant an extension. Town Manager Stumpf suggested they apply for a new permit or pay the permit fee to extend. Tom Mauro from Mauro Brothers Construction presented the request.

There was discussion amongst the Commissioners about how much longer it could take to finish construction.

Vice Mayor Satter made a motion to grant the 18-month extension with the full permit fee due.

Mr. Mauro commented it would be smarter for his client to just pull a new permit and have 2 years for construction. Therefore, he withdrew the permit extension request.

#### **RA.7 Set Tentative Millage Rate & set time, date and place for 1<sup>st</sup> Budget Hearing**

The purpose of this agenda item is to set the **TENTATIVE** rate for 2022/2023 which will be used for budget planning purposes. The tentative millage rate must be set in July according to Florida Statute. The **FINAL** millage rate is considered and set at the two public hearings in September. The tentative millage set in July has historically been set higher than the current millage rate and lowered in September. However, it cannot be raised in September. This provides flexibility to the Commission and accommodates any unforeseen changes that might occur between July and September. Town Manager Stumpf recommended a millage rate reduction to 3.000 and the first Budget Hearing set for September 16<sup>th</sup> at 5:01 p.m.

Commissioner Deese made a motion to **approve** a tentative millage rate of 3.000 and the Budget Hearings on September 16, 2022 and September 27, 2022 at 5:01 p.m.

Commissioner Deese made a motion to **approve** the Tentative millage rate. Commissioner Siemon seconded the motion which prevailed by the following vote:

**YES:** Vice Mayor Satter, Commissioner Siemon, Commissioner Johnstone, Commissioner Deese and Commissioner Carlucci

#### **RA. 8 Town Manager Stumpf's Report**

**Code Enforcement:** Town Manager Stumpf explained we would be sending out friendly notices regarding dirty roofs.

**COVID Update:** She stated the numbers are picking up again. The Florida Department of Health is updating their numbers every two weeks now. For the week 7/08/2022 – 7/14/2022 there were 419,962 positive cases with a 27.4% positivity rate in the state. 875 new people were vaccinated in Palm Beach County in the last week. New case positivity in Palm Beach County was up to 20.9% with 4,533 new individuals testing positive.

**Bollards at Gate House:** Town Manager Stumpf directed the Commissioners to their packets which included an image and color selection of the proposed bollard at the Gate House to be installed on the north west side.

Mayor Waters asked the Town Manager why there wasn't one proposed on the south east side as well. She explained that it wasn't requested in that location but one could be installed there as well. It was decided two would be installed catty-corner to each other.

**Intracoastal Crossing Update:** Town Manager Stumpf informed the Commission that pressure testing would occur the following week. Mock Roos intended to review the formal test before it is to be hooked up to the main. Town Manager Stumpf indicated she was happy with the contractor thus far as and how quickly the work was progressing.

**Sanitation Department:** Town Manager Stumpf stated she had been in touch with Mr. Burgess, and he was recuperating. She explained that when he is ready and medically cleared to come back to work he will be driving the truck while the three new hires continue to empty the waste.

**Tunnels:** Town Manager Stumpf explained that Pedestrian Tunnels are currently required to come before Town Commission for a special exception and then must seek ARCOM approval. She recommended that they only receive special exception approval as the Architectural Commission reviews very little exterior aesthetics due to the majority of the work being subterranean.

Vice Mayor Satter made a motion to direct Town Attorney Davis to draft an ordinance removing the requirement for Pedestrian Passageways/Tunnels from going to ARCOM for approval. Commissioner Siemon seconded the motion which prevailed by the following vote:

**YES:** Vice Mayor Satter, Commissioner Siemon, Commissioner Johnstone, Commissioner Deese and Commissioner Carlucci

**PUBLIC COMMENTS**

There was none.

**OTHER BUSINESS**

There was none.

**PUBLIC HEARING:**

**1. Ordinance #386 (LPA) - AN ORDINANCE AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 151. ZONING. SECTION 151.568. SPECIAL EXCEPTION USES. AND AT SECTION 151.671 SPECIAL EXCEPTIONS AND VARIANCES; PUBLIC HEARINGS AND PROCEDURES. TO EXTEND THOSE TIMEFRAMES FOR COMMENCING AND COMPLETING WORK AUTHORIZED UNDER A TOWN-APPROVED SPECIAL EXCEPTION OR VARIANCE. (Second Reading)**


**Town Attorney read by title.**

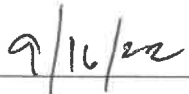
Vice Mayor Satter made a motion to **recommend approval** of Ordinance #386 to the Town Commission on second reading. Commissioner Johnstone seconded the motion which passed by the following vote:


**YES:** Vice Mayor Satter, Commissioner Siemon, Commissioner Johnstone, Commissioner Deese and Commissioner Carlucci

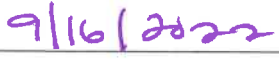
Meeting adjourned at 11:05 a.m.

**These minutes were presented to the Town Commission  
on Tuesday September 16, 2022 for approval.**

  
\_\_\_\_\_  
Keith Waters, Mayor

  
\_\_\_\_\_  
Date Signed

  
\_\_\_\_\_  
Erika Petersen, Town Clerk

  
\_\_\_\_\_  
Date Signed