



Town Commission Meeting
Tuesday April 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	Erika Petersen, Town Clerk
Hank Siemon, Commissioner	Keith Davis, Town Attorney
Chauncey Johnstone, Commissioner	Matthew Pritchett, Ass't. Town Attorney
John Deese, Commissioner	Brent Watson, Water Plant Superintendent
Aileen Carlucci, Commissioner	

PUBLIC: Sharon & Bob Kirkland (30 Spoonbill), Jerry & Marilyn Jacobson (1520 Lands End), [REDACTED], [REDACTED] Gerald Kagan (Architect), Evelyn DuPlecy, Senator Lori Berman, Jean & Mark Cohen (25 Audubon), Louis & Helen Nicozisis (120 Spoonbill), and Larry Barszweski (Coastal Star)

CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

SPECIAL PRESENTATION:

Florida Senator Lori Berman addressed the Commission and provided them with a Legislative Update.

CONSENT AGENDA:

- 1. Minutes March 22, 2022 Town Commission Meeting**
- 2. Police Department Report and Fire/Rescue Response Time Report for March**

Mayor Waters had a question for the Chief regarding the guardhouse security mentioned in his report. The Mayor made the suggestion to add traffic stopping bollards to keep the individual working safe from an oncoming vehicle. Town Manager Stumpf responded that the Town is currently researching options.

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

YES: Vice Mayor Satter, Mayor Pro Tem Granara, Commissioner Siemon, Commissioner Johnstone, and Commissioner Carlucci

REGULAR AGENDA:

RA.1 Permit Extensions:

A) 115 Spoonbill Road – [REDACTED] asked to extend Permit #7979 to December 31, 2022

Town Manager Stumpf introduced the agenda item and [REDACTED] gave an overview of their request regarding their extenuating circumstances as to why they need an extension.

Mayor Waters recommended they focus on finishing the exterior and he recommended leniency due to their circumstances.

Mayor Waters, Vice Mayor Satter, Mayor Pro Tem Granara and Commissioner Johnstone all made comments regarding the need for the Town to have a consistent administrative procedure for granting extensions and a clear fee schedule to accompany that.

Vice Mayor Satter made a motion to **approve** the Permit Extension to December 31, 2022. Commissioner Siemon seconded the motion which prevailed by the following vote:

YES: Vice Mayor Satter, Mayor Pro Tem Granara, Commissioner Siemon, Commissioner Johnstone, and Commissioner Carlucci

B) 1685 Lands End Road – Carmelo Giuffre asked to extend Permit #8004 to November 22, 2022

Town Manager Stumpf introduced the agenda item and Gerald Kagan, the architect, gave an overview of their request regarding their extenuating circumstances as to why they need a six-month extension.

Vice Mayor Satter made a motion to **approve** the Permit Extension to November 22, 2022. Commissioner Siemon seconded the motion which prevailed by the following vote:

YES: Vice Mayor Satter, Mayor Pro Tem Granara, Commissioner Siemon, Commissioner Johnstone, and Commissioner Carlucci

RA. 2 Town Manager Stumpf's Report

Code Enforcement: Town Manager Stumpf directed the Commissioners to refer to the updated Case Log included in their packets. She stated the Town continues to be proactive with enforcement.

COVID Update: She stated the numbers are picking up again. The department of Health is updating their numbers every two weeks now and the latest stats include 76% of the eligible population was vaccinated. There

were 370,619 positive cases with an 25.3% positivity rate in the state. 455 new people were vaccinated in Palm Beach County in the last week. New case positivity in Palm Beach County was up at 7.9% from the previous 2.6%.

Intracoastal Crossing Update: Town Manager Stumpf explained Mayor Pro Tem Granara has volunteered to be onsite for meetings which has proved helpful for the Town. She went on to explain the property owner, Commissioner Siemon, has been cooperative with allowing 10 feet of space for construction in addition to the easement on his property for the intracoastal equipment staging to take place. She explained the Town will allow them to park three vehicles in front of the green construction fence for the approximately eight weeks that the work will take up the rest of their viable parking areas. The installation of Commissioner Siemon's septic system installation and driveway have been postponed due to the intracoastal construction on his site, therefore Town Manager Stumpf explained it would be likely that he may require a permit extension. Mayor Waters stated that since we anticipate this delay to Commissioner Siemon's construction timeline as a result of the intracoastal crossing project, the Town may have different requirements for extending his permit.

Mayor Pro Tem Granara wanted to update the Commission on the biggest issues to the project currently are the constriction of space on the job site and supply chain issues and delays in acquiring materials. He noted these items will hopefully not affect the timeline.

Town Manager Stumpf explained some properties on South Ocean Boulevard will have limited to no access to their west of A1A parking areas for a time during construction. She told the Commission we will be notifying all of the affected properties as we get closer. The work may also need to take place after hours or some other exceptions in an effort to have the least impact on the schedule and the neighboring properties.

Sidewalks: Town Manager Stumpf explained there was a consideration given to moving the sidewalk at 25 Audubon Causeway on the Curlew Road side. She stated the Town decided not to relocate it however the sidewalk is four inches into the homeowner's property. The retaining wall will now be located 2'-4" away from the sidewalk. The Mayor asked Town Attorney Davis if the Town should write something up to preclude the homeowner from being liable for anything happening on our sidewalk. Town Manager Stumpf mentioned she had already spoke to the Town Attorney and the property owner about an easement agreement.

Building Department Portal: Town Manager Stumpf explained the Town is required to make the permitting process accessible online due to State of Florida regulations. We have started the process with a Building Portal company recommended to us by our plans review contractor. She stated the Portal should streamline our process and would be up and running within a few months.

Natural Gas: Town Manager Stumpf mentioned that Commissioner Deese couldn't make it to this meeting but he had asked her if they could start a discussion on natural gas and buried electrical lines. Mayor Pro Tem Granara stated he had done historical research into these infrastructure updates and there were a few items the Town should look at. First priority would be sewer for the long-term issues that will arise. He stated the Town's communication infrastructure is aging and should be considered. He then explained he didn't get the impression there was strong support for buried gas lines as many people utilize propane tanks and various services. Lastly, he stated that the Town has electrical lines underground currently, however there are some pieces that are above

ground. He explained it would be very expensive to bury these and there would still be the issue that the lines have to come above ground at the guard shack to tie into Lantana's overhead system. Therefore, this initiative would be for aesthetics since our feed from Lantana will stay overhead until they decide to bury them. He suggested for aesthetics the Town could convert the existing aluminum poles to concrete, which could also help harden them.

Town Manager Stumpf reminded the Commission we are already working on a new Sewer study, Mayor Waters asked about the status of that report and she replied they had requested additional information but she anticipated having something for the next commission meeting.

Town Manager Stumpf stated there was overwhelming objection to bringing in gas lines on the Point. The Mayor suggested gas lines needed to be brought in at least from the guard house to the library to fuel the generators. Town Manager Stumpf explained our current generators cannot support natural gas and we would have to purchase new ones to do that. She said she could get pricing for that. The Mayor said we should continue this conversation later as it is an important issue.

Lastly, Town Manager Stumpf mentioned she needs to get all of the Commissioner's summer schedule so she can plan our June and July budget meetings and workshops.

PUBLIC COMMENTS

There was none.

OTHER BUSINESS

There was none.

PUBLIC HEARING:

1. Ordinance #383 (LPA) - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 72. VEHICLE PARKING REGULATIONS. BY CREATING AN ENTIRELY NEW SECTION 72.03. PARKING ENCROACHMENTS. TO ESTABLISH PROHIBITIONS FOR THE PLACEMENT OF PARKING ENCROACHMENT MARKERS ON STREETS, RIGHTS-OF-WAY, AND DRIVEWAYS WITHIN THE TOWN; FURTHER AMENDING CHAPTER 72 AT SECTION 72.02. PUBLIC STREETS, RIGHTS-OF-WAY AND SWALES. TO PROVIDE FOR CONSISTENT PARKING REGULATIONS FOR VEHICLES AT CONSTRUCTION SITES; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 72. VEHICLE PARKING REGULATIONS. 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. Town Manager Stumpf read aloud an email she received from Dr. Coffman (1725 Lands End Rd) in favor of this ordinance with additional suggestions of having the markers no further than 10 feet apart and one foot away from the pavement.

The Mayor agreed with the additional language of keep the markers one foot away from the pavement, he asked Attorney Davis if we could add that language and Attorney Davis replied we would have to do another reading. The Mayor suggested we approve the ordinance as-is and amend it later since it had already been advertised. Attorney Davis explained we would have to do two readings again if they adopted it and then amended it.

Jerry Jacobson (1520 Lands End Rd) spoke from the public regarding this ordinance. He stated they get a lot of construction related traffic and parking problems at their residence and objected to the construction markers limitations being discussed.

Vice Mayor Satter made a motion to **recommend approval** of Ordinance #383 to the Town Commission on second reading. Mayor Pro Tem Granara seconded the motion which passed by the following vote:

YES: Vice Mayor Satter, Mayor Pro Tem Granara, Commissioner Siemon, Commissioner Johnstone, and Commissioner Carlucci

2. Ordinance #384 - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 32. DEPARTMENTS, BOARDS AND COMMISSIONS. BY CREATING AN ENTIRELY NEW SECTION 32.11. LIEN REDUCTION REQUEST PROCEDURES. TO ESTABLISH PROCEDURES FOR THE APPLICATION AND REDUCTION OF CODE ENFORCEMENT LIENS AND FINES ASSESSED BY THE TOWN; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 32. DEPARTMENTS, BOARDS AND COMMISSIONS. 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 Satter made a motion to **approve** Ordinance #384 on second reading. Commissioner Siemon seconded the vote which passed by the following vote:

YES: Vice Mayor Satter, Mayor Pro Tem Granara, Commissioner Siemon, Commissioner Johnstone, and Commissioner Carlucci

3. Ordinance #385 (LPA) - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 151. ZONING. SECTION 151.003. DEFINITIONS. TO REVISE THE DEFINITION FOR "SUB-BASEMENT (SUB-CELLAR)" TO REDUCE THE HEIGHT REQUIREMENT FOR UNDERGROUND PARKING FACILITIES AS NECESSARY; FURTHER AMENDING CHAPTER 151 AT SECTION 151.565. UTILIZATION OF YARDS. TO REVISE THOSE ALLOWABLE ROOF MATERIALS FOR UNDERGROUND PARKING FACILITIES WITHIN THE TOWN; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 151. ZONING. 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 Satter made a motion to **recommend approval** of Ordinance #385 to the Town Commission on second reading. Commissioner Johnstone seconded the motion which passed by the following vote:

YES: Vice Mayor Satter, Mayor Pro Tem Granara, Commissioner Siemon, Commissioner Johnstone, and Commissioner Carlucci

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. (First Reading)

Town Attorney read by title.

Vice Mayor Satter made a motion to **recommend approval** of Ordinance #386 to the Town Commission on first reading. Mayor Pro Tem Granara seconded the motion which passed by the following vote:

YES: Vice Mayor Satter, Mayor Pro Tem Granara, Commissioner Siemon, Commissioner Johnstone, and Commissioner Carlucci

Meeting adjourned at 11:23 a.m.

**These minutes were presented to the Town Commission
on Tuesday May 24, 2022 for approval.**

Keith Waters, Mayor

Date Signed

Erika Petersen, Town Clerk

Date Signed