

**TOWN OF PALM BEACH SHORES, FLORIDA
REGULAR COMMISSION MEETING MINUTES
June 28, 2021**

**THIS MEETING WAS CONDUCTED USING COMMUNICATION MEDIA TECHNOLOGY
AS WELL AS LIMITED IN-PERSON PARTICIPATION**

1. CALL TO ORDER

Mayor Fiers called the meeting to order at 7:00 pm. The meeting was held at Town Hall located at 247 Edwards Lane, Palm Beach Shores, FL 33404, and he welcomed back those who had come "in person" to the meeting.

Town Clerk Browning called the roll and those present were Mayor Alan Fiers, Vice Mayor Scott McCranel, Commissioner Tracy Larcher, Commissioner Janet Kortenhaus, and Commissioner Brian Tyler.
Also, present were PBSO Sgt. Langevin, Fire Chief Trevor Steedman, Town Administrator Wendy Wells, and Town Attorney Mitty Barnard. Public Works Director Alan Welch was not present. Town Clerk Browning confirmed there was a quorum present.

2. APPROVAL OF MEETING AGENDA (Additions, substitutions, deletions)

- a. Commissioner Brian Tyler asked to have the Non-resident beach passes be added to the Commission under Other Business, Item 8b.
- b. Town Staff asked to add Special Event Permit No. 0-6-03, submitted by the Sailfish Marina for the "Big Dog/Fat Cat" Fishing Tournament to be held on July 8, 2021, to July 20, 2021, with 300 attendees to tonight's agenda under "Other Business, Item 8c."
- c. Town Staff asked to have Ordinance O-2-21 removed from the agenda.

MOTION: Commissioner Brian Tyler moved to approve the Meeting Agenda as amended to Add Special Event Permit No. O-6-03 and to remove Ordinance O-2-21.

SECOND: Vice Mayor McCranel seconded the motion.

VOTE:

Fiers:	YES
McCranel:	YES
Kortenhaus:	YES
Larcher:	YES
Tyler:	YES

The Motion Passed Unanimously

3. APPROVAL OF CONSENT AGENDA

- a. May 24, 2021, Commission Meeting Minutes.
- b. Approval of Special Event Permit 0-6-01 for Dustin Schmitt, 71 S. Ocean Ave, Palm Beach Shores, to host a wedding on the second floor of the Town's Community Center on October 8, 2021, from 9:00 am to 2:00 pm with 50 to 60 attendees. All fees have been paid.

- c. Approval of Special Event Permit 0-6-02 for Susan Kincade, 120 Inlet Way, Apt. 307, to host a wedding reception on the 2nd floor of the Town's Community Center on April 30, 2022, with 120 attendees from 12:00 noon to 11:00 pm. All fees have been paid.

MOTION: Commissioner Janet Kortenhuis moved to approve the Consent Agenda as amended with the condition that the Sailfish Marina provide their updated insurance before the event.

SECOND: Commissioner Tracy Larcher seconded the motion.

VOTE:

Fiers:	YES
McCranels:	YES
Kortenhuis:	YES
Larcher:	YES
Tyler:	YES

The Motion Passed Unanimously

4. PRESENTATIONS

- a. Badge Pinning for Firefighter/Paramedic Lancier Castro (*Fire Chief Trevor Steedman*)
- b. Beach Cabanas: Michael Novatka, Oceanside Beach Service
After much discussion, Mayor Fiers stated this item needs to be tabled and discussed in greater detail at the next Commission Workshop.

MOTION: Vice Mayor McCranels moved to table the item as requested and be added to the next Commission Workshop.

SECOND: Commissioner McCranels seconded the motion.

VOTE:

Fiers:	YES
McCranels:	YES
Kortenhuis:	YES
Larcher:	YES
Tyler:	YES

The Motion Passed Unanimously

5. PUBLIC HEARINGS:

- a. **VAR21-01**, 115 Cascade Lane, LLC, owner of 115 Cascade Lane, requests Variances from: 1) Pf. 6.9(b) to allow for required parking spaces to be located in the 10' Town Strip where such parking is not allowed; 2) Pf. 6.12 to allow the 10' Town Strip to be used for required parking spaces where the Code does not allow parking to be counted in the 10' Town Strip; 3) Sec. 78-72(b) to allow the parking lot to be visible where the Code requires it to be effectively screened from public view and adjacent property; and 4) Sec. 78-73(1) to allow zero feet of landscaping abutting the right-of-way and the off-street parking where the Code requires a strip of land 5 feet in depth between the right-of-way and off-street parking area.

MOTION No. 1: Commissioner Larcher moved to deny the variance as he felt they failed to prove criteria, a, b, c and f, as stated in the Town's Code.

The Motion died for lack of a second.

MOTION No. 2: Commissioner Kortenhaus moved to approve the 4 variance requests as presented.

SECOND: Vice Mayor McCranel seconded the motion

VOTE:

Fiers:	NO
McCranel:	YES
Kortenhaus:	YES
Larcher:	NO
Tyler:	YES

The Motion Passed 3 to 2.

6. **DEPARTMENT AND BOARD REPORTS**

a. Approval of Financial Report for May 2021.

(Wendy Wells, Town Administrator/Treasurer)

MOTION: Commissioner Tyler moved to approve the Financial Statement as presented.

SECOND: Vice Mayor McCranel seconded the motion.

VOTE:

Fiers:	YES
McCranel:	YES
Kortenhaus:	YES
Larcher:	YES
Tyler:	YES

The Motion Passed Unanimously

b. Staff Reports were given by Sgt. Langevin with the PBSO, Fire Chief Steedman. Mayor Fiers gave an update on the Public Works department as Director Welch was on vacation.

7. **COMMISSION REPORTS**

Mayor Fiers gave an update on Riviera Beach's repairs to the Town's water mains on Lake and Inlet. Comcast is working on their lines and hopefully lines will be removed after July 6th. AT&T is still testing all of their 400 outlets before they will be able to offer service.

8. **OTHER BUSINESS**

a. Discussion: Golf Carts

After much discussion, it was decided that the Town needs a Resolution or Ordinance to clarify any legal issues this would cause. Town Attorney Barnard will get with Attorney Davis and provide options at the upcoming workshop and/or Commission Meeting.

b. *(Added by motion and vote)* Commissioner Brian Tyler asked to have the Non-resident beach passes be added to the Commission under Other Business.

After discussion, it was suggested to increase the annual amount for non-resident beach passes from \$200/year to \$350/year, effective immediately. Mayor Fiers called for a motion and vote:

MOTION: Vice Mayor McCranel moved to issue 40 non-resident beach passes for \$350/year effective July 1, 2021

SECOND: Commissioner Tyler seconded the motion.

VOTE:

Fiers:	YES
McCranel:	YES
Kortenhaus:	YES
Larcher:	YES
Tyler:	YES

The Motion Passed Unanimously

c. *(Added by motion and vote)* Approval of Special Event Permit No. 0-6-03, submitted by the Sailfish Marina for the "Big Dog/Fat Cat" Fishing Tournament to be held on July 8, 2021, to July 20, 2021, with 300 attendees anticipated. All fees have been paid, but the proof of insurance needs to be provided before the event.

MOTION: Commissioner Tyler moved to approve Special Event No. 0-6-21 for the Sailfish Marina's Big Dog/Fat Cat Fishing Tournament and to provide proof of the insurance as required before the start of the event.

SECOND: Vice Mayor McCranel's seconded the motion.

VOTE:

Fiers:	YES
McCranel's:	YES
Kortenhuis:	YES
Larcher:	YES
Tyler:	YES

The Motion Passed Unanimously

9. **ORDINANCES AND RESOLUTIONS**

a. **Ordinance O-1-21:** (Gate Heights)

"AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING APPENDIX A. ZONING. SECTION IX. WALLS, FENCES AND HEDGES. AT PF. 9.2. LIMITATIONS. TO REVISE THE HEIGHT LIMITATIONS FOR GATES AND GATE POSTS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF APPENDIX A. 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." **(First Reading)**

MOTION: Vice Mayor McCranel's moved to approve the first reading of Ordinance O-1-21

SECOND: Commissioner Kortenhuis seconded the motion.

VOTE:

Fiers:	YES
McCranel's:	YES
Kortenhuis:	YES
Larcher:	YES
Tyler:	YES

The Motion Passed Unanimously

b. **Ordinance O-3-21:** (Emergency Generators)

"AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING APPENDIX A. ZONING. SECTION XII. GENERAL PROVISIONS. AT PF.12.7. CENTRAL AIR CONDITIONING EQUIPMENT. TO CLARIFY THE PERMISSIBLE LOCATION OF SUCH EQUIPMENT AND AT PF.12.8. EMERGENCY ELECTRICAL GENERATORS. TO CLARIFY THE LOCATION OF SUCH EQUIPMENT AND PROVIDE ADDITIONAL REGULATIONS TO MINIMIZE THE IMPACT OF THIS EQUIPMENT TO ADJACENT PROPERTIES. PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF APPENDIX A. 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." **(First Reading)** **MOTION AND VOTE ON NEXT PAGE**

MOTION: Commissioner Tyler moved to approve the first reading of Ordinance O-3-21

SECOND: Commissioner Larcher seconded the motion.

VOTE:

Fiers:	YES
McCranels:	YES
Kortenhau:	YES
Larcher:	YES
Tyler:	YES

The Motion Passed Unanimously

c. **Ordinance O-2-21:** (Police Impact Fees)

"AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 28. FINANCE. AT ARTICLE III. IMPACT FEES. BY REPEALING ALL PROVISIONS RELATED TO THE FUTURE COLLECTION OF TOWN POLICE PROTECTION IMPACT FEES; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 28. FINANCE. 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. " **(THIS ITEM WAS REMOVED FROM THE AGENDA AND WILL BE ON THE NEXT AGENDA FOR "SECOND READING" AND ADOPTION)**

10. PUBLIC COMMENTS

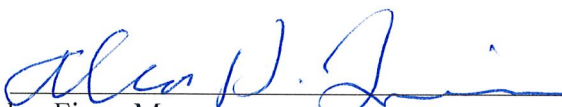
There were no additional public Comments.

11. ADJOURNMENT

Mayor Fiers adjourned the Meeting at 9:28 pm.

Approved this 25 day of July 2021.

Attest:


Alan Fiers, Mayor


Evyonne Browning, Town Clerk

(Seal)

