

Monday, October 24, 2022, at 7:00 pm



Town Hall Commission Chambers  
247 Edwards Lane  
Palm Beach Shores, FL 33404

Mayor Alan Fiers  
Vice Mayor Scott McCrannels

Commissioner Tracy Larcher  
Commissioner Janet Kortenhaus  
Commissioner Brian Tyler

Keith Davis Town Attorney  
Town Administrator Wendy Wells  
Town Clerk Jude M. Goudreau

### Minutes

#### CALL TO ORDER

Mayor Fiers called the meeting to order at 7:00 pm. Those present were Mayor Alan Fiers, Vice Mayor Scott McCrannels, Commissioner Janet Kortenhaus, Commissioner Tracy Larcher, Commissioner Brian Tyler, and Town Administrator Wendy Wells. Also in attendance were: PBSO Sgt. Steve Langevin, Public Works Director Alan Welch, and Town Attorney Keith Davis.

#### APPROVAL OF MEETING AGENDA

**Motion:** Commissioner Brian Tyler made a motion to approve the meeting agenda as amended by striking the FIND grant under other business and adding an update on the Inlet Encroachment Plan and Action under other business.

**Second:** Commissioner Janet Kortenhaus seconded the Motion.

**Vote:** Motion passed 5-0

#### APPROVAL OF CONSENT AGENDA

- a) Commission Meeting Minutes, September 26, 2022
- b) Final Budget Hearing Minutes, September 26, 2022.
- c) Approve Special Event – Permit 22-06. Turkey Trot Run- November 24, 2022. Hosted by The Marriott. Approximately 150 people are attending.
- d) Approve Special Event- Permit 22-07. Reindeer Run- December 24, 2022. Hosted by The Marriott. Approximately 130 people attending.
- e) Approve Special Event Permit 22-11. Private Birthday Party. Hosted by Frances Ortega-Rakley. Approximately 70-100 People are attending.

**Discussion:** Commission asked PBSO Sgt. Langevin to ensure they know the possible route change because of the water main project.

**Motion:** Commissioner Janet Kortenhaus made a motion to approve the Consent Agenda.

**Second:** Vice Mayor McCrannels seconded the Motion.

**Vote:** Motion passed 5-0

#### DEPARTMENT AND BOARD REPORTS

**Financial Reports:** Town Administrator Wendy Wells presented the Financial Report for the Month of September 2022. Mrs. Wells said the Fiscal Year ended on September 30, 2022, and she is working on closing the Fiscal Year. The final numbers will be available in November for the Fiscal year. Commissioner Tyler asked if the money from the Building Department would be deferred revenue. Mrs. Wells as many expenditures that can be allocated to it will be.

**Motion:** Commissioner Tracy Larcher made a motion to approve the Financial Report.

**Second:** Commissioner Brian Tyler seconded the Motion.

**Vote:** Motion Passed 5-0.



## Staff Reports:

- **Sheriff's Department:** PBSO Sgt. Steve Langevin recapped his monthly report and statistics and elaborated on the arrests and crimes deputies have responded to. Deputies will hand out candy on October 31, 2022, for the Trunk and Treat. There will also be a "Conversation with a Cop" on November 10, 2022; Deputies will be on hand, along with the Sheriff's horses, therapy dogs, and staff. The Sailfish Marina and Marriott will provide donuts and refreshments. Sgt. Langevin also commented on a recent crime that happened in the 100 block of Inlet Way; he said that while reviewing the camera system, they observed fishermen violating wildlife laws, and as a result, they invited FWC to come and enforce those laws and a total of eighty-two violations were written. There was a lengthy discussion with Commissioners regarding traffic and method of travel during the water main project. There are extra deputies enforcing traffic laws. Commission asked Sgt. Langevin how to get Riviera Beach to cooperate and enforce traffic at Lake and Blue Heron with motorists ignoring the barricades. Sgt. Langevin said it's not something they can enforce without causing a negative relationship with them. The Contractor for the water main project needs to submit a new MOT and remove the signs.
- **Fire Department:** Chief Steedman said that the Town recently went to a private company for plan review and fire inspections, the Town previously used PBCFR. The Chief and the new Inspector were able to go through the previous inspection reports for the past five years that PBCFR has relinquished; he was also able to go on-site with the new Inspector. CAP Government has an online software system that the Chief has access to; it allows him to review and approve plans and time stamp them. He feels the new alignment with CAP will be very positive and thanked the Commissioners for supporting the change. PBSFD will be hosting two in-service training classes in November; one will be about elevator rescue and will be held at the Community Center; the elevator will not be used for the training class. The second training class will be for Driver/Engineer, which helps with liability for the Town in the event of an unfortunate incident involving fire apparatus. The Chief also gave an update and review of the monthly statistics. In conclusion, the Chief said to save the date of March 11, 2022, St. Patrick's Day Parade. Chief Steedman answered Commissioner's questions.
- **Public Works:** Director Welch reiterated his monthly report and updated current projects. Mr. Welch gave an update on the Canopy project at the Community Center and the restroom restorations at the Community Center, and he is working on an RFP for Lawn Services; the current company is having trouble showing up and doing an adequate job. A termination letter has been sent to Brightview, and he has not received a response. He also sent a termination letter for tree trimming services. The palm tree coconuts were dangerous, and the decision was made to hire a company for immediate trimming for the public's safety. Mr. Welch said he had received much feedback about the manhole covers; he is aware that they are noisy when you drive over them, but they impose no danger. Director Welch updated the tidal valve project on Tacoma Lane; they are waiting for the lining material, which comes from Germany; as soon as the material is available, they can move forward with the project as soon as the water main project is complete. Director Welch said that he and the Mayor have been trying to work with the Contractor and the City of Riviera Beach on the traffic and, more specifically, the detours for the water main project. Director Welch has been working with them to keep the roads open at night when the crews leave. They should be opening Lake and Blue Heron by late November. Mr. Welch answered Commissioner's questions.
- **Town Clerk:** The Town Clerk reported that the March 14, 2023, Municipal Election Qualifying period will begin on November 1, 2022, at Noon and continue until November 18, 2022, at Noon.



Candidate Packets will be available on October 28, 2022. There are two seats up for re-election this year, Commissioner Tracy Larcher and Commissioner Janet Kortenhaus.

- **Town Attorney:** Mr. Davis had no report this month.
- **Planning and Zoning Chairman:** Chairman Cohn presented pictures to the Commissioners of parking issues on Ocean Avenue and said the Planning and Zoning Board discussed the parking situation at their last meeting. The Board would like to see PBSO provide more enforcement for traffic and parking. The Board suggests the Town work with property owners to correct the situation, perhaps by suggesting or even future implementation of diagonal parking. The Board also proposes flashing stop signs when the road project is completed. Chairman Cohn invited the public to attend the next P&Z Board as there are two large building projects on the agenda.
- **Mayor Fiers:** Mayor Fiers commented that the water main project is a very frustrating project to deal with because the contract is between the City of Riviera Beach and the Contractor, and we don't have a lot of say or control. There are issues with the project being underbid, and change orders are almost doubling the costs; the original price was 1.4 million, and the change orders are 1.8 million, making the relationship between the Contractor and Riviera Beach unpleasant. Riviera Beach controls the project, but he and Director Welch are trying to work with them. The project is going much slower than anticipated; the original plans did not include fire suppression waterlines that are in place for larger buildings, and adding these to the project has been difficult. The underground utility conduit depths also vary, so the Contractor has had to work around this, which is more difficult than anticipated. The good news is that the Contractor has promised to patch and pave Lake Drive to the south of Blossom and open the Lake and Blue Heron intersection. This will substantially improve traffic flow in the Town.
- **Road Repaving Project:** Mayor Fiers said, Once the water main work is completed, we will be repaving all of Lake, Inlet, and Bamboo. We may also have sufficient funds to pave Edwards and Cascade as well. We will pave other east/west lanes if we have sufficient funds. The engineering staff will make the selection of any additional lanes. Before paving, a Vulnerability Assessment is being done to ensure the Town takes all reasonably possible steps to minimize tidal flooding because of seawater rise.
  - AT&T is working on converting the remaining multiple-unit buildings. This needs to be done before the remaining lines can come down; some lines have been removed in the north half of Town. AT&T ran their final 200 feet of conduit in the south half of Town and will begin offering service before mid-November.
  - Port of Palm Beach. Mayor Fiers recently attended a meeting regarding expanding the Port by widening and deepening it. The Port Authority would like to expand the Port and build an inland port someplace in the Glades. This is the second attempt to expand the Port; the first was in 2010, at which time the Town of Palm Beach and the Town of Palm Beach Shores were strongly opposed. There was a brief discussion amongst the Commissioners regarding the extent of the dredging, the type of work required, and the impact it would have on the Town.

### **ORDINANCES:**

#### **Second Reading: ORDINANCE NO. O-6-22**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT APPENDIX A. ZONING. AT SECTION XV. VARIANCES AND SPECIAL EXCEPTIONS. BY REPEALING REFERENDUM LANGUAGE PROHIBITED BY STATE LAW AND UPDATING THE LEGAL ADVERTISING AND PUBLIC NOTICE PROCEDURES FOR ALL VARIANCE AND SPECIAL EXCEPTION APPLICATIONS; 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.

Attorney Keith Davis read by title only Ordinance O-6-22 and provided a brief recap of the Ordinance. Revising the Ordinance will replace older and outdated language prohibited by the State of Florida. The revised Ordinance will make noticing the public for Special Exceptions Requests and Variance Requests simpler and less costly for applicants.

**Motion:** Commissioner Janet Kortenhaus made a motion to approve the Ordinance.

**Second and Vote:** Commissioner Brian Tyler seconded the Motion.

Motion passed 5-0.

#### **OTHER BUSINESS:**

- East Channel FIND Grant Agreement. Mayor Fiers said this item would be returned to the Commissioners in future months; the agreement was not quite ready.
- Recommendations RFQ Engineering Services. Planning and Zoning Chairman Jerry Cohn presented the Selection Committee's recommendation to Commission. There were four submissions; all four were well-qualified and submitted the proper paperwork. Three of the four had previous experience with the Town. The Selection Committee recommends; Simmons and White, Engenuity, and FTC. Attorney Keith Davis explained the process of appointing the firms, and once the decision is voted on, the final agreements will come back to Commission for approval.
- **Motion:** Commissioner Larcher made a motion to accept the recommendations and to appoint all three companies.  
**Second:** Vice Mayor Scott McCranels seconded the Motion. Motion passed 5-0.
- Drainage and Maintenance Agreement - Kannega Glades, LLC and the Town of Palm Beach Shores. Attorney Keith Davis provided an overview of the agreement and explained that the agreement would provide a drainage agreement with Kannega Glades and the Town for irrigation purposes. Kannada Glades would be responsible for installation and repairs.  
Discussion: Commissioners discussed the maintenance and would like additional language added, allowing the Town to have more say when maintenance is needed. Without this agreement, Kannega Glades would have to move forward with their drainage in another way by tying into the existing drainage system. Commission would like to see the elevation and the parking lot agreement before proceeding.  
**Motion:** Commissioner Tyler made a motion to amend the language and have the item brought back before Commission for approval.  
**Second:** Vice Mayor McCranels seconded the Motion. Motion passed 5-0.

#### **DISCUSSION:**

- Inlet Park- Mayor Fiers said that he and Director Welch have started to review the Survey- map. Mayor Fiers, Jerry Cohn, and Alan Welch will go to the inlet before the next Commission Workshop. The items they are considering are the Shuffleboard, the Shed, the electric transformer, and the traffic pattern. The Town will be taking action, which will be discussed at the next Commission Workshop. It will be outlined on the Survey, with a plan of action in place by the end of the year. John Peterson reiterated the Committee's recommendations.

#### **PUBLIC COMMENTS:**



Grace Sterrett commented that the Committee would like the no trespassing signs removed and the gate opened immediately. Ms. Sterrett recommends that the Town act immediately, as recommended by the Inlet Committee.

Penny Brand asked when the pole in her backyard would be removed by Comcast. Director Welch was able to answer Ms. Brand's questions.

**ADJOURNMENT:**

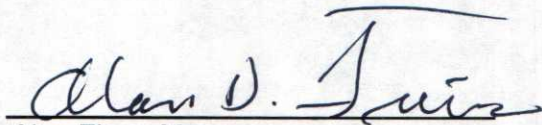
**Motion:** Commissioner made a motion to adjourn the meeting.

**Second:** Commissioner seconded the Motion.

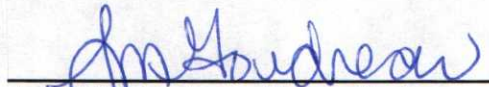
**Vote:** Motion passed unanimously.

The meeting was adjourned at 9:02 pm.

Approved this 28<sup>th</sup> day of November 2022.

  
Alan Fiers, Mayor

ATTEST:

  
Jude M. Goudreau, Town Clerk

