

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

October 25, 2021

PLEASE NOTE:

**DUE TO MANDATES BY GOVERNOR DESANTIS, THIS MEETING WAS
CONDUCTED USING COMMUNICATION MEDIA TECHNOLOGY.**

1. CALL TO ORDER

Mayor Fiers called the meeting to order at 7:02 pm. The meeting was held at Town Hall located at 247 Edwards Lane, Palm Beach Shores, FL 33404.

In the absence of Town Clerk Browning, Town Administrator Wells called the roll and those present were Mayor Alan Fiers, Vice Mayor Scott McCranels, Commissioner Brian Tyler, Commissioner Tracy Larcher, and Commissioner Janet Kortenhaus. Also present were PBSO Sgt. Langevin, Public Works Director Welch, Fire Chief Steedman, and Town Attorney Davis.

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

MOTION: Commissioner Tyler moved to approve the Meeting Agenda with the following changes:

- a. Add a discussion to Miscellaneous Business concerning a request by Cross Community Church to use the Community Center for Church services each Sunday beginning November 21, 2021.
- b. On the Consent Agenda the following 2 items need to be amended:
 1. Item 3c needs to have the end time changed from 1:00 am to 12:00 midnight, as required in our code.
 2. Item 3g needs to be removed as their fees have not been paid.

SECOND: Vice Mayor McCranels seconded the motion.

VOTE: The Motion Passed Unanimously

3. APPROVAL OF CONSENT AGENDA

- a. September 27, 2021, Final Budget Hearing 2021/2022 minutes.
- b. September 27, 2021, Commission Meeting Minutes.
- c. Special Event permit No. 0-10-1: Ellen Waltz to host a wedding at the Community Center on May 7, 2022, from 3:00 pm to 4:00 am. 12:00 am, with 100 participants anticipated. Proof of liability insurance has been provided. Fees will be paid prior to the event.
(ITEM AMENDED BY MOTION AND VOTE)
- d. Special Event permit No. O-10-2: Hugo's Gourmet Catering to host a wedding at the Community Center on November 12, 2022, from 5:00 pm to 11:30 pm with 75 attendees anticipated. Fees have been paid and proof of insurance to be provided prior to the event.
- e. Special Event permit No. O-10-3: Marriott Ocean Pointe to host the annual "Turkey Trot Run" in Palm Beach Shores on November 25, 2021, from 9:00 am to 10:30 am, with 150 attendees anticipated. Proof of insurance has been provided. Fees will be paid prior to the event.
- f. Special Event permit No. O-10-4: Marriott Ocean Pointe to host the annual "Reindeer Run" in Palm Beach Shores on December 24, 2021, from 9:00 am to 10:30 am, with 130 attendees anticipated. Proof of insurance has been provided. Fees will be paid prior to the event.

- g. Special Event permit No. O-10-5: Resident Fred Carr to host a wedding at the Community Center on February 26, 2022, from 4:00 pm to Midnight, with 80 attendees anticipated. Fees have **NOT** been paid, but insurance was provided. **(REMOVED BY MOTION AND VOTE DUE TO FEES NOT BEING PAID)**
- h. Special Event permit No. O-10-6: Resident Michael Rackley to host a birthday party on November 6, 2021, on the first floor of the community center with 39 to 45 attendees. The event will begin at 12:00 noon and end at 6:00 pm. Fees have been paid and insurance provided.

MOTION: Commissioner Kortenhaus moved to approve the Consent Agenda as amended.

SECOND: Commissioner Tyler seconded the motion.

VOTE: **The Motion Passed Unanimously**

4. **DEPARTMENT AND BOARD REPORTS**

- a. Financial Report: *(Wendy Wells, Town Administrator/Treasurer)*

Town Administrator/Treasurer Wendy Wells went through the Financial Statement and asked if anyone had any questions on the Statement.

She then notified the Commission that staff found several unpaid fee items in a folder in the Building Department, totaling from in the 5 digits to approximately \$20,000. These fees range from 6 months to a year old. The Certificates of Occupancies have been issued on many of these projects. We do not know how this happened as the person responsible is no longer with the Town.

The process will be if the CO has been issued, we will request 50% of the outstanding fees. If the CO has not been issued, we will request the entire amount.

Our process will change and going forward, these development costs will be billed immediately as they are received, or as soon as they have been completed by the P & Z approval process, regardless if the project is approved or not. Any additional fees will be billed on a monthly basis.

The Commission directed staff to bill 100% for all outstanding fees but would consider reducing the fees based on certain circumstances.

MOTION: Vice Mayor McCranel moved to approve the Financial Report.

SECOND: Commissioner Larcher seconded the motion.

VOTE: **The Motion Passed Unanimously**

- b. Staff reports were given by PBSO Sgt. Langevin, Fire Chief Steedman, and Public Works Director Alan Welch.

5. **COMMISSION REPORTS:** There were no Commission Reports

6. OTHER BUSINESS

- a. Request from Special Event Resource & Design Group, Inc. (*Wendy Wells, Town Administrator/Treasurer*)

Andrew Farrow with Special Event Resource and Design presented his request to utilize the Town's beach and downstairs of the Community Center as he is bringing in potential clients who would use the Community Center. He stated he will amend his request and only use the Town's beach and the use the upstairs and downstairs of the Community center to host a catered lunch event.

MOTION: Commissioner Tyler moved to approve the request by Special Event Resources.

SECOND: Vice Mayor McCranels seconded the motion.

VOTE: **The Motion Passed Unanimously**

- b. Tree Trimming Contract: Bid Results (*Wendy Wells, Town Administrator/Treasurer*)

Town Administrator Wells stated the Town only received one bid from Zimmerman Tree Service and the bid amount was \$97,777. Staff recommended rejecting the bid since it was \$12,777 over budget. After discussion the following motion was made:

MOTION: Commissioner Tyler moved to reject the bid.

SECOND: Commissioner Larcher seconded the motion.

VOTE: **The Motion Passed Unanimously**

The Commission will discuss options at the next workshop in November 2021.

7. ORDINANCES AND RESOLUTIONS

- a. Ordinance O-4-21: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH SHORES AT CHAPTER 22. ELECTIONS., SECTION 22-4 TO ADJUST THE DATES FOR QUALIFYING FOR MUNICIPAL ELECTED OFFICE AT THE REQUEST OF THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS; DIRECTING THE TOWN CLERK TO TRANSMIT A CERTIFIED COPY OF THIS ORDINANCE TO THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 22. ELECTIONS. 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**)

MOTION: Commissioner Tyler moved to approve Ordinance O-4-21 as presented.

SECOND: Commissioner Kortenhaus seconded the motion.

VOTE: **The Motion Passed Unanimously**

b. Ordinance O-6-21: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 70. TRAFFIC AND VEHICLES., ARTICLE II. PARKING, STOPPING AND STANDING., DIVISION 1. GENERALLY. TO CREATE AN ENTIRELY NEW SECTION 70-31 ENTITLED "MOTORIZED SCOOTERS AND MICROMOBILITY DEVICES; PARKING AND OPERATION PROHIBITIONS; ENFORCEMENT; SUPPLEMENTAL REGULATIONS." PROVIDING REGULATIONS FOR THE USE OF SUCH VEHICLES; ALSO AMENDING SECTIONS 70-32 AND 48-4 TO PROVIDE INTERNAL CONSISTENCY AND ACCURATE CROSS-REFERENCING OF SUCH REGULATIONS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 70. TRAFFIC AND VEHICLES. AND CHAPTER 48. PARKS AND RECREATION. 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**)

MOTION: Vice Mayor McCranels moved to approve Ordinance O-6-21 as presented.

SECOND: Commissioner Tyler seconded the motion.

VOTE: The Motion Passed Unanimously

8. **MISCELLANEOUS BUSINESS (None)**

- a. Added by Motion and Vote: A request by Cross Community Church to resume using the Community Center for Church services each Sunday beginning November 21, 2021. The Church has offered to pay \$250 per Sunday. They will do their own set up, break down, and cleaning. They will also have a professional cleaner clean the carpets twice a year.

MOTION: Vice Mayor McCranels and Commissioner Tyler together made a motion to accept the Church's proposal, with the addition of a 60-day notice provision to override for use by Special Event Resources.

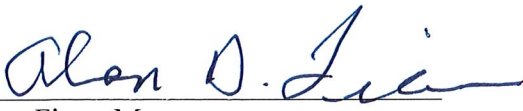
SECOND: Commissioner Kortenhaus seconded the motion.

VOTE: The Motion Passed Unanimously

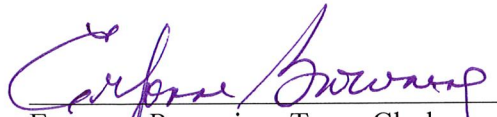
9. **PUBLIC COMMENTS:** There were no Public Comments

10. **ADJOURNMENT**

Approved this 22nd November 2021.


Alan Fiers, Mayor

ATTEST:


Evyonne Browning, Town Clerk

(Seal)