

Monday, January 22, 2024
7 pm.



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

Mayor Alan Fiers
Vice Mayor - Tracy Larcher

Commissioner TBA
Commissioner Steven Smith
Commissioner Roby DeReuil

Town Attorney Keith Davis
Town Treasurer Darlene Hopper
Town Clerk Jude M. Goudreau

Regular Commission Meeting
Minutes

CALL TO ORDER

Mayor Fiers called the meeting to order at 7:00 pm. Those present were Mayor Alan Fiers, Vice Mayor Tracy Larcher, Commissioner Steven Smith (Webex), Commissioner Roby DeReuil, Town Treasurer Darlene Hopper, Town Attorney Keith Davis, PBSO Sgt. Steve Langevin, Public Works Director Alan Welch, and Fire Chief Trevor Steedman.

APPROVAL OF CONSENT AGENDA

Commission Meeting Minutes November 27, 2023

Special Commission Workshop Minutes December 4, 2023

Special Commission Workshop Minutes December 5, 2023

Commission Meeting Minutes December 11, 2023

Special Commission Meeting Minutes January 8, 2024

The fees are paid for Special Event Permit 2024-01, Amelia Ostrosky, 60 people, Community Center, March 2, 2024.

Special Event Permit 2024-02, Steven Smith, 53 people, Community Center, February 23, 2024.
Deposit paid.

Resolution R-2-24 - A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, APPOINTING A TOWN RESIDENT TO SERVE AS A COMMISSIONER IN ORDER TO FILL A CURRENT VACANCY ON THE TOWN COMMISSION CAUSED BY THE RESIGNATION OF COMMISSIONER MARK WARD; SAID APPOINTMENT TO CONTINUE FOR THE REMAINDER OF THE CURRENT VACANT UNEXPIRED TERM AND UNTIL A SUCCESSOR SHALL BE ELECTED AND QUALIFIED; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion: Vice Mayor Larcher made a motion to approve the Agenda and Consent Agenda.

Second: Commissioner Smith seconded the Motion.

Vote: Motion passed 4-0

AGREEMENTS:

Statewide Mutual Aid Agreement for SERP Deployments.

RESOLUTION NO. R-04-24

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AUTHORIZING THE MAYOR OF PALM BEACH SHORES TO SIGN AN AGREEMENT WITH THE STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT FOR MUTUAL AID IN THE EVENT OF A DISASTER OR EMERGENCY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion: Chief Trevor Steedman gave a brief overview of the agreement. This agreement is a 5-year update, which expired at the end of 2023. Attorney Keith Davis read the Resolution by Title only. Chief Steedman answered the Commissioner's questions.

Motion: Commissioner Smith made a motion to approve

Second: Commissioner DeReuil seconded the Motion.

Vote: Motion passed 4-0

ORDINANCES:

ORDINANCE NO. O-6-23- First reading

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS. AT ARTICLE III. BUILDING STANDARDS. TO ADD ENTIRELY NEW SEC. 14-109. – TIME SCHEDULE FOR COMPLETION OF CONSTRUCTION PROJECTS. TO ESTABLISH MAXIMUM TIMELINES FOR THE COMPLETION OF CONSTRUCTION PROJECTS IN TOWN; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion: This Ordinance was recommended by the P&Z Board. Vice Mayor Larcher feels that more time is needed. By consensus, the Commissioners feel that six months should be added to each timeline. Attorney Davis is directed to modify the Ordinance's language before second reading. The purpose of the Ordinance is to stop projects from dragging out for an extended period.

Motion: Vice Mayor Larcher made a motion to approve the Ordinance with the modified language, adding six months to each identified timeline in Table One.

Second: Commissioner DeReuil seconded the Motion.

Vote: Motion passed 4-0

ORDINANCE NO. O-7-23- First reading

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING APPENDIX A – ZONING ORDINANCE., SECTION IX – WALLS, FENCES AND HEDGES. AT PF. 9.2. – LIMITATIONS. TO ESTABLISH A MAXIMUM RETAINING WALL AND FENCE HEIGHT NECESSARY TO SCREEN NEIGHBORING PROPERTIES WHERE UNEVEN GRADES EXIST AT THE COMMON PROPERTY LINE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion: This Ordinance was recommended by the P&Z Board. Mayor Fiers gave an overview of the Ordinance and how the Town arrived at this ordinance change. After a lengthy discussion, it was by consensus that this Ordinance needs to go back to P&Z for additional changes. Commissioner DeReuil will attend the P&Z meeting to relay the Commission's thoughts and ideas. This will be placed on a future agenda for first reading again.

ORDINANCE NO. O-8-23- Second Reading

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 62. STREETS, SIDEWALKS AND OTHER PUBLIC PLACES., ARTICLE I. IN GENERAL. BY ADDING AN ENTIRELY NEW SECTION 62-4. TO BE TITLED "REQUIREMENTS FOR DISTURBING, CUTTING INTO, DIGGING UP, DRILLING, BORING UNDER, OR EXCAVATING ANY PUBLIC STREET." PROHIBITING THE CUTTING INTO OF NEWLY PAVED/REPAVED ROADS WITHIN THE TOWN FOR A PERIOD OF THREE YEARS AFTER COMPLETION OF THE PAVING/REPAVING, PROVIDING EXCEPTIONS, PROVIDING A PERMIT PROCESS FOR WORK SPECIFICALLY IMPACTING TOWN ROADWAYS, AND SETTING FORTH REQUIRED ENGINEERING SPECIFICATIONS FOR ALL PAVING AND REPAIR OF IMPACTED ROADWAYS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 62 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.

Discussion: By consensus, this Ordinance will come back for a first reading at next month's meeting due to the language changes, which means that all roads, not just new roads, are included.

Public Comment: Mark Ward expressed concern about the language, which says it three years, he feels all roads should be protected and any age of the road. Kathleen McGahran also commented that the language should say all roads.

RESOLUTIONS:

RESOLUTION NO. R-1-24

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, EXPRESSING OPPOSITION TO RECENT CHANGES TO STATE LAW REQUIRING ELECTED MAYORS AND GOVERNING BODY MEMBERS OF MUNICIPALITIES TO COMPLETE AND FILE THE FORM 6 "FULL DISCLOSURE OF FINANCIAL INTERESTS" AS OF JANUARY 1, 2024; AUTHORIZING THE TOWN TO JOIN ANY FUTURE COORDINATED POLITICAL OR LEGAL EFFORTS WITH OTHER GOVERNMENTAL ENTITIES TO RESCIND, REVISE OR OTHERWISE CHALLENGE THIS REQUIREMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion: Attorney Davis read by Title only R-1-24. This Resolution was created to oppose the Form 6 Law that took effect on January 1, 2024. This Resolution will support and join any other towns in their pursuit of opposing the law, but the Town will not spend any funds.

Motion: Commissioner Roby DeReuil

Second: Commissioner Steven Smith

Vote: Motion passed 4-0

RESOLUTION NO R-3-24

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, APPOINTING AN ALTERNATE MEMBER OF THE PLANNING AND ZONING BOARD TO SERVE AS A REGULAR MEMBER IN ORDER TO FILL A CURRENT VACANCY ON THE REGULAR BOARD CAUSED BY A BOARD MEMBER RESIGNATION; FURTHER APPOINTING A NEW ALTERNATE MEMBER IN ORDER TO FILL THE VACANCY CREATED BY THE ABOVE REFERENCED APPOINTMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion: Vice Mayor Tracy Larcher

Second: Commissioner Steven Smith

Vote: Motion passed 4-0

OATH OF OFFICE

Attorney Keith Davis gave the Oath of Office to Anastasia Karloutsos and Janet Kortenhaus and swore them in as new alternate Planning and Zoning Board members.

DEPARTMENT AND BOARD REPORTS

Financial Reports:

Darlene Hopper, Town Treasurer, presented the financial report for December 2023 and answered the Commissioner's questions. Vice Mayor Larcher questioned the EMS invoice from Riviera Beach and asked if they had revised it. Mayor Fiers commented that the road project will be complete, and there is \$26,000.00 in restricted funds that will be used to pay for the valley gutters and roads project, and the \$26,000.00 from the general fund will then pay for the community center project. With the reallocation of the funds, the Community Center's project will be closer to budget.

Motion: Commissioner Roby DeReuil

Second: Commissioner Steven Smith

Vote: Motion passed 4-0

Staff Reports:

Sheriff's Department: PBSO Sgt. Langevin gave an overview of his written monthly report and statistics and provided details about the arrests made in Town. He also provided details from the end-of-the-year statistics. Sgt. Langevin answered the Commission's questions.

Fire Department: Chief Steedman reviewed statistics and training hours and updated the Commission on FROC and where we stand. The Chief also updated us on the progress of the fire engine that is out for repairs. All the items are under warranty, and they are waiting for the weather to cooperate to paint it before we can pick it up and return it to service. Chief Steedman answered the Commissioner's questions. Mark Ward asked the Chief about the Riviera Beach Contract numbers versus calls of service so far.

Public Works: Director Welch updated the Commissioners on the Community Center renovations. The project is complete, and the Certificate of completion is issued; the cleaners are in place for next week to do a deep cleaning before its first event. He also provided updates on the road project, the AT&T project, the cleanup on the inlet, and the replacement of light poles. Director Welch answered the Commissioner's and the Public's questions.

COMMISSION REPORTS:

Mayor Fiers updated the Sea Spray demolition; the demolition is projected to be completed by February 5, 2024, and then will start to fill the lot in. They have architects working on the overall design and will have to present them to P&Z again unless it is determined that they fall under the Governor's Decree of Emergency and can apply for the extension. Vice Mayor Larcher questioned if they had to return to P&Z if they change their aesthetic look.

DISCUSSION:

Discussion regarding hiring an additional secondary Special Magistrate, Tanya Early. Attorney Keith Davis provided a reference for Ms. Early, and a bio was provided to the Commissioners.

Motion: Commissioner Roby DeReuil made a motion to approve the additional Special Magistrate.

Second: Vice Mayor Tracy Larcher seconded the Motion.

Vote: Motion passed 4-0.

Discuss Required Update to Comp Plan. A redline copy was provided to the Commissioners, and any language that was not required was removed. This is the first draft; the amended version will go to LPA and then back to the Commission for the first reading. After that, it is transmitted to the reviewing state agencies, and any objections will have to be amended before the Commission's second reading.

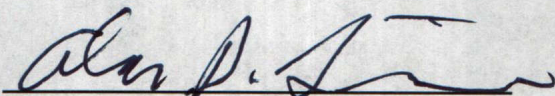
ADJOURNMENT:

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

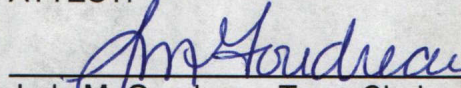
Second: Commissioner DeReuil seconded the Motion. Motion passed 4-0.

The meeting was adjourned at 9:24 pm.

Approved this 26th day, Day February 2024.


Alan Fiers, Mayor

ATTEST:


Jude M. Goudreau, Town Clerk

(Seal)

