

TOWN OF PALM BEACH SHORES, FLORIDA
REGULAR MEETING MINUTES
FEBRUARY 27, 2017

Mayor Koutzen 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.

Town Clerk Evyonne Browning called the roll and those present were Mayor Myra Koutzen, Vice Mayor Lisa Tropepe, Commissioner Roby DeReuil, Commissioner Gil Gilgallon, and Commissioner Pat O'Hara. Also present were Town Attorney Keith Davis, Zoning Official Josh Nichols, Police Chief Duncan Young, Fire Chief Trevor Steedman, Public Works Director Alan Welch and Town Clerk Evyonne Browning.

APPROVAL OF MEETING AGENDA (Additions, substitutions, deletions)

MOTION AND VOTE: Vice Mayor Tropepe moved to approve the meeting agenda as printed. Commissioner DeReuil seconded the motion, which passed unanimously.

CONSENT AGENDA (Items that do not need discussion, but require a vote)

- a. Approval of January 23, 2017 Regular Meeting Minutes
- b. Approval of January 30, 2017 Special Called Meeting Minutes
- c. Resolution R-1-17: Establishing Procedures for the P & Z Board as Surtax Citizen Oversight Committee
- d. Approval of Special Event Permit SP17-1: Riviera Beach half marathon race on March 18, 2017 (all documents received)
- e. Approval of Special Event Permit SP17-2: Riviera Beach Triathlon on May 20, 2017

MOTION AND VOTE: Commissioner O'Hara moved to approve the consent agenda as printed. Commissioner DeReuil seconded the motion, which passed unanimously.

PRESENTATIONS - None

DEPARTMENT AND BOARD REPORTS

- a. Financial Report

MOTION AND VOTE: Vice Mayor Tropepe moved to approve the Financial Statement as printed. Commissioner O'Hara seconded the motion, which passed unanimously.

- a. Staff Reports: Police Department, Fire Department, Public Works, Town Clerk, Town Attorney.
- c. Planning & Zoning Report (verbal): P & Z Chairman Janet Kortzenhaus stated at the January meeting they gave approval for the Sailfish Marina to move forward with their variance request, which is on tonight's agenda. They also gave approval for a small room enclosure on a house.

COMMISSION REPORTS

Vice Mayor Tropepe stated that she will be attending the legislative meetings in Tallahassee next month. She also attended a luncheon where there was discussion on updating legislation on sober homes.

Commissioner O'Hara stated she is waiting to see if we will be awarded any funds for the Lifeguard stand and the playground area, which should be in April.

Mayor Koutzen stated she will be holding 2 meetings with the Mayor on March 9th regarding the referendum questions on the ballots. She also attending the Riviera Beach City Council meeting where the new building plans at Lake and Blue Heron were discussed. The approved final plans will be presented at their March commission meeting. She also stated the Town has received 2 new lawsuits from victims with Charles Hoeffler. We have sent these to our insurance carrier with the Florida League for assignment of an attorney.

Commissioners DeReuil and Gilgallon did not have reports.

PUBLIC COMMENTS

PUBLIC PARTICIPATION AND OPPORTUNITY TO BE HEARD (Resolution R-7-13)

GENERALLY. *The Town of Palm Beach Shores, Florida, welcomes comments from the public who shall be given a reasonable opportunity to be heard on items placed on the agenda as provided for below in accordance with Section 286.0114, Florida Statutes. Each speaker is only allowed one (1) opportunity per topic to speak for a maximum of three (3) minutes unless allowed additional time by the presiding officer. By way of example, a citizen may not give his or her allotted three (3) minutes to another person in order to allow them to speak for six (6) minutes. Any citizen desiring to speak at a public meeting in accordance with these rules shall identify him/herself by name and address, and if the speaker is speaking for a group or organization, she/he should so state. Citizen comments will be directed to the Commission or Board, as a body through its presiding officer. Remarks shall not be addressed to a single member of the Commission or Board, the Attorney, or the Manager unless a majority of the members present for the Commission or Board shall so agree. The members of the Commission or Board are free to ask questions to clarify the citizen's comment. Citizens shall not attempt to engage members of the Commission or Board or staff in debate over the issue raised, but shall simply make their statement and request that the Commission or Board consider the matter.*

1. Grace Sterrett, as Chairman of the Environmental Committee, thanked the Town Commission for including much needed funds in the budget for their projects. She urged everyone to go by the Fountain area on the parkway and see the new planting and upgrade to the fountain.

PROJECT UPDATES

a. Beach Cabanas on Town Beach (Discussion)

MOTION: Vice Mayor Tropepe moved that the Town should clearly define the north and south lines of the Town's beach; if the cabanas have encroached on the Town's property, they must be removed, and to change the Town's code accordingly. Commissioner O'Hara seconded the motion which passed 3 to 2 with Commissioners DeReuil and Gilgallon voting in opposition.

Commissioner O'Hara requested the Vice Mayor separate the motion into 2 motions with the first to include items 1 and 2, and the second to include item 3.

Vice Mayor Tropepe amended her motion to clearly define the Town limits on the north and south area of the Town's beach; if the beach cabanas are found to be encroaching on the Town's property they must be removed immediately. Commissioner O'Hara seconded the motion.

Commissioner Gilgallon requested the Vice Mayor amend the motion that if the chairs are found to be on the Town's property that they be allowed to stay until the RFP process is complete. The motion to amend failed without support from Vice Mayor Tropepe and Commissioner O'Hara.

VOTE: The motion passed 3 to 2 with Commissioners Gilgallon and Roby DeReuil voting in opposition.

Vice Mayor Tropepe moved to consider an RFP for no more than 10 chairs to be allowed on a designated area of the Town's beach and to change the code accordingly.

Commissioner Gilgallon requested the motion be changed to allow up to 12 chairs on the designated area of the Town.

Vice Mayor Tropepe amended her motion to allow up to 12 chairs on the designated area of the town.

VOTE: The motion passed 3 to 2 with Commissioners DeReuil and O'Hara voting in opposition.

b. Special Event Permit for Beach Weddings (Discussion/Direction to Town Attorney)

ACTION: The Commissioners directed the Town Attorney to prepare an amendment to the special event permit which would include any event on the Town's beach.

c. Request Planning and Zoning Board to review Town Code (Chapter 82. Waterways, Article III. Docks, Section 82.551(a) "Construction regulated" regarding commercial docks (Discussion/Direction to Town Attorney)

ACTION: The Commissioners directed the Planning and Zoning Board to review the code and bring a recommendation to the Town Commission.

ORDINANCES AND RESOLUTIONS

a. Resolution R-2-17: Establishing a Property Assessed Clean Energy "PACE" Program.

MOTION AND VOTE: Commissioner DeReuil moved to approve resolution R-2-17 as presented. Commissioner O'Hara seconded the motion, which passed unanimously.

b. Resolution R-3-17: Establishing a Reasonable Accommodation Policy pursuant to the Fair Housing Act and Title II of the Americans with Disabilities Act

MOTION AND VOTE: Commissioner Gilgallon moved to approve resolution R-3-17 as presented. Commissioner O'Hara seconded the motion, which passed unanimously.

OTHER BUSINESS *(Any regular business requiring a vote)*

a. Public Hearing: V16-1, The Sailfish Marina, Applicant

Request for variance relief from Chapter 82. Waterways, Article III. Docks, Section 82.51(a) "construction regulated" in order to construct a new floating dock that extends 297 feet from the bulkhead line (where the code limits the length to 100 feet) to replace the existing 297 foot long dock; including a proposed "T" end of 190 feet (where the code limits a "T" end to 25 feet) to

replace the existing "T" end of 85 Feet; and which is located southerly of the centerline of the property (where the code requires such dock to be centered on the property) in the same location as the existing dock.

MOTION AND VOTE: Commissioner DeReuil stated the applicant has met all the criteria and he moved to approve the 3 variances. Vice Mayor Tropepe seconded the motion, which passed unanimously.

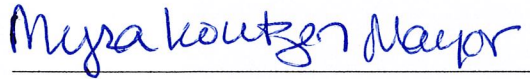
ADJOURNMENT

Mayor Koutzen adjourned the meeting at 9:50 pm.

Approved this 20th day of March, 2017

Attest:


Evyonne Browning, Town Clerk
(Seal)


Myra Koutzen, Mayor

