

MINUTES

VILLAGE OF TEQUESTA

REGULAR MEETING



OCTOBER 8, 2015

CALL TO ORDER AND ROLL CALL

The meeting was called to order by Mayor Abby Brennan at 6:00 p.m. A roll call was taken by Clerk Lori McWilliams. Present were: Mayor Abby Brennan, Vice Mayor Vince Arena, Council Member Steve Okun, Council Member Tom Paterno and Council Member Frank D'Ambra.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Brennan led the meeting with the invocation followed by the pledge of allegiance.

APPROVAL OF AGENDA

Council Member D'Ambra asked that item 14 be pulled for discussion.

MOTION: *Council Member Okun moved approval of the agenda as amended; seconded by Council Member D'Ambra; motion carried unanimously 5-0.*

PRESENTATION

1. Proclamation Recognizing Jacqui Kapinowski on Representing the US in the Para Olympics for Rowing and Winning a Place on the Olympic Team in Rio

Village Clerk McWilliams read the proclamation and Mayor Brennan presented it to Mrs. Jacqui Kapinowski. Mayor Brennan offered a brief history of her relationship and knowledge of Mrs. Kapinowski along with support and appreciation. Jacqui then spoke words of gratitude to the Council, staff and community.

CONSENT AGENDA

MOTION: *Council Member Okun moved approval of the following Consent Agenda with items 14 removed for discussion; seconded by Vice Mayor Arena; motion carried unanimously 5-0.*

2. MINUTES: 08/13/2015 Regular Council Meeting, 09/10/2015 Regular Council Meeting, and 09/17/2015 Special Budget Hearing
3. Approval of Contracts Signed by Manager Under \$25,000 (Per Village Ordinance we are presenting the following agreements, proposals, commitments and memorandum of understanding to Council.)
4. Council Approval of Three Year Interim Firefighter Contract for Sean Johnson.

5. Council Approval of Director of Community Development Consultant Agreement with NZ Consultants, Inc.
6. RESOLUTION 72-15, A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, INCREASING THE FISCAL YEAR 2014/2015 CAPITAL IMPROVEMENT FUND #301 BUDGET BY APPROPRIATING FUND BALANCE IN THE AMOUNT OF \$1,300.00 TO FUND ADDITIONAL ENGINEERING TO RECONFIGURE U.S. HIGHWAY ONE; AND AUTHORIZING THE VILLAGE MANAGER TO PROCEED ON BEHALF OF THE VILLAGE PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES
7. RESOLUTION 79-15, A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, AMENDING AND INCREASING THE FISCAL YEAR 2014/2015 GENERAL FUND #001 BUDGET BY \$64,440.00 TO RECOGNIZE ADDITIONAL FIRE INSURANCE PREMIUM TAXES RECEIVED IN FISCAL YEAR 2014/2015; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
8. RESOLUTION 80-15, AMENDING RESOLUTION 54-15 OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, WHICH AMENDED RESOLUTION 24-15, TO REFLECT THE ACCURATE EXPIRATION DATE SHOWN ON THE CONTRACT BETWEEN ODYSSEY MANUFACTURING COMPANY AND THE VILLAGE OF TEQUESTA FOR THE PURCHASE OF SODIUM HYPOCHLORITE.
9. RESOLUTION 81-15, A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, AUTHORIZING PIGGYBACKING THE CONTRACT BETWEEN TANNER INDUSTRIES, INC AND THE CITY OF STUART FOR THE PURCHASE OF ANHYDROUS AMMONIA.

END OF CONSENT AGENDA

14. RESOLUTION 82-15, A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, PALM BEACH COUNTY, FLORIDA, INCREASING THE GENERAL FUND #001 2014/2015 BUDGET IN THE AMOUNT OF \$70,000.00 BY INCREASING REVENUES AND EXPENDITURES IN THAT AMOUNT TO RECOGNIZE THE FAIR MARKET VALUE OF SERVICES RECEIVED FROM PALM BEACH COUNTY FIRE RESCUE AS WELL AS RECOGNIZING RELATED REPAIR AND MAINTENANCE EXPENDITURES AND AUTHORIZING THE VILLAGE MANAGER TO PROCEED IN ACCORDANCE WITH THE VILLAGE'S ADOPTED PROCEDURES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attorney Davis read Resolution 82-15 title into the record.

Council Member Paterno expressed his desire to stay cognizant and not waste funds. Fire Chief Weinand responded that the resolution contract covered the fleet and all apparatus, which were monitored and maintained on a monthly basis. He noted the current costs of \$66,000 out of the \$70,000 contracted figure left \$4,000 unused.

MOTION: *Council Member D'Ambra moved approval of Resolution 82-15; seconded by Council Member Okun; motion carried unanimously 5-0.*

COMMUNICATIONS FROM CITIZENS

Tom Deboe, 158 Village Blvd, voiced his concerns regarding a recent child exchange at the Village police department, which he felt very concerning. He also commented that the police video system was archaic and of no help in his attempt to attest the events.

Harold Taylor, 13 Chapel Court offered his opinion that the numerous code infractions within the Village were not being enforced equally and that there were three on his street alone. He also suggested addressing the eight inch lawn height limit.

Mayor Brennan stated that Council would hold a workshop directed at code issues, in the upcoming weeks.

Jeff Leslie, 111 Golfview Drive stated his intentions were to comply with code regulations. He explained that he had spent a good amount of research and funds to comply, and has recently received a violation giving him three days to move his boat. He voiced his frustration as to being targeted when he believed he was in good standing.

Manager Couzzo responded the Village got ahead of themselves with code adjustments and addressing infractions and was in the process of correcting the issue. Attorney Davis explained the grandfather ruling and offered clarity regarding missteps and the Village's plans to correct them.

Calvin Turnquest, 10 Tall Oaks Circle thanked the Village for their support during the hurricane relief efforts for the Bahamas, noted the current status, along with important items still needed.

Mayor Brennan noted the passing of previous Mayor Dottie Campbell on October first and noted her unique personality and how honored it was to have had her in her life.

Brian Willoughby, 98 Riverview Drive expressed his concern for the obstruction to visibility by the overgrown trees on the north side entrance of Tequesta Country Club. He noted that his wife had been hit by a Martin County fire truck two years previous because of the issue. He was told the trees would be trimmed and it had not been corrected as of yet.

Consensus of Council was that the trimming be completed.

COMMUNICATIONS FROM COUNCIL

Vice Mayor Arena commented and commended Chief Elg on his ongoing support toward breast cancer awareness.

Council Member Okun commented on Tequesta's long time resident Dottie Campbell.

Mayor Brennan reiterated how important Dottie Campbell was to the Village and as a person.

STANDING REPORTS

Village Attorney

Attorney Davis offered a brief history on the Tequesta versus Thomas case and noted a hearing was scheduled for October 21, 2015 and that he expected all service of processes to be concluded following the hearing with resolution by year's end.

Village Manager

No report was given.

Council discussed, and suggested placing the upcoming November 2, 2015 code workshop - regarding boat storage on the Village website, along with a conference room set up in the Chambers versus from the dais.

REGULAR AGENDA

OLD BUSINESS

10. ORDINANCE 19-15, SECOND ORDINANCE 19-15, SECOND READING, AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, AMENDING THE VILLAGE CODE OF ORDINANCES AT CHAPTER 2. ADMINISTRATION. BY AMENDING SECTION 2-61. PENSION TRUST FUNDS, EXHIBIT B, THE PUBLIC SAFETY OFFICERS' PENSION TRUST FUND, TO ADOPT REVISIONS REQUIRED BY THE TERMS OF IRS FAVORABLE DETERMINATION LETTER DATED MAY 11, 2015, KNOWN AS "GUST" REVISIONS; FURTHER CLARIFYING EXISTING LANGUAGE REGARDING BENEFIT VESTING; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 2. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attorney Davis read Ordinance 19-15 title into the record and noted the changes made from the first reading.

Mayor Brennan opened the public hearing to Council for comments.

Council Member D'Ambra confirmed that the discrepancy in vesting language was properly stated.

Mayor Brennan opened the hearing to the public; there being no public comment the hearing was closed.

MOTION: *Council Member Okun moved approval of Ordinance 19-15; seconded by Council Member D'Ambra; motion carried unanimously 5-0.*

11. ORDINANCE 20-15, SECOND READING, AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, AMENDING THE VILLAGE

CODE OF ORDINANCES AT CHAPTER 2. ADMINISTRATION. BY AMENDING SECTION 2-61. PENSION TRUST FUNDS, EXHIBIT B, THE PUBLIC SAFETY OFFICERS' PENSION TRUST FUND, TO ADOPT REVISIONS REQUIRED BY THE TERMS OF IRS FAVORABLE DETERMINATION LETTER DATED MAY 11, 2015, KNOWN AS "EGTRRA" REVISIONS; FURTHER CLARIFYING EXISTING LANGUAGE REGARDING VESTING OF BENEFITS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 2. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attorney Davis read Ordinance 20-15 title into the record and noted that changes had been updated.

Mayor Brennan opened the public hearing to Council for comments; there being none she opened the hearing to the public. There being no public comment the public hearing was closed.

MOTION: *Council Member Okun moved approval of Ordinance 20-15; seconded by Council Member D'Ambra; motion carried unanimously 5-0.*

NEW BUSINESS

12. VAR-03-15 -Variance Application of Oceana Logistics International Inc., 150 N. US Highway One, Tequesta, FL 33469

Attorney Davis announced that the item was quasi judicial and read VAR 3-15 title into the record. He then swore in five persons involved with the variance and asked Council for any ex-parte communications. Mayor Brennan noted that she had recognized and welcomed the group at the beginning of tonight's meeting.

Nilsa C. Zacarias, Director of Community Development offered background on the item.

Amy Angelo, President of Oceana explained her vision to offer wine and craft beer on weekends (Friday & Saturday) along with a calm environment. She explained consumption would be offered on premises only, with an early close.

Council questioned the special event dynamic and expressed that food must be served alongside alcohol per code. Ms. Angelo assured Council that chefs would be creating food to pair with the wines, so food would be available.

MOTION: *Council Member Okun moved approval of VAR 3-15; seconded by Council Member Paterno; motion carried unanimously 5-0.*

13. SE-06-16 - Special Event Application from Road Runners Club of America for 15th Annual Run-4-the-Pies-Race

Nilsa C. Zacarias, Director of Community Development noted the history related to the event

and that postcards would be sent to residents to advise them of the race. Council Member Okun mentioned concerns voiced by residents who felt uneasy if there were to be a problem and/or the need for public safety. Police Chief Elg assured that the runners would move aside for emergency vehicles if the need occurred.

MOTION: *Council Member Okun moved approval of SE 6-16; seconded by Council Member Paterno; motion carried unanimously 5-0.*

ANY OTHER MATTERS

Vice Mayor Arena suggested that a workshop be held regarding open invites to restaurants to share their menu items before Council.

Clerk McWilliams noted that a Business Forum would be held on October 27, 2015 in the Chambers by Northern Palm Beach Chamber of Commerce.

ADJOURNMENT: *Council Member Okun moved to adjourn the meeting; seconded by Vice Mayor Arena. The motion to adjourn carried unanimously 5-0; therefore, the meeting was adjourned at 7:19 p.m.*

Respectfully submitted,

Lori McWilliams, MMC
Village Clerk

Note: These summary minutes are prepared in compliance with 286.011 F.S. and are not verbatim transcripts of the meeting. A verbatim audio record is available from the Office of the Village Clerk. All referenced attachments are on file in the Village Clerk's office.

