

**MINUTES
VILLAGE OF TEQUESTA**



REGULAR MEETING

June 14, 2018

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 Assistant to the Village Clerk, Mary Ann Grieser. Present were: Mayor Abby Brennan, Vice Mayor Tom Paterno, Council Member Vince Arena, Council Member Laurie Brandon, and Council Member Kristi Johnson.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Paul Beresford gave the invocation, and then Mayor Brennan led the pledge of allegiance.

Mayor Brennan asked about topics to discuss under Any Other Matters. Council Member Arena wished to speak on the Charter and Mayor Brennan about a conversation with Palm Beach County Commissioner Valeche.

APPROVAL OF AGENDA

MOTION: *Council Member Arena moved approval of the agenda; seconded by Council Member Brandon; motion carried unanimously 5-0.*

PRESENTATIONS

There were none.

CONSENT AGENDA

MOTION: *Council Member Arena moved approval of the Consent Agenda; seconded by Council Member Johnson; motion carried unanimously 5-0.*

1. MINUTES: 4/30/18 Workshop and 5/10/18 Regular Meeting Minutes
2. 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). 1. JustFOIA Records Software Proposal – Village Clerk: \$4,838.00; 2. Innerworkings Magic Card Quotation – Administration: \$3,790.50; 3. Statewide Mutual Aid Agreement – Fire Department: \$N/A
3. Approve Fiscal Year 2017/2018 Budget Amendment
4. RESOLUTION 20-18, A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, PROVIDING FOR THE ANNUAL BOARDS AND COMMITTEE APPOINTMENTS AND REAPPOINTMENTS; PROVIDING AN

EFFECTIVE DATE; AND FOR OTHER PURPOSES.

5. RESOLUTION 21-18, A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, ADOPTING THE REFUSE, RECYCLING AND YARD WASTE COLLECTION RATES FOR FISCAL YEAR ENDING SEPTEMBER 30, 2019
6. RESOLUTION 22-18, A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, DECLARING CERTAIN PROPERTY TO BE SURPLUS AND DIRECTING THE VILLAGE MANAGER TO DISPOSE OF SURPLUS PROPERTY IN ACCORDANCE WITH THE VILLAGE'S ADOPTED PROCEDURES
7. Purchase of a Stryker Power Stretcher to Accompany the Stryker Power Loader we Recently Received through a PBC EMS Reimbursement Grant

END OF CONSENT AGENDA

Vice Mayor Paterno asked what a magic cube was and Village Manager Couzzo explained that it was a marketing tool for distribution to residents and area businesses that pictured the Council Members, staff, and Village services.

COMMUNICATIONS FROM CITIZENS

Harold Taylor of 13 Chapel Court felt that neighbors of the recently abandoned alley should have together purchased the properties if they wished a certain disposition for them.

COMMUNICATIONS FROM COUNCIL

Council Member Johnson thanked Police Chief Medina and his department for assisting residents during the recent severe storms. She encouraged residents to contact her with any concerns and stated as her first year serving on The Village Council, she intended to focus closely on the budget. She asked Village Manager Couzzo to explore ways other than a paper survey to garner input for a new recreation center.

Council Member Brandon was recently out of town, which caused her to appreciate the quality of services The Village of Tequesta and nearby towns offer. She welcomed questions from residents and encouraged thankfulness for what we had.

Council Member Arena complimented Pastor Beresford and stated that the community center architect/planner application deadline was June 25, so he anticipated the review committee would present to Council at the July workshop. According to Council Member Arena, 22 children attended this year's Nautical Club; he suggested starting a bike club; and he requested revitalization, not removal of two markers at Tequesta Drive and US 1. Council Member Arena shared his vision of a hurricane party at the firehouse with information for and vendor discounts to residents. He then complimented Village Clerk Lori McWilliams for informing residents, the public works employees for clearing drains, and the police for assistance during the recent rain deluge.

Vice Mayor Paterno said he was glad to see the different departments doing their part during the recent storms; he referenced a letter to Council from The Village Bootery, which claimed that their sales had suffered because of the construction on US 1; and he said he supported recent new hires. He addressed a complaint from someone who wished to, but did not speak at a prior meeting and stated that everyone should have opportunity to speak. Vice Mayor Paterno spoke about the Tequesta Drive sidewalk project, however due to an open Inspector General's investigation, Village Attorney Keith Davis advised against comment. The Vice Mayor continued and took issue with the project's planning; details about the work; offered a handout in explanation; and questioned the account from which some of the funds came. Vice Mayor Paterno expressed dissatisfaction that Village Manager Couzzo did not attend part of the last workshop and quoted that his attendance was a job responsibility. He noted that Public Works Director Doug Chambers was also absent, then quoted a directive from the Village Manager that senior staff or a knowledgeable representative were to attend if an agenda item involved their department.

Council Member Arena advised that since the standard three minutes was insufficient time for a resident to express his concerns, Council Member Brandon invited him to speak at a workshop. He came and spoke to Council, then staff came in afterward, as senior staff was not the intended audience. Vice Mayor Paterno said he was unable to ask questions and never received a response from the manager to which Mayor Brennan reminded of the Inspector General's open investigation. In addition, she stated that for their safety, staff was asked not to attend as this resident was confrontational in the past and the resident would be free to speak without reservation. The Mayor reminded that Council directed the manager to obtain and disseminate information regardless of whether in a group or individual setting. Vice Mayor Paterno stated that though Mr. Pastuch had called him names in the past, he must still be treated with respect and his concerns investigated. Vice Mayor Paterno wanted all council members to get the same information at the same time. Council Member Johnson suggested discussion of the Inspector General's report, once concluded, at a workshop and Attorney Davis again advised against discussion until then. Vice Mayor Paterno cautioned Attorney Davis not to infringe on making policy and Attorney Davis clarified that he rendered an opinion and stood by it; there was no violation. Council Member Arena reminded that this was the first time a resident was invited to speak at a workshop and could be handled differently should it occur again. Council Member Brandon was not in favor of staff not in attendance but understood due to the safety aspect.

STANDING REPORTS

Village Attorney

Village Attorney Keith Davis had nothing to report.

Village Manager

Village Manager Michael Couzzo complimented staff during recent rains; he reiterated Council Member Arena's update on the progress of a community center.

Police

Chief Gus Medina thanked Council for commending his officers, summarized the assistance they gave during recent heavy rainstorms and stated it was a team effort. In

an effort to maintain beneficial ties with other agencies, he continued to meet with representatives of those agencies as well as school personnel regarding safety. Chief Medina complimented the talent in the police department, thanked Assistant Chief McGrew for his help, and recognized that there were several leaders in the agency though the decision of whom to promote would be difficult.

Fire

Chief Joel Medina thanked Chief Gus Medina for his work that helped make the fire and police departments a great partnership. Critical Incident Stress Management training was recently conducted at the behest of Human Resources Director Merlene Reid and Pastor Paul Beresford was a critical resource to employees in that regard. He mentioned that firefighter Andre Dodd received the Palm Beach County distinguished paramedic service award in May which was well deserved; the first Chili Cook-off meeting was held and the Public safety awards and recognition were next week to which all Council and Senior staff were invited. Chief Medina announced that Public safety was wholeheartedly here for the residents of Tequesta.

REGULAR AGENDA

OLD BUSINESS

8. RESOLUTION 19-18, A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, INCREASING THE SPECIAL LAW ENFORCEMENT TRUST FUND #605 2017/2018 BUDGET BY APPROPRIATING FUND BALANCE IN THE AMOUNT OF \$57,596.00 TO PURCHASE A CAMERA SYSTEM

Attorney Davis read Resolution 19-18 title into the record. Information Technology Director Brad Gomberg explained that this was updating the Automatic License Plate Readers and Finance Director Quirk said that the fund movement was standard procedure.

MOTION: *Vice Mayor Paterno moved approval of Resolution 19-18; seconded by Council Member Arena; motion carried unanimously 5-0.*

9. ORDINANCE 9-18, SECOND READING, AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, IMPOSING A MORATORIUM ON THE ACCEPTANCE OF NEW APPLICATIONS, AND THE ISSUANCE OF ANY VILLAGE PERMITS OR APPROVALS CURRENTLY OUTSTANDING AND REQUIRED FOR PENDING APPLICATIONS, FOR THE INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT AND FACILITIES WITHIN THE VILLAGE AS SET FORTH IN THE TELECOMMUNICATIONS ACT OF 1996, SEC. 337.401 FLORIDA STATUTES, CHAPTER 63 ART. II OF THE VILLAGE OF TEQUESTA CODE OF ORDINANCES, AND CHAPTER 78, ZONING, OF THE VILLAGE OF TEQUESTA LAND DEVELOPMENT CODE; PROVIDING THAT SAID MORATORIUM SHALL BE IN EFFECT FOR A PERIOD OF ONE YEAR; DIRECTING VILLAGE STAFF TO UNDERTAKE A COMPREHENSIVE REVIEW OF THE VILLAGE'S EXISTING

TELECOMMUNICATIONS EQUIPMENT AND FACILITIES REGISTRATION AND PERMITTING CODES WITH AN EMPHASIS ON THE PROTECTION OF RESIDENTIAL PROPERTIES, AND COMPLIANCE WITH FEDERAL AND STATE REQUIREMENTS; PROVIDING FOR CONTINUATION OR TERMINATION OF SAID MORATORIUM; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Davis read Ordinance 9-18, title into the record. This was the second reading. Mayor Brennan opened the hearing to Council and the Public but there were no comments.

MOTION: *Vice Mayor Paterno moved approval of Ordinance 9-18; seconded by Council Member Arena; motion carried unanimously 5-0.*

NEW BUSINESS

According to Attorney Davis, items ten, eleven and twelve were quasi-judicial in nature. He swore in five people and no Council Members disclosed ex-parte communication.

10. VAR 01-18: Application of F & S Venture Partners, LLC, d/b/a Josco Bar and Oven, 157 N. US 1, Tequesta, FL 33469, for a Variance from the requirement of Sec. 78-298 to sell intoxicating liquors, wines and beverages for consumption on the premises within a 697.74 +/- foot radius of any church, school or youth center, where Sec. 78-298 currently allows for such sale only at a 1,000 foot radius or greater from any church, school or youth center. The property owner is RVT TEQUESTA SHOPPES LLC (known as Tequesta Shoppes).

Community Development Director Nilsa Zacarias explained this variance was for sale of alcohol due to the proximity of the location a church. Council Member Paterno asked who F&S ventures were and Julia Silver and Stephanie Flora identified themselves as owners.

MOTION: *Vice Mayor Paterno moved approval of VAR 01-18; seconded by Council Member Arena; motion carried 5-0.*

11. SPM 8-18: Application from RVT TEQUESTA SHOPPE-S LLC (known as Tequesta Shoppes) for a Site Plan Modification to install a metal translucent and operable awning on the courtyard, modify storefront openings, and remove an existing canopy and exterior bar area on the Josko Bar and Oven tenant space. The application also includes installing artwork on the courtyard wall and replacing the existing metal railing and gate at the entrance. The subject property is located at 157 N. US Hwy 1, Tequesta, FL 33469.

Community Development Director Nilsa Zacarias explained that this was for the same business as the previous item but addressed requested improvements to the site.

MOTION: *Vice Mayor Paterno moved approval of SPM 8-18; seconded by Council Member Arena; motion carried unanimously 5-0.*

12. SPM 7-18: Application from Gerald M. Barbarito DD JCL Bishop of Diocese of Palm Beach (known as St. Jude Catholic Church) for a Site Plan Modification to install a 1 ,200 square foot Adoration Chapel including landscape plans. The application also includes the installation of a 32 Kw emergency generator on the east side of the existing residency building. The subject property is located at 204 N. US Hwy 1, Tequesta, FL 33469.

Community Development Director Zacarias summarized SPM 7-18 and stated that the Planning and Zoning Board recommended approval. When Mayor Brennan inquired about the generator, architect James Sturgis explained that since the generator for the residence was too large for a permit, it was included in this SPM instead.

MOTION: *Vice Mayor Paterno moved approval of SPM 7-18; seconded by Council Member Arena; motion carried unanimously 5-0.*

13. ORDINANCE 10-18, FIRST READING, AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, AMENDING THE VILLAGE CODE OF ORDINANCES AT CHAPTER 78. ZONING. ARTICLE I. IN GENERAL. SEC. 784. DEFINITIONS. BY AMENDING THE DEFINITION FOR "REHABILITATION FACILITY" TO PROVIDE FOR THE LIMITED PROVISION OF INSURANCE PAYMENTS FOR PATIENT CARE, INCLUDING PARTIAL PAYMENTS FROM COMMERCIAL OR SELF-FUNDED INSURANCE PLANS FOR PATIENT CARE; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 78. 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 Davis read Ordinance 10-18 title into the record and announced that the Local Planning Committee recommended it 5-0 for denial. Mayor Brennan opened the item for Council comment. After he gave some history of Futures, Council Member Arena stated he was against the ordinance.

Public Comment was from former Tequesta Mayor Pat Watkins of 167 River Drive, who reminded that a prior Council worked hard to ensure that Futures would be an asset, not a detriment to The Village. Both she and Liz Schauer of 85 Teakwood Circle, also a former Mayor and Council Member, and current Planning and Zoning Board member were against the ordinance. Senior Vice President of Futures of Palm Beach, Michael Holloway, explained how their acceptance of health insurance would help Futures and therefore benefit The Village. He suspected that residents were concerned about safety but stated there was no correlation between crime and insurance; further, Futures had no interest in treating patients who were a threat to the community. Deja Gilbert, Chief Operating Officer of Futures said that Futures would retain the right to reject patients. Council Member Brandon stated she did not understand why Futures was losing patients; Council Member Arena advised that if this was proposed originally, Futures would never have been built here and the residents had spoken. Mayor Brennan was concerned for the future if any

changes were made and Council Member Johnson felt this was too much of a deviation from the original model, which she would not have originally approved.

MOTION: *Council Member Brandon moved to disapprove Ordinance 10-18; seconded by Council Member Arena; motion carried unanimously 5-0.*

ANY OTHER MATTERS

Council Member Arena requested a Workshop discussion about the use of Village sign holders, then explained how the Village Charter stipulated that all direction to staff was through the Village Manager, not individual department heads. Vice Mayor Paterno advised that any person can make a public record request but he only used it when necessary.

Mayor Brennan met with Palm Beach County Commissioner Hal Valeche who was amenable to annexation. Looking ahead to the bridge closing, she asked that discussion on a substation contract be held at a future workshop.

Council Member Arena spoke about the Jupiter Narrows Project and complaints about a post blocking kayak access; he would look into whether the post could be removed.

Meeting Task Assignments

TASK	ASSIGNED
Another mode of communication for residents to fill out the recreation survey	Manager
Sign Holders out front, who can use – Discuss at next Workshop	Manager / Brad
Hold a 2nd workshop on the sidewalk findings to be scheduled after the IG report is released	Merlene
Substation contract discussion at Workshop	Manager

ADJOURNMENT: *Council Member Arena moved to adjourn the meeting; seconded by Vice Mayor Paterno. The motion to adjourn carried unanimously 5-0; therefore, the meeting was adjourned at 8:07 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.