

TOWN OF HYPOLUXO
MINUTES
REGULAR TOWN COUNCIL MEETING

Al Merion Council Chamber

Wednesday, December 20, 2023

CALL TO ORDER - Mayor Michael Brown called the meeting to order at 7:00 PM

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

ROLL CALL - ELECTED OFFICIALS: Mayor Michael Brown and Vice Mayor Dick Roney and Town Council Members Brad Doyle, Linda Allen, Bob Leupp and Stephanie Kahlert were present. There was a quorum.

AGENDA APPROVAL – Addition/Deletions/ Modifications and Adoption – None.

ANNOUNCEMENTS – The next municipal election will be held on March 19, 2024.

Councilmember Brad Doyle resigned from Council effective December 29, 2023. Mayor Brown noted his 10 years of service to the Town, 10 years on the Florida League of Cities Legislative Committee and thanked him for his service.

COMMENTS FROM PUBLIC – None.

Action/Discussion –

1. **Consent Agenda – The regular minutes from November 15, 2023.**

Vice Mayor Roney moved to approve the consent agenda as presented. Seconded by Councilmember Allen. Vote: Unanimous.

2. **Ordinances and Resolutions –
Public Hearings –**

- a. **Ordinance 222 – AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HYPOLUXO, FLORIDA, AMENDING CHAPTER 54, "WATERWAYS", OF THE TOWN CODE OF ORDINANCES TO REGULATE THE MORRING OF VESSELS IN WATERWAYS LOCATED WITHIN THE TOWN; AMENDING SECTION 54-1, "DEFINITIONS" TO REVISE THE DEFINITION OF THE TERM MORRING AND ADOPTING A NEW SECTION 54-6, "MOORING LIMITATIONS; " PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

Attorney Rubin read the Ordinance by Title. He presented a brief overview of the staff report. He explained the definition of mooring is changed to secure the vessel in Section 54-6. It was clarified that these regulations do not apply to the lots located at

the terminus of Dolphin or Marlin coves and that the limitation on parallel mooring shall not include the Intercoastal waterway. These property owners have to park parallel to one another.

The following was noted:

- No moored vessel shall extend more than 30% of the waterway measured from the face of the bulkhead or seawall, therefore, the middle 40% of the waterway will be used for navigation,
- No moored vessel shall extend beyond the side property line,
- All vessels shall be moored parallel to the face of the bulkhead or seawall and shall not be moored abreast.
- It was advised that this ordinance, the property at Neptune and the end of the Cove, would not affect the legal ruling by the court.

Enforcement will be implemented through the Code Enforcement Department. It was advised that Section 54-4 pertaining to the maintenance of vessels being restricted to marinas was not changed.

Mr. Rubin explained that the intent of the ordinance is for the boats to be moored no more than 30% into the canal and fit within the property line envelope. It was noted that 30% includes the dock and bulkhead.

Mayor Brown opened the discussion to the general public.

Hans Kahlert suggested consideration be given to adding regulations pertaining to floating vessel platforms and personal watercraft parked perpendicular.

There being no further discussion, this section of the meeting was closed.

Vice Mayor Roney moved to approve Ordinance 222 as presented on first reading as modified. Seconded by Councilmember Leupp . Vote: Unanimous.

- b. RESOLUTION 23-524 – RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HYPOLUXO, FLORIDA, APPROVING A VOTE PROCESSING EQUIPMENT USE AND ELECTIONS SERVICES AGREEMENT WITH THE PARLM BEACH COUNTY SUPERVISOR OF ELECTIONS AND AUTHORIZING THE MAYOR AND DEPUTY TOWN CLERK TO EXECUTE SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Rubin read the Resolution by Title. He noted this resolution allows the Town to execute an agreement with the Supervisor of Election for the March 19, 2024 election.

Mayor Brown opened the discussion to the general public. There being none, this section of the meeting was closed.

Councilmember Doyle moved to approve Resolution 23-524 as presented. Seconded by Councilmember Leupp. Vote: Unanimous.

3. Discussion/Action Items – None.

4. Information Items & Reports – Budget

Budget – Comparison of Actual Expenditures and Income to Budget and Statement of Reserves-

Vice Mayor Roney moved to accept the financial statements for November 30, 2023, as presented. Seconded by Councilmember Kahlert. Vote: Unanimous.

5. Comments -

Councilmember, Mayor and Staff wished everyone a Merry Christmas and a Happy New Year and thanked staff for their efforts on the Holiday Open House.

Mayor Brown recognized Doug Besecker who qualified for the March 19, 2024 Municipal Election and was elected unopposed. He will fulfill the vacancy left by Councilmember Doyle.

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ADJOURNMENT – Mayor Brown adjourned the meeting at 7:22 P.M

APPROVED THIS 18 DAY OF January, 2024.

ATTEST:
Michael Brown
Michael C. Brown, Mayor

ATTEST:
Dixie Gualtieri
Dixie Gualtieri, Deputy Town Clerk