



**Town Commission Meeting**  
**Tuesday, April 8<sup>th</sup>, 2025, at 9:00 a.m.**

**IN ATTENDANCE**

TOWN COMMISSION		TOWN STAFF	
John Deese, Mayor	√	Eric Marmer, Town Manager	√
Simone Bonutti, Vice Mayor	<b>Zoom</b>	Jeffrey Rasor, Chief of Police	√
Elliot Bonner, Mayor Pro Tem	√	Erika Petersen, Town Clerk	√
Orla Imbesi, Commissioner	<b>X</b>	Keith Davis, Town Attorney	√
David Knobel, Commissioner	√	Brent Watson, Utilities Director	√
Dwight Kulwin, Commissioner	√		
Cindy McMackin, Commissioner	√		

**PUBLIC:** Frank Lynch (Sniffen & Spellman), Mike Retzer (1540 Paslay Place), Andrew Hanbury (Hanbury Construction), Gregory Bonner ( B1 Architect), Angelo Abbenante (110 Spoonbill), Liz Martin (Palm Beach County Commission on Ethics), Quintella Moore (Florida Association of Clerks), and Larry Barzewski (Coastal Star)

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**

The Town Commission meeting was called to order at 9:00 a.m.

**LPA – LOCAL PLANNING AGENCY**

**Consideration of Ordinance #393** - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTER 151. ZONING. SECTION 151.003 DEFINITIONS. TO ADD A DEFINITION FOR THE TERM “SPORTS COURT”; FURTHER AMENDING R1-B DISTRICT AT SECTION 151.093 SPECIAL EXCEPTION USES. AND R1-C DISTRICT AT SECTION 151.133 SPECIAL EXCEPTION USES. TO ADD LIGHTED AND UNLIGHTED SPORTS COURT AS A SPECIAL EXCEPTION USE; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 151. ZONING. 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.

The Ordinance was read by Town Attorney Davis.

Commissioner Knobel made a motion to **recommend approval of Ordinance #393** to the Town Commission on second reading. Mayor Pro Tem Bonner seconded the motion which prevailed by the following vote:

**YES:** Mayor Pro Tem Bonner, Commissioner Knobel, Commissioner Kulwin and Commissioner McMackin

**Consideration of Ordinance #394** - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTER 152. BUILDING REGULATIONS, SECTION 152.21 APPROVAL AND DURATION OF APPROVAL, ARCHITECTURAL REVIEW PREREQUISITE TO PERMITS, STOP WORK ORDERS. TO EXEMPT FROM ARCHITECTURAL REVIEW THOSE SINGLE FAMILY RESIDENCE CONSTRUCTION OR IMPROVEMENT PLANS THAT CONFORM TO THE "TOWN OF MANALAPAN ARCHITECTURAL DESIGN GUIDELINES FOR THE ARCHITECTURAL COMMISSION" WHICH WAS APPROVED AND ADOPTED BY THE TOWN COMMISSION AT ITS FEBRUARY 11, 2025 REGULAR TOWN COMMISSION MEETING; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 152. BUILDING REGULATIONS. 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.

The Ordinance was read by Town Attorney Davis.

Commissioner McMackin made a motion to **recommend approval of Ordinance #394** to the Town Commission on first reading. Commissioner Kulwin seconded the motion which prevailed by the following vote:

**YES:** Mayor Pro Tem Bonner, Commissioner Knobel, Commissioner Kulwin and Commissioner McMackin

**Consideration of Ordinance #395** - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTERS 91. STREETS AND SIDEWALKS, 94. NUISANCES, 151. ZONING, AND 152. BUILDING REGULATIONS, BY ADOPTING NEW REGULATIONS FOR CONSTRUCTION OF UNDERGROUND PEDESTRIAN PASSAGEWAYS UNDER SOUTH OCEAN BOULEVARD (STATE HIGHWAY A-1-A); PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTERS 91. STREETS AND SIDEWALKS, 94. NUISANCES, 151. ZONING, AND 152. BUILDING REGULATIONS. 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.

The Ordinances were read by Town Attorney Davis.

Commissioner McMackin had questions about tunnels. There was discussion about what is allowed, what has been done in the past, variances, and FEMA flood stage elevation . Commissioner McMackin also suggested adding language that the resident building the tunnel is to cover additional costs for traffic control.

Building Official Tomasik gave an overview of the discussions with FDOT regarding tunnels. There was discussion of the 1890 & 1900 S. Ocean Blvd. tunnel timeframe, road closures, and fire rescue response.

Town Attorney Davis stated the changes could be made and brought back for second reading.

Mayor Pro Tem Bonner made a motion to **recommend approval of Ordinance #395** with revisions to the Town Commission on first reading. Commissioner Knobel seconded the motion which prevailed by the following vote:

**YES:** Mayor Pro Tem Bonner, Commissioner Knobel, Commissioner Kulwin and Commissioner McMackin

LPA adjourned at 9:23 am.

#### **AGENDA ADDITIONS, DELETIONS OR SUBSTITUTIONS**

There were none.

## **PUBLIC COMMENTS**

There were none.

## **PRESENTATIONS**

Presentation by S. Lizbeth Martin from the Palm Beach County Commission on Ethics  
Town Clerk Petersen to received the International Institute of Municipal Clerks' Certified Municipal Clerk  
Designation Certificate & Pin by Florida Association of City Clerks' District Director Quintella Moore

## **CONSENT AGENDA**

- Minutes March 11<sup>th</sup>, 2025 Town Commission Meeting
- Police Department Report and Fire/Rescue Response Time Report for March
- Updated Private Police Detail Rates
- **RES 02-2025** Procurement Policy Update

Commissioner Kulwin made a motion to **approve** the Consent Agenda. Mayor Pro Tem Bonner seconded the motion which prevailed by the following vote:

**YES:** Mayor Pro Tem Bonner, Commissioner Knobel, Commissioner Kulwin and Commissioner McMackin

## **REGULAR AGENDA**

### **Old Business:**

There was none.

### **New Business: \*Quasi-Judicial Hearing**

**i. \*VAR 25-2 – 1540 Paslay Place.** – Frank Lynch presented the application. Mr. Hanbury of Hanbury Construction was available for questions. Mr. Lynch provided a seven page exhibit and handout for the commissioners. Commissioner McMackin asked the length of the dock. Mr. Lynch explained the length is 38' from the mean high water line.

Commissioner Knobel made a motion **to approve Variance 25-2**. Mayor Pro Tem Bonner seconded the motion which prevailed by the following vote:

**YES:** Mayor Pro Tem Bonner, Commissioner Knobel, Commissioner Kulwin and Commissioner McMackin

**ii. \*SE 25-1 – 920 S. Ocean Blvd.** – Greg Bonner, (B1 Architect) presented the application for special exception. Commissioner Knobel asked the finished floor height of the garage. Mr. Greg Bonner believes it will be around 8 feet.

Commissioner McMackin made a motion **to approve Special Exemption 25-1**. Commissioner Knobel seconded the motion which prevailed by the following vote:

**YES:** Mayor Pro Tem Bonner, Commissioner Knobel, Commissioner Kulwin and Commissioner McMackin

**iii. RES 03-2025 Budget Amendment Policy** – Town Manager Eric Marmer and Town Attorney Davis explained the budget process, how a budget amendment works, and the role of the Town Commission. Town Manager Marmer explained this policy amendment would allow him to approve and transact interfund transfers.

Mayor Pro Tem Bonner made a motion **to approve Resolution 03-2025**. Commissioner Kulwin seconded the motion which prevailed by the following vote:

**YES:** Mayor Pro Tem Bonner, Commissioner Knobel, Commissioner Kulwin and Commissioner McMackin

**iv. CSA – Town Hall Architectural Services Agreement** – Town Manager Marmer presented this item. The cost is \$8,500. He recommended that we move forward with Phase one.

Commissioner Kulwin made a motion **to approve this CSA**. Mayor Pro Tem Bonner seconded the motion which prevailed by the following vote:

**YES:** Mayor Pro Tem Bonner, Commissioner Knobel, Commissioner Kulwin and Commissioner McMackin

## **10. Mayor's Comments, Town Commission Comments, Town Manager Comments**

Mayor Deese had no comments and opened the floor to the other Commissioners.

Commissioner Kulwin asked about the beach committee. Town Manager Marmer explained that they will have the Town consultant, Aptim, present the first phase at the May meeting.

Building Official Tomasik discussed the need to revise Town Code to meet the current Florida Building Code.

Commissioner Knobel commended the library's recent CPR classes.

Town Manager Marmer mentioned that he had met with the Town Manager of South Palm Beach to explore the idea of providing building services to them.

Town Manager Marmer explained at the direction of the Commission, the Town had engaged a firm to conduct a salary study. He notified the Commissioners that he expected the results for the May meeting as well as potentially a presentation by FPL for the underground electric project.

Town Manager Marmer announced staff was starting back up the Town Newsletter, The Manalapanian, which he expects to go out in the near future.

Commissioner Bonner asked about the sewer project and utility coordination. Town Manager Marmer stated Mock Roos is working on the plans and grant funding. Mr. Marmer discussed a possible referendum. Mayor Deese commented that residents were previously opposed to the \$25-\$35k fee and it sounds like the new fee will be approximately the same. There was also discussion regarding planning for it now, the availability of State funds, and flexibility for the residents to connect in the future.

Lastly, Chief Jeff Rasor told the commission that there will be a life saving award at the next meeting.

**PUBLIC HEARING:**

**PH 1 - Ordinance #393** - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTER 151. ZONING. SECTION 151.003 DEFINITIONS. TO ADD A DEFINITION FOR THE TERM "SPORTS COURT"; FURTHER AMENDING R1-B DISTRICT AT SECTION 151.093 SPECIAL EXCEPTION USES. AND R1-C DISTRICT AT SECTION 151.133 SPECIAL EXCEPTION USES. TO ADD LIGHTED AND UNLIGHTED SPORTS COURT AS A SPECIAL EXCEPTION USE; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 151. ZONING. 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. **(Second Reading)**

Commissioner Knobel made a motion to **approve Ordinance #393**. Mayor Pro Tem Bonner seconded the motion which prevailed by the following vote:

**YES:** Mayor Pro Tem Bonner, Commissioner Knobel, Commissioner Kulwin and Commissioner McMackin

**PH 2 - Ordinance #394** - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTER 152. BUILDING REGULATIONS, SECTION 152.21 APPROVAL AND DURATION OF APPROVAL, ARCHITECTURAL REVIEW PREREQUISITE TO PERMITS, STOP WORK ORDERS. TO EXEMPT FROM ARCHITECTURAL REVIEW THOSE SINGLE FAMILY RESIDENCE CONSTRUCTION OR IMPROVEMENT PLANS THAT CONFORM TO THE "TOWN OF MANALAPAN ARCHITECTURAL DESIGN GUIDELINES FOR THE ARCHITECTURAL COMMISSION" WHICH WAS APPROVED AND ADOPTED BY THE TOWN COMMISSION AT ITS FEBRUARY 11, 2025 REGULAR TOWN COMMISSION MEETING; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 152. BUILDING REGULATIONS. 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. **(First Reading)**

Commissioner Knobel made a motion to **recommend approval of Ordinance #394**. Commissioner McMackin seconded the motion which prevailed by the following vote:

**YES:** Mayor Pro Tem Bonner, Commissioner Knobel, Commissioner Kulwin and Commissioner McMackin

**PH 3 - Ordinance #395** - AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE MANALAPAN CODE OF ORDINANCES AT CHAPTERS 91. STREETS AND SIDEWALKS, 94. NUISANCES, 151. ZONING, AND 152. BUILDING REGULATIONS, BY ADOPTING NEW REGULATIONS FOR CONSTRUCTION OF UNDERGROUND PEDESTRIAN PASSAGEWAYS UNDER SOUTH OCEAN BOULEVARD (STATE HIGHWAY A-1-A); PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTERS 91. STREETS AND SIDEWALKS, 94. NUISANCES, 151.

ZONING, AND 152. BUILDING REGULATIONS. 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. **(First Reading)**

There was discussion on total construction time on tunnels and the ability to impose time limits.

Commissioner Knobel made a motion to **recommend approval of Ordinance #395 with revisions.** Mayor Pro Tem Bonner seconded the motion which prevailed by the following vote:

**YES:** Mayor Pro Tem Bonner, Commissioner Knobel, Commissioner Kulwin and Commissioner McMackin

**The Town Commission meeting adjourned at 10:26 a.m.**

**These minutes were presented to the Town Commission  
on Tuesday May 13<sup>th</sup>, 2025 for approval.**

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John Deese, Mayor

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Date Signed

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Erika Petersen, Town Clerk

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Date Signed