

**VILLAGE OF PALM SPRINGS
VILLAGE COUNCIL MINUTES
REGULAR MEETING, COMMUNITY ROOM, MARCH 10, 2011**

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE

Mayor John M. "Mike" Davis called the regular meeting of the Village Council to order at 7:30 p.m.

Present: Mayor John M. Davis, Vice Mayor Bev Smith, Mayor Pro Tem Doug Gunther, Council Member Joni Brinkman, Council Member Patti Waller, Village Manager Karl E. Umberger, Village Attorney Glen J. Torcivia, and Village Clerk Virginia M. Walton.

Staff present were Public Safety Director Mark C. Hall, as Sergeant at Arms, Land Development Director Bette J. Lowe, CFO Rebecca L. Morse, Public Service Director Bill Davis, Leisure Services Director Bill Golson, Library Director Elena Romeo and additional staff members from all departments in the Village.

Invocation was given by Village Manager Karl E. Umberger, followed by the Pledge of Allegiance led by Boy Scout Cameron Owens.

1. CERTIFICATION OF ELECTION

RESOLUTION NO. 2011-14

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ACCEPTING THE CERTIFICATION OF THE VILLAGE CLERK OF CANDIDATES FOR THE ELECTION OF CANDIDATES; AND PROVIDING AN EFFECTIVE DATE. Staff: Virginia M. Walton, Village Clerk

Village Clerk Walton certified one candidate for District 1, Doug Gunther, and one candidate for Mayor, Bev Smith, qualified for the March 8, 2011 elections. The Charter of the Village, Section 5.06, and Florida Statutes, Chapter 101.151(6) provide that a candidate shall be deemed to have voted for themselves and are certified effective the date of the election. There were no qualified candidates for the District 3 Council Seat, which now had a vacancy. Hearing no comments, Village Attorney Torcivia read the resolution by title. A motion to accept the certification was made by Council Member Waller and seconded by Council Member Brinkman. Motion carried 5 – 0.

2. OATH OF OFFICE FOR NEW CANDIDATES

Village Clerk Walton administered the Oath of Office to Doug Gunther for Council Member District 1. The Oath of Office for Bev Smith as Mayor was administered by her husband, Police Chief Wes Smith.

3. RESOLUTION NO. 2011-15

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, DESIGNATING A VICE MAYOR AND MAYOR PRO TEM FOR THE ENSUING YEAR 2011-2012, AND PROVIDING AN EFFECTIVE DATE. Staff: Virginia M. Walton, Village Clerk

Council Member Patti Waller nominated Doug Gunther for Vice Mayor and Joni Brinkman for Mayor Pro Tem. Hearing no further nominations, Village Attorney Torcivia read the resolution by title. A motion to appoint Doug Gunther as Vice Mayor and Joni Brinkman as Mayor Pro Tem was made by Council Member Waller and seconded by current Mayor Pro Tem Gunther. Motion carried 4 – 0.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Village Manager: continue item #7 to the April 14, 2011 agenda
Add item #10A Council Vacancy Procedure
Add item #10B Temporary License Agreement

A motion to accept the agenda as revised was made by Mayor Pro Tem Brinkman and seconded by Vice Mayor Gunther. Motion carried 4 – 0.

CONSENT AGENDA

- 4. Minutes of Regular Council Meeting on February 24, 2011
Staff: Virginia Walton, Village Clerk
- 5. Public Safety Forfeiture Fund Expenditure in the amount of \$4,000 for the purchase of new duty weapons with night sights and adjustable grips.

A motion to approve the consent agenda as presented was made by Council Member Waller and seconded by Mayor Pro Tem Brinkman. Motion carried 4 – 0.

End of Consent Agenda.....

ANNOUNCEMENTS AND PROCLAMATIONS

- 6. Proclamation Honoring Mayor John M. "Mike" Davis on his Retirement

Mayor Smith read the proclamation honoring Mayor Davis for his 20 years of service as an elected official in the Village, and as Mayor for 14 of those years. Mayor Davis was honored for his dedication and belief in the quality of life for all Palm Springs residents and his leadership in steering the Village to a fiscally sound and prosperous community. The proclamation declared March 20,2011 as John M. "Mike" Davis Day in Palm Springs and appointed him Honorary Mayor for Life. Mayor Davis was presented with the proclamation and a plaque for his service to the Village.

Mayor Davis thanked everyone and commented that he could not believe how the past 20 years had gone so quickly. Mayor Davis stated he had enjoyed what the Council had been able to accomplish in these 20 years. Mayor Davis believed the Village was a better place today than it was 20-25 years ago; and that was not because of him, but rather because of the Council Members, the Staff and the Village Manager. Mayor Davis quoted an old adage "remember who brung you to the dance" and to explain the success of the Village he revised it to "remember how you got here". What we do may not be sexy. It's the same thing day in and day out and we make it work. Mayor Davis commented that a lot of people thought annexation began because the Village was out to grab money; but what actually started it was residents complaining about what was happening around the periphery of the Village....the prostitutes, the drug dealers, the panhandlers, as well as fatalities on Congress Avenue in 1996 & 1997. Mayor Davis stated he would not lie that the tax based helped too, and that additional tax base was the reason Palm Springs was not in the same financial crisis as a lot of other cities in Palm Beach County. Mayor Davis reiterated that it took a Council, a Manager and a Staff to accomplish all this. The Village was not big on histrionics or politics; but rather big on governance and making things work. Mayor Davis saw a bright future for the Village and knew the new Mayor and Council would continue that work. "Good Luck and Remember What Got You Here".

PUBLIC COMMENT

Elizabeth Shields, 2111 Prairie Road, thanked the Village for the beautiful Palm Tree planted in her front yard.

PUBLIC HEARINGS

This item was continued to the April 14, 2011 agenda

7. ORDINANCE NO. 2010-17 (SECOND READING - ANNEX MARLBORO COURT MOBILE HOMES)

8. ORDINANCE NO. 2011-03 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS; PROVIDING FOR THE REPEAL OF ORDINANCE NOS. 88-09, 76-25 and 77-4 WHICH LEVIED THE INSURANCE PREMIUM TAX PURSUANT TO FLORIDA STATUTES SECTION 185.08; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Staff: Karl Umberger, Village Manager

Notice of public hearing was placed in the Lake Worth Herald on February 24, 2011. Village Attorney Torcivia read the ordinance by title. Mayor Smith stated this was a public hearing and asked for questions or comments from the Council and from the public. Hearing none, a motion to adopt on second reading was made by Vice

Mayor Gunther and seconded by Mayor Pro Tem Brinkman. A roll call vote was in favor of adoption 4 – 0.

9. ORDINANCE NO. 2011-04 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .46 ACRES OWNED BY B&R ENTERPRISES INC.; LOCATED AT 3141 FLORIDA MANGO ROAD; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO COMMERCIAL, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT COMMERCIAL GENERAL ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Manager Umberger advised the Council that this property was compact and contiguous to the Village with the Health Care District property to the south and west. The property was located in the target annexation areas and currently was the site of an apartment complex. The current County land use designation of Urban Center would be amended to commercial in the Village. The current County zoning of Urban Center would be amended to commercial general in the Village. Mayor Smith stated this was a public hearing and asked for questions or comments from the Council and from the public. Hearing none, Village Attorney Torcivia read the ordinance by title. A motion to adopt on first reading was made by Council Member Waller and seconded by Mayor Pro Tem Brinkman. Motion carried 4 – 0.

REGULAR AGENDA

ACTIONS AND REPORTS – None Scheduled

RESOLUTIONS

10. RESOLUTION NO. 2011-16

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, DESIGNATING A COUNCIL LIAISON FOR EACH OF THE ADVISORY BOARDS FOR THE ENSUING YEAR 2011-2012; AND PROVIDING AN EFFECTIVE DATE. Staff: Virginia Walton, Village Clerk

Mayor Smith stated each year the liaison for the advisory boards were appointed

and asked for volunteers to serve. Mayor Pro Tem Brinkman stated she would be happy to serve on the Land Development Board. Vice Mayor Gunther volunteered to continue to serve on the Leisure Services Board. Council Member Waller stated she would like to continue to serve on the Pension Board, and Mayor Smith stated she would serve on the Library Board. A motion to approve the designation of council liaisons for each advisory board was made by Vice Mayor Gunther and seconded by Council Member Waller. Motion carried 4 – 0.

ADD**10A. Council Vacancy Procedure**

Manager Umberger advised the Council that a tentative schedule had been created to advertise and select an Applicant to fill the vacancy for the Council District 3 seat. This was a good time to begin because there was time to get the information in the next Village newsletter. The deadline for applicants would be April 15th, and Thursday, April 21st was an off week and could be a Special Council Meeting to interview, rank and make a selection. The person could then be sworn in and seated at the next council meeting. The Council gave unanimous consensus with this schedule.

ADD**10B. Temporary License Agreement**

Mayor Smith advised the Council that this agreement was between Equity One Inc., the Property Manager for Greenwood Plaza, and Windrose Congress I & II Properties L.P., the owners of the buildings housing the MedVance School. Equity One would lease 100 parking spaces to Windrose for MedVance student parking, which was a condition of the special exception approval at the Council meeting on February 24, 2011. The agreement was for a term of 12 months. The Council gave unanimous consensus.

VILLAGE COUNCIL COMMENTS

Mayor Smith thanked everyone for coming and was looking forward to her new position as Mayor. The Village was in good shape, due in large part to former Mayor Davis, the Manager, the Staff and the Council; and the plan was to keep it that way.

Council Member Waller congratulated Mayor Smith and Vice Mayor Gunther on their elections and told former Mayor Davis it had been a pleasure working with him, as well as thanking him for his many years of service.

Mayor Pro Tem Brinkman also congratulated Mayor Smith and Vice Mayor Gunther on their elections, and wished former Mayor Davis all the happiness and a lower handicap in his retirement, as well as thanking him for his years of service to the Village.

Vice Mayor Gunther also congratulated Mayor Smith on her election and for the confidence of the Council for his Vice Mayor nomination. For former Mayor Davis, thank you for your leadership and guidance. Former Mayor Davis's influence was the reason Vice Mayor Gunther had sought the Council Seat originally. Vice Mayor Gunther also thanked the "former First Lady" for the 20 years she allowed the Village to enjoy him.

Mayor Smith added congratulations to Vice Mayor Gunther. On behalf of the Staff, the Council and a grateful Village, Mayor Smith thanked former Mayor Davis for his years of service and hoped he would return to visit often.

Mayor Smith announced the next Local Planning Agency Meeting on April 14, 2011 at 7:15 pm and followed by the next Regular Council Meeting on April 14, 2011 at 7:30 pm.

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the meeting at 7:57 p.m.

Respectfully submitted,

Village Clerk

Approved by Council _____

Mayor