



**AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COMMUNITY ROOM
226 CYPRESS LANE
SEPTEMBER 23, 2010
7:30 P.M.**

COUNCIL

- Mayor John M. "Mike" Davis
- Mayor Pro Tem Doug Gunther
- Vice Mayor Bev Smith
- Council Member Patti Waller
- Council Member Joni Brinkman

ADMINISTRATION

- Village Manager Karl E. Umberger
- Village Attorney Glen J. Torcivia
- Village Clerk Virginia M. Walton

- CALL TO ORDER**
- ROLL CALL**
- INVOCATION**
- PLEDGE OF ALLEGIANCE**

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Motion	Second	Vote
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CONSENT AGENDA

1. Minutes of Regular Council Meeting on September 9, 2010
2. Budget Amendment from Council Contingency in the amount of \$8,500.00 to cover the costs charged in fiscal year 2010 for expansion of the Fire Rescue building.

Motion	Second	Vote
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End of Consent Agenda.....

ANNOUNCEMENTS AND PROCLAMATIONS

3. Mayor's Proclamation for Domestic Violence Awareness Month – October 2010

PUBLIC COMMENT - (Five minute limit)

PUBLIC HEARINGS

This item will be continued to the October 14th agenda

- 4. ORDINANCE NO. 2010-17 (SECOND READING – ANNEXATION MARLBORO COURT MOBILE HOME)

- 5. ORDINANCE NO. 2010-18 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .16 ACRES OWNED BY DUCLOS FAMILY TRUST D-1; LOCATED AT 1722 SOUTH CONGRESS AVENUE; 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

Motion	Second	Roll Call Vote
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- 6. ORDINANCE NO. 2010-19 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .16 ACRES OWNED BY RICHARD S. WHEELIHAN JR.; LOCATED AT 1708 SOUTH CONGRESS AVENUE; 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

Motion	Second	Roll Call Vote
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7. ORDINANCE NO. 2010-20 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .32 ACRES OWNED BY LORRAINE D. AHRENS TRUST; LOCATED AT 1706 SOUTH CONGRESS AVENUE; 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

Motion	Second	Roll Call Vote
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8. ORDINANCE NO. 2010-21 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, REGARDING THE RE-DESIGNATION OF A .73 ACRE PARCEL OF LAND, OWNED BY PRESCHOOL MANAGEMENT, INC., LOCATED 800 FEET EAST FROM THE INTERSECTION OF CONGRESS AVENUE AND MEADOW ROAD; AMENDING THE OFFICIAL LAND DEVELOPMENT DISTRICT ZONING MAP OF THE VILLAGE OF PALM SPRINGS BY RE-ZONING THE ABOVE DESCRIBED PROPERTIES FROM VILLAGE OF PALM SPRINGS "RESIDENTIAL SINGLE FAMILY" TO VILLAGE OF PALM SPRINGS "RESIDENTIAL MULTI-FAMILY"; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Roll Call Vote
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9. ORDINANCE NO. 2010-22 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ADOPTING THE FINAL LEVY OF AD VALOREM TAXES IN AND FOR THE VILLAGE OF PALM SPRINGS, FLORIDA FOR FISCAL YEAR 2010/2011; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Staff: Rebecca Morse, CFO

Motion	Second	Roll Call Vote
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10. ORDINANCE NO. 2010-23 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ADOPTING AN ANNUAL BUDGET FOR THE YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Staff: Rebecca Morse, CFO

Motion	Second	Roll Call Vote
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11. ORDINANCE NO. 2010-24 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING ORDINANCE NO. 2009-23, ADOPTED JANUARY 14, 2010 PROVIDING FOR A REVISED AND RESTATED POLICE PENSION PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. Staff: Karl Umberger, Village Manager

Motion	Second	Roll Call Vote
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12. ORDINANCE NO. 2010-25 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 70, "TAXATION", ARTICLE IV, "LOCAL BUSINESS TAX", SECTION 70-101, "LOCAL BUSINESS TAX SCHEDULE", BY PLACING A CAP ON THE RATE OF TAX FOR OFFICE, RETAIL AND WHOLESALE STORE LOCAL BUSINESSES FOR FY 2010-2011 AND BEYOND; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Motion	Second	Roll Call Vote
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13. ORDINANCE NO. 2010-26 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 78, UTILITIES, ARTICLE II, WATER AND WASTEWATER SYSTEM, DIVISION 1, GENERALLY, AND DIVISION 4, BACKFLOW PREVENTION DEVICES; PROVIDING DEFINITIONS; PROVIDING SPECIAL ASSESSMENT LIENS FOR DELINQUENT CHARGES AND FEES; CREATING A NEW CROSS CONNECTION CONTROL PROGRAM; PROVIDING FOR A PURPOSE; PROVIDING FOR A CROSS CONNECTION CONTROL MANUAL; PROVIDING FOR INSTALLATION LOCATIONS, EXPENSE, INSPECTION AND ENTRY; PROHIBITING CROSS CONNECTIONS; PROVIDING FOR VIOLATIONS AND PENALTIES; PROVIDING AN INTERPRETATION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE. Staff: Bill Davis, Public Service Director

Motion	Second	Vote
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14. ORDINANCE NO. 2010-27 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 78, UTILITIES, OF THE CODE OF ORDINANCES OF THE VILLAGE OF PALM SPRINGS, FLORIDA; MODIFYING RATES AND CHARGES FOR WATER AND WASTEWATER SERVICES WITHIN THE VILLAGE AS WELL AS OUTSIDE THE VILLAGE FOR FISCAL YEARS 2010-2014 BY ADDING A CROSS CONNECTION CONTROL PROGRAM FEE AND A 2" AND 3" FIRE LINE PROTECTION SERVICE CHARGE AND INCREASING THE MINIMUM DEPOSIT REQUIREMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. Staff: Bill Davis, Public Service Director

Motion	Second	Vote
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15. RESOLUTION NO. 2010-49 (SITE PLAN)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING, WITH CONDITIONS, AMENDMENT TO SITE PLAN (SPR 97-02) AND SPECIAL EXCEPTION USE (PSSE 97-02) SUBMITTED BY YMCA OF THE PALM BEACHES, INC., FOR CONSTRUCTION OF A 6,860 SQUARE FOOT DAYCARE FACILITY LOCATED AT 2085 SOUTH CONGRESS AVENUE; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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16. RESOLUTION NO. 2010-50 (SITE PLAN)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING, WITH CONDITIONS, SITE PLAN (SPR 10-05) AND SPECIAL EXCEPTION USE (PSSE 10-03) SUBMITTED BY PRESCHOOL MANAGEMENT, INC., FOR CONSTRUCTION OF A 1,276 SQUARE FOOT ADDITION TO THE EXISTING 3,625 SQUARE FOOT DAYCARE FACILITY LOCATED AT 2850 MEADOW ROAD; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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REGULAR AGENDA

RESOLUTIONS

17. RESOLUTION NO. 2010-51

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, OPPOSING AMENDMENT 4 ON THE 2010 GENERAL ELECTIONS BALLOT, WHICH PROPOSES AN AMENDMENT TO THE FLORIDA CONSTITUTION REQUIRING THAT EVERY AMENDMENT TO A CITY'S OR COUNTY'S COMPREHENSIVE PLAN BE SUBJECT TO A VOTE OF THE RESPECTIVE CITY'S OR COUNTY'S ELECTORATE; AND PROVIDING AN EFFECTIVE DATE.

Staff: Karl Umberger, Village Manager

Motion	Second	Vote
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ACTIONS AND REPORTS

- 18. Appointment to the Police Pension Board
Staff: Virginia Walton, Village Clerk

Motion	Second	Vote
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VILLAGE COUNCIL COMMENTS

ADJOURNMENT

**NEXT REGULAR COUNCIL MEETING
OCTOBER 14, 2010 AT 7:30 P.M.**

If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons who need an accommodation in order to attend or participate in this meeting should contact the Village Clerk at 965-4010 at least 3 days prior to the meeting in order to request such assistance.