

**VILLAGE OF PALM SPRINGS
VILLAGE COUNCIL MINUTES
REGULAR MEETING, COMMUNITY ROOM, May 24, 2007**

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 7:32 p.m.

Present: Mayor John M. Davis, Vice Mayor Bev Smith, Mayor Pro Tem Joni Brinkman, Council Member Patti Waller, Village Manager Karl E. Umberger, Village Attorney Karen E. Roselli, and Deputy Village Clerk Jane R. Worth. Council Member Chet Osborne was absent.

Staff present were; Public Safety Director Jay C. Pickens, as Sergeant at Arms, Land Development Director Bette J. Lowe, Finance Director Rebecca L. Morse, Public Service Director Bill Davis, Leisure Services Director Bill Golson and Library Director Elena Romeo.

Invocation was given by Village Manager Karl E. Umberger, followed by the Pledge of Allegiance led by Council Member Patti Waller.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Village Manager: Items #6 & #14 will be continued to June 14, 2007
Add: Item #11A Design Institute of FAU Report

A motion to accept the agenda as revised was made by Council Member Patti Waller and seconded by Vice Mayor Bev Smith. Motion carried 4-0.

CONSENT AGENDA

1. **Minutes of May 10, 2007 Regular Council Meeting**
2. **RESOLUTION NO. 2007-32 (EASEMENT)**

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ACCEPTING AN EASEMENT DEED FROM SHAWN C. AND VERONICA WATERS, AS REQUIRED FOR EXPANSION OF WATER AND SANITARY SEWER SERVICES; PROVIDING FOR RECORDATION AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Davis, Public Service Director

3. **RESOLUTION NO. 2007-38 (ABANDONMENT)**

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ABANDONING ALL RIGHTS, TITLE AND INTEREST TO AN UTILITY EASEMENT GRANTED ON AUGUST 7, 1984 OVER, UNDER AND THROUGH A PARCEL OF REAL PROPERTY KNOWN AS SOUTH PARCEL, LOCATED 225 FEET SOUTH OF THE SOUTHWEST CORNER OF THE INTERSECTION OF SOUTH CONGRESS AVENUE AND 10TH AVENUE NORTH; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; PROVIDING FOR INSTRUCTIONS AND RECORDATION OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

A motion to approve the consent agenda as presented was made by Vice Mayor Bev Smith and seconded by Mayor Pro Tem Joni Brinkman. Motion carried 4-0.

End of Consent Agenda.....

ANNOUNCEMENTS AND PROCLAMATIONS

4. Mayor’s Proclamation for Public Works Week May 20-26, 2007

Mayor Davis read the Proclamation and proclaimed the week of May 20 to May 26, 2007, as Public Works Week in Palm Springs. Public Service Director Bill Davis, accepted the proclamation.

5. Presentation of Joseph Fallon Scholarship Awards

Mayor Davis presented a plaque and a check in the amount of \$1,500 to three (3) scholarship winners: Natasha Betty, student at John I. Leonard High School; Ryan Morse, student at Summit Christian School; Marsha Emmanuel, student at Lake Worth High School. Mr. Fallon congratulated the students and thanked the Village for continuing the scholarship in honor of his son Joseph. Marsha Emmanuel came forward to thank the Village Council, the Fallon family, the Friends of the Library along with the Kiwanis, and congratulated each recipient, wishing them much success with their future endeavors in college.

PUBLIC COMMENT

Representative Shelly Vana gave a brief update of what had taken place in Tallahassee this past session. Many bills had passed, with the exception of a 5 million dollar bill for Palm Beach Community College construction on Southern Boulevard for the Western Campus.

The bill for portable classrooms for the detention center was passed. Representative Vana felt this was positive that the children would receive an education

while there. Money for water reuse plants in Palm Beach County had been received with the hope that it would be used conservatively. The Governor had asked for 36 million dollars to stock pile Tamafu in case a pandemic should ever break out. Eight million was raised, but was on hold. Councils and Commissions were being urged to pass a resolution in support of putting pressure on the Federal government to bring Lake Okeechobee up to levy standards so our people would be safe. Recommendation for privatizing toll roads was brought up, with much controversy, due to increased tolls and control of our vital infrastructure by foreign controlled companies.

Special session will resume with focus on the tax bill. Representative Vana urged every municipality to research possibilities for budget cuts. Not everyone would be negatively impacted by the tax bill. Within the last 60 days a rash decision was not made, but an extreme effort was being made to come up with a sensible plan.

Council Member Patti Waller stated that she felt that our budget was very lean. Every year the Village was very diligent, and we strived to give our citizens the necessary services they needed. Vice Mayor Bev Smith commented another issue to look into would be the insurance rate issue. Many residents had mentioned how the increase had surpassed affordability. One other item was the way appraisals were being done, with questions of many interpretations of the statute.

Representative Vana expressed her understanding of the concerns from the Council. The final bill had not been passed and it would be taken into consideration that one size does not fit all.

Johnnie Tieche, 305 Winged Foot, stated three (3) volunteers have finished their training, there will be a total of six (6) volunteers. He felt the Citizens' on Patrol was working very well. There were a multitude of reasons he was being stopped daily. Mr. Tieche also stated he would like to thank Chief Pickens for all his work with the program.

PUBLIC HEARINGS

This item will be continued to June 14, 2007 agenda

- 6. RESOLUTION NO. 2007-05 (SITE PLAN – CABRERA/KIRK ROAD)**

- 7. RESOLUTION NO. 2007-36 (SITE PLAN – QJ)**

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF CARLOS M. GONZALEZ, AGENT FOR THE OWNERS; TARQUINO BUILDERS, FOR SITE PLAN REVIEW (SPR 07-05); FOR CONSTRUCTION OF TWELVE (12) ONE AND TWO STORY PUD CLUSTER MULTI-FAMILY RESIDENCES ON 2.02 ACRES, LOCATED ON THE EAST SIDE OF REO LANE, SOUTH OF PARK LANE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Deputy Village Clerk Worth advised the Council that notice of public hearing was placed in the Lake Worth Herald on March 29, 2007. There were no ex parte communications disclosed. Manager Umberger advised the Council this site plan was previously approved by Resolution No. 2005-38 on June 9, 2005. The applicant failed to permit or build the development within the time frame granted. The Land Development Board heard the request on May 8, 2007 and recommended approval of the time extension. Director Bette Lowe stated staff's comments were provided as Exhibit "A".

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing no comments, Village Attorney Roselli read the resolution by title. A motion to adopt the resolution was made by Vice Mayor Bev Smith and seconded by Mayor Pro Tem Joni Brinkman. Motion carried 4-0.

This item will be continued to June 14, 2007 agenda

8. RESOLUTION NO. 2007-37 (SITE PLAN – 7TH DAY ADVENTIST CHURCH)

9. ORDINANCE NO. 2007-12 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .15 ACRES OWNED BY DANIEL DELAUS; LOCATED AT 3585 LAKE WORTH 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 (CG) 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

Deputy Village Clerk Worth advised Council that notice of public hearing was placed in the Lake Worth Herald on April 26 and May 3, 2007. No ex parte communications were disclosed. Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing none, Village Attorney Roselli read the ordinance by title. A motion to adopt the ordinance on second reading was made by Council Member Waller and seconded by Vice Mayor Smith. A roll call vote was in favor the adoption 4-0.

10. ORDINANCE NO. 2007-13 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .23 ACRES OWNED BY MICHAEL F. CHILLEMI AND VIOLA CHILLEMI (Deceased); LOCATED AT 3615 LAKE WORTH 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 (CG) 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

Deputy Village Clerk Worth advised Council that notice of public hearing was placed in the Lake Worth Herald on April 26 and May 3, 2007. No ex parte communications were disclosed. Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing none, Village Attorney Roselli read the ordinance by title. A motion to adopt the ordinance on second reading was made by Council Member Waller and seconded by Vice Mayor Smith. A roll call vote was in favor the adoption 4-0.

REGULAR AGENDA

ACTIONS AND REPORTS

11. Manager's Evaluation and Contract Renewal

Each member of the Council complimented Manager Umberger on his management style, the changes in the Palm Springs Shopping Center, the continued respect from the staff and Council, and the success and progress that has been accomplished in the 10 years that Manager Umberger has been in service. Mayor Davis put forth a motion to increase Manager Umberger's salary by 3% with a 5% bonus. The motion was seconded by Council Member Patti Waller. Motion carried 4-0.

11A. Design Institute Report

Mayor Pro Tem Joni Brinkman informed the Council that Village Manager Umberger had received a call from a resident that works for the Center of Environmental Urban Institute of FAU. A particular sight will be chosen, professionals will critique it and ideas will be presented. Manager Umberger suggested the property on the NW corner of Forest Hill and Congress, where the shopping center and a vacant lot exist. Mayor Pro Tem Brinkman would not be able to accept the invitation; therefore, Vice Mayor Bev Smith would attend the session on June 22, 2007.

VILLAGE COUNCIL COMMENTS

Council Member Patti Waller congratulated the scholarship winners, and stated the resumes were outstanding. She invited all to come back and let the Village know about their progress. She also wanted to congratulate Manager Umberger and was glad that he

would be back on board. Congratulations were extended to Bill Davis and his staff for the Proclamation.

Mayor Pro Tem Joni Brinkman congratulated Karl Umberger and the scholarship winners.

Vice Mayor Bev Smith congratulated the scholarship winners and expressed her gratitude to know that there were youth out there that had goals and aspirations. Hopefully when they reached their goals, they would come back to Palm Beach County and do good things.

Mayor Davis thanked Jim and Carolyn Fallon for inspiring the scholarship program. The partnership between the Village and the Fallon family has been fantastic and many children have been helped. Mayor Davis also congratulated the scholarship winners and wished them great success in their endeavors.

ADJOURNMENT

Hearing no further business, Mayor Davis adjourned the meeting at 8:28 p.m.

Respectfully submitted,

Deputy Village Clerk

Approved by Council _____

Mayor