

**VILLAGE OF PALM SPRINGS  
VILLAGE COUNCIL MINUTES  
REGULAR MEETING, COMMUNITY ROOM, OCTOBER 9, 2008**

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

Vice Mayor Joni Brinkman called the regular meeting of the Village Council to order at 7:30 p.m.

Present: Vice Mayor Joni Brinkman, Mayor Pro Tem Patti Waller, Council Member Bev Smith, Village Manager Karl E. Umberger, Acting Village Attorney Jeff Kurtz, and Village Clerk Virginia M. Walton. Mayor John M. Davis and Council Member Chet Osborne were absent.

Staff present were Public Safety Director Jay C. Pickens, as Sergeant at Arms, Land Development Director Bette J. Lowe, Public Service Director Bill Davis and Leisure Services Director Bill Golson.

Invocation was given by Village Manager Karl E. Umberger, followed by the Pledge of Allegiance led by Mayor Pro Tem Patti Waller.

**ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA**

A motion to accept the agenda as presented was made by Mayor Pro Tem Waller and seconded by Council Member Smith. Motion carried 3 – 0.

**CONSENT AGENDA**

1. **Minutes of Regular Council Meeting on September 25, 2008**
2. **RESOLUTION NO. 2008-75**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING ADDENDUM NUMBER 1 TO TASK ORDER NO. 97 FOR DESIGN SERVICES IN THE AMOUNT OF \$20,000 AND CONSTRUCTION SERVICES IN THE AMOUNT OF \$10,000, FOR THE INSTALLATION OF SANITARY SEWER LINES ON THE ADDITIONAL STREETS OF LEXINGTON AVENUE AND TODD STREET, TO ECKLER ENGINEERING, INC.; AND PROVIDING AN EFFECTIVE DATE.**

Staff: Bill Davis, Public Service Director

3. **RESOLUTION NO. 2008-76**

**A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY FOR INTEROPERABILITY 800 MHz TRUNKED RADIO SYSTEM SERVICES FOR AN**

**ADDITIONAL FIVE YEARS UNTIL AUGUST 18, 2013; AND PROVIDING AN EFFECTIVE DATE.** Staff: Jay Pickens, Public Safety Director

4. **A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A PALM BEACH COUNTY MULTI-AGENCY MUTUAL AID AGREEMENT FOR SEXUAL OFFENDER TRACKING; AND PROVIDING AN EFFECTIVE DATE.**  
Staff: Jay Pickens, Public Safety Director

A motion to approve the consent agenda as presented was made by Council Member Smith and seconded by Mayor Pro Tem Waller. Motion carried 3 – 0.

**ANNOUNCEMENTS AND PROCLAMATIONS - None**

**PUBLIC COMMENT**

Gary Ready, 3118 Meadow Road, asked the Village to consider an Amnesty Day for disposal of used tires, paint and chemicals for Village residents in the Fall and Spring of each year. Currently, he had to travel to 45<sup>th</sup> Street to dispose of these items.

Manager Umberger responded that the Village was still picking up paint cans if left on the curb. The problem with picking up tires and other hazardous materials is that the Village no longer has sanitation pick ups and the municipalities were charged for dropping off these materials at the drop sites on the same basis as the residents. With regard to tires, Manager Umberger suggested it would be best to leave old tires at the establishment where new tires were purchased because there was a tire disposal fee charged on all new purchases. If there was a hazardous spill, please call 911 and they would respond. Council Member Smith also commented that she had recently taken paint cans to the site off Lantana Road across from Costco and they accept them. This would be a lot closer than 45<sup>th</sup> Street.

Gary Ready also asked that the Village include homes on dead end streets in the holiday decorating contest. People who have these homes, such as his neighbor, pay taxes and felt they should be recognized like all other residents. Vice Mayor Brinkman asked if they had entered the contest because she understood that the policy was all homes that were entered would be visited and judged, and the committee does get down and walk to homes that the truck cannot reach.

Joan Barnett, 3138 Meadow Road responded that she had entered the contest, but when the truck with committee members came, they only looked at a house near the corner and then left. That house wasn't even in the contest. Vice Mayor Brinkman stated it appeared there must have been a mistake in judging on the wrong house.

**PUBLIC HEARINGS**

5. **ORDINANCE NO. 2008-22 (SECOND 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 2008-2013 AND THEREAFTER UNTIL AMENDED; MODIFYING PRIVATE FIRE LINE AND HYDRANT RATES; MODIFYING THE AMOUNT REQUIRED FOR CAPITAL CONTRIBUTION FEES FOR WATER AND WASTEWATER; MODIFYING MISCELLANEOUS FEES AND CHARGES; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** Staff: Rebecca Morse, Chief Financial Officer

Village Clerk Walton advised the Council that notice of public hearing was placed in the Palm Beach Post on August 24, 2008 and on September 14, 2008. Acting Village Attorney Kurtz read the ordinance by title. Vice Mayor Brinkman stated this was a public hearing and asked for questions or comments from the Council and from the public.

Bruce Gosman, 133 Greenbrier Drive, asked if the new rates had been published yet. Manager Umberger replied that nothing had been posted yet because the Council had not had a final adoption on the ordinance. Mr. Gosman wanted to know if the increased water was due to decreased consumption. Vice Mayor Brinkman stated that the Village had hired an outside consultant, who had completed an in depth study prior to making these changes. The rate increases were due partly because of reduced consumption, but also because of increases in fixed costs such as fuel, chemicals, etc. Mr. Gosman asked if the water department was operating at a loss. Manager Umberger responded that the utilities was an enterprise fund and produced enough revenue to cover the outstanding debt and the operation of the system. The biggest reason was the pass through costs. The Village was totally on sewer now, but did not have a sewage treatment plant. Sewage was transferred to either Lake Worth or Palm Beach County. Lake Worth just had a sixty-three percent (63%) increase in fees and the County was anticipating a double digit increase also. These increases were about 8-9%, and those are the pass through costs that created the rate increases for the Village.

Mr. Gosman asked how the meters were being read now. Director Davis stated that all the meters were being upgraded to a digital read out system.

Hearing no further comments, a motion to adopt the ordinance on second reading was made by Mayor Pro Tem Waller and seconded by Council Member Smith. A roll call vote was in favor of adoption 3 – 0.

## **REGULAR AGENDA**

## **ACTIONS AND REPORTS**

### **6. Approval of Riverside Bank as Second Qualified Public Depository Bank** Staff: Rebecca Morse, Chief Financial Officer

Manager Umberger advised the Council that in light of the current turmoil in the financial industry, Director Morse had recommended that the Village establish a relationship with a second qualified public depository bank located in the Village. The most responsive bank was Riverside Bank, located on Forest Hill Boulevard, which would be an interest bearing checking account and give the Village instant access to an operating account should National City lose their status as a qualified public depository.

All council members commented that this was a very good idea and the consensus was to approve this new account. A motion was not required.

### **7. Acceptance of County Deed for Lark Road, Davis Road and 2<sup>nd</sup> Avenue North** Staff: Bette Lowe, Land Development Director

Manager Umberger advised the Council that both the Village and Palm Beach County had been under the impression that these roads had been transferred to the Village some time ago during the annexations of parcels on these streets. Notification from the County Property Appraiser's Office indicated that this formal transference of a County Deed was necessary in order for their records to update the change. A motion to accept the County Deed was made by Council Member Smith and seconded by Mayor Pro Tem Waller. Motion carried 3 – 0.

## **VILLAGE COUNCIL COMMENTS**

Council Member Smith asked for a consensus that a resolution be brought forward to show additional support for the Let Us Vote Amendment on the November 4, 2008 election ballot. Council Member Smith explained the amendment to those residents in the audience and how important it was for all municipalities in the County that this amendment pass.

Council Member Smith also asked Chief Pickens if there were any regulations about plants and trees blocking the view of stop signs on intersections. Chief Pickens replied there were regulations in the Village Code and asked Council Member Smith to advise him of which intersections should be inspected.

Vice Mayor Brinkman asked for a follow up on the issue of the retaining wall for Estancia. Director Lowe replied that the developer had submitted a permit application to build the wall. The permit was pending a few comments from the plans/permit reviewer and should be issued shortly. In response to the easement issue, the Village had been advised by Counsel not to get involved since this was between the developer and the property owner.

**ADJOURNMENT**

Hearing no further business, Vice Mayor Brinkman adjourned the meeting at 7:53 p.m.

Respectfully submitted,

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Village Clerk

Approved by Council \_\_\_\_\_

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Mayor