

**VILLAGE OF PALM SPRINGS  
VILLAGE COUNCIL MINUTES  
REGULAR MEETING, COMMUNITY ROOM, MARCH 12, 2008**

**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 Joni Brinkman, Mayor Pro Tem Patti Waller, Council Member Bev Smith, Village Manager Karl E. Umberger, Village Attorney Glen J. Torcivia, and Village Clerk Virginia M. Walton.

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.

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

**1. CERTIFICATION OF ELECTION**

**RESOLUTION NO. 2009-19**

**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 Attorney Torcivia read the resolution by title. A motion was made by Vice Mayor Brinkman and seconded by Mayor Pro Tem Waller to accept the certification of the Village Clerk for qualified candidates and the results of the 2008 General Municipal Election. Motion carried 4-0.

**2. OATH OF OFFICE FOR NEW CANDIDATES**

Bev Smith was sworn in by Village Clerk Walton as Council Member for a two year term to expire in March 2011. John M. "Mike" Davis was sworn in by Village Clerk Walton as Mayor for a two year term to expire in March 2011.

**3. RESOLUTION NO. 2009-20**

**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 2009-2010, AND PROVIDING AN EFFECTIVE DATE.**  
Staff: Virginia M. Walton, Village Clerk

Mayor Davis called for nominations for a Vice Mayor and Mayor Pro Tem for the 2009-2010 year. Vice Mayor Brinkman nominated Patti Waller as Vice Mayor and Bev Smith as Mayor Pro Tem. Hearing no further nominations, Mayor Davis closed the nominating process. Village Attorney Torcivia read the resolution by title. A motion was made by Vice Mayor Brinkman and seconded by Council Member Smith to accept the nominations. Motion carried 4-

0.

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

Village Manager: Item #7 would be pulled from the agenda  
Item #8 would be continued to March 26<sup>th</sup> agenda

Mayor Davis: Add Item #6A South FL Region VI Water Contest

Council Member Brinkman: add under Council Comments: Discussion of Vacant Council Seat

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

**CONSENT AGENDA**

**4. Minutes of Regular Council Meeting on February 26, 2009**

**5. A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING AN “IDENTITY THEFT PREVENTION PROGRAM” IN ACCORDANCE WITH THE REQUIREMENTS OF THE FAIR AND ACCURATE CREDIT TRANSACTIONS ACT OF 2003; AND PROVIDING AN EFFECTIVE DATE.**

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

**ANNOUNCEMENTS AND PROCLAMATIONS**

**6. Presentation of Financial Report Achievement Award to Rebecca Morse**

Mayor Davis showed the award that was presented to the Village and also the award that was to be presented to the person responsible for getting the Village the Financial Achievement Award, namely Finance Director Rebecca Morse. Mayor Davis asked Director Morse to come to the podium, read the award and presented it to Director Morse. Mayor Davis added that this award was an outstanding achievement and represented a tremendous amount of work and interaction with many people to accomplish these results. This was the 20<sup>th</sup> year in a row that Director Morse had received the award, and was a great testament to the type of employees the Village has. Director Morse thanked the Council and commented that nothing like this was accomplished only by an individual and introduced the Finance Department Staff, Assistant Finance Director Mariana Ortega-Sanchez, Administrative Assistant Nancie Rathbun, Fiscal Specialists Janeth Caban and Ann Feola.

**PUBLIC COMMENT**

Mr. Gary Ready, 3118 Meadow Road, had two comments that he wished read into the records. Mr. Ready wanted to know if there was anything in the future budget for replacing our aging fleet of police vehicles and Village Maintenance vehicles. Manager Umberger responded that the fleet was not aging and there was an ongoing program for replacing vehicles and vehicle maintenance was kept up to date on police and maintenance vehicles. The police department had just gotten four new vehicles in 2008.

Mr. Ready also wanted to know the status on the red light camera program

implementation, what locations would be involved and had the Village surveyed other cities using this program to see if there were any problems with the system. Manager Umberger responded that there was a kick off meeting scheduled in the next week for the public safety personnel, the Village Attorney, the Special Magistrate and a representative from the company doing the installation. The three possible locations would be Forest Hill Boulevard and Congress Avenue, Lake Worth Road and Congress Avenue and 10<sup>th</sup> Avenue North and Congress Avenue, with a possible fourth location of Kirk Road and Forest Hill Boulevard. There would be a sixty (60) day grace period for education and it would be advertised in the papers and the Village newsletter.

**ADD: 6a South Florida Region VI Water Contest**

Mayor Davis stated that the Village had just won a contest for the best tasting water in Southeast Florida and asked Public Service Director Bill Davis to give the Council more information on this. Director Davis stated the contest was put on by the FSEAWWA, which is a South Florida Branch of the AWWA. The Village had won this Regional award a few years ago, but had not won the State award. Director Davis planned to send several people to the State awards and believed the Village had a good chance this time. Mayor Davis jokingly asked when we were going to propose bottling Palm Springs Water and sell it. Director Davis stated Don Ray does an excellent job overseeing both plants, the operators took a lot of pride in their work at the plants and the Council has given them great tools to produce the water. Director Davis wanted to thank the Council and all his staff for making the accomplishment possible.

**PUBLIC HEARINGS**

**This item was pulled from the agenda**

**7. RESOLUTION NO. 2008-80 (TONSET SITE PLAN/LARK RD & CONGRESS)**

**This item was continued to the March 26, 2009 agenda**

**8. RESOLUTION NO. 2009-16 (DAREBECAFE SITE PLAN/LAKE WORTH RD)**

**9. ORDINANCE NO. 2009-05 (FIRST READING)**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT", BY AMENDING ARTICLE VI ENTITLED "LAND USE", DIVISION 5 ENTITLED "SITE PLAN", SECTION 34-695 ENTITLED "BUILDING PERMIT TIME REQUIREMENTS"; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Manager Umberger advised the Council that with the downturn in the economy, the Village was seeing a considerable increase in the number of site plans that were expiring due to inactivity. The developers wished to retain the site plan approvals, either in hopes of developing in the next year or in hopes of attracting a buyer, and were requesting the extensions. This ordinance would allow for administrative extensions to the permit date and the build-out date. Mayor Davis commented that this made sense based on the current economic times and would save time and money for everyone. Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing none, Village Attorney

Torcivia read the ordinance by title. A motion to adopt on first reading was made by Mayor Pro Tem Smith and seconded by Council Member Brinkman. Motion carried 4 – 0.

## **REGULAR AGENDA**

### **ACTIONS AND REPORTS**

#### **10. Presentation of CAFR for Fiscal Year Ended September 30, 2008 By Auditors: Caler, Donten, Levine, Druker, Porter & Veil, P.A.**

Scott Porter stated he would go through the full report in summary. The Auditor opinion letter stated that there were no findings on deficiencies or non-compliance with any of the internal controls over financial reporting used by the Village. Mr. Porter then briefly went over the financial reports. The Statement of Net Assets for the Village as of September 30, 2008 was \$46,866,609, as compared to the beginning of the year, which was \$46,985,761. Statements on Activities, Revenues, Expenditures, Fund Balances, Cash Flows, Utilities Enterprise Fund and the Pension Funds were reviewed, showing the comparisons from previous years to this year. Total General Fund revenues for the year were \$11.1 million, a decrease of \$325,000, or 2.8%, from the prior year. Mr. Porter noted the increase in employer contribution to the pension funds; and stated, that while the increase was larger than previous years, this was indicative of what all government pension funds were experiencing right now due to the economic times; and was, in fact, lower than what he has seen in many other cities. The budgeted to actual revenues were down \$387,643; however, the report showed that actual expenditures were \$961,579 below what had been budgeted. This showed a tight control on expenses by all Village Departments. The statistical section of the report showed comparisons for the past almost 10 years. Capital outlays were down, but Public Safety expenditures were up, which was to be expected with the expansion of the Village boundaries through annexations. For the Water and Sewer Operations, revenues were down slightly, the expenditures were up slightly, but the debt service was also down slightly. These trends were generally consistent with what was happening in other governmental entities.

Mayor Davis thanked Mr. Porter and asked for questions from the Council. Hearing none, Mr. Porter added that he wanted to thank Director Morse and her staff. It was always a pleasure to come to the Village because of the professional staff, which made their job much easier to get this report out in a timely manner. The full CAFR report would be posted on the Village website.

### **RESOLUTIONS**

#### **11. 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 2009-2010; AND PROVIDING AN EFFECTIVE DATE. Staff: Virginia M. Walton, Village Clerk**

Mayor Davis asked for volunteers for the liaison positions on the Land Development Board, the Library Board and the Leisure Services Board. Council Member Brinkman stated she would like the Land Development Board and Mayor Pro Tem Smith stated she would like the Library Board. Mayor Davis stated that he would take the Leisure Services Board. Village Attorney Torcivia then read the resolution by title, including the new liaison names. A motion to

appoint the Council Members as previously stated was made by Vice Mayor Waller and seconded by Council Member Brinkman. Motion carried 4 – 0.

## **VILLAGE COUNCIL COMMENTS**

Vice Mayor Waller thanked the Village for her nomination as Vice Mayor, and also commented that they were happy with the elections today at Lakeside Village and hoped the new members would get things running efficiently. Vice Mayor Waller also reminded the Mayor that Sunday was the installation dinner for the new Lakeside Officers. Vice Mayor Waller also congratulated Mayor Davis and Mayor Pro Tem Smith on their elections. Also, congratulations to Director Morse and her Staff.

Council Member Brinkman congratulated Director Morse and her Staff and stated she appreciated all their work very much. Also, congratulations to Mayor Davis and Mayor Pro Tem Smith on their elections. Council Member Brinkman stated that she had spoken at the School District meeting and was happy to report they had taken the suggestions to make a more equitable shift in districts; however, they were warned the next cycle would be starting soon, so that will be monitored.

Mayor Pro Tem Smith stated she was glad to be back for two more years and thanked the Council for her nomination as Mayor Pro Tem. Mayor Pro Tem Smith also congratulated Director Morse and her Staff, and stated it was just like behind every good man is a woman...behind every good director is her staff. Also, congratulations to Director Davis for the award on the Village water; and bottling the water was a great idea. Mayor Pro Tem Smith added that the boundaries for Palm Springs Middle School are also changing; but she had spoken with the Principal, who had no issues with the change.

Village Attorney Torcivia advised the Council that they had 60 days to appoint a Council Member to fill Chet Osborne's vacant seat. Chet Osborne had indicated he would be willing to be appointed on a temporary basis until the Council could fill the seat. Council Member Brinkman asked if something would be put in the newsletter asking for interested people. Manager Umberger stated he had spoken with the Attorney and they would be advertising in the newsletter, and possibly the local paper. It was recommended that the Attorney's office review the resumes received. Manager Umberger asked the Council if they preferred for him to start immediately or wait until the next Council Meeting and bring back a presentation for the advertising and application process. Mayor Davis commented waiting for next meeting would give everyone time to think about it and give their ideas and thoughts and asked for Council consensus. It was agreed the presentation would be brought back to the next Council Meeting before advertising.

Mayor Davis stated obviously he was pleased with the CAFR report and the water quality award, and he thought it would be neat to see bottled water with the Village logo on it; however, he understood that should the water not sell, it would be a problem. Mayor Davis thought the Village had done very well in spite of the economic times and the situations that we have had to deal with. The Village was still in good economic shape, even though it could be

better. Mayor Davis then announced that the next Regular Council Meeting would be March 26, 2009 at 7:30 pm in Council Chambers.

**ADJOURNMENT**

Hearing no further business, Mayor Davis adjourned the meeting at 8:16 p.m.

Respectfully submitted,

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Village Clerk

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

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Mayor