

**VILLAGE OF PALM SPRINGS
VILLAGE COUNCIL MINUTES
REGULAR MEETING, COMMUNITY ROOM, MARCH 11, 2010**

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 Patti Waller, Mayor Pro Tem Bev Smith, Council Member Joni Brinkman, Council Member Doug Gunther, 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, CFO Rebecca L. Morse and Public Service Director Bill Davis.

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

1. CERTIFICATION OF ELECTION

RESOLUTION NO. 2010-20

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 2, Patti Waller, and one candidate for District 4, Joni Brinkman, qualified for the March 9, 2010 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. Hearing no comments, Village Attorney Torcivia read the resolution by title. A motion to accept the certification was made by Mayor Pro Tem Smith and seconded by Council Member Gunther. Motion carried 5 – 0.

2. OATH OF OFFICE FOR NEW CANDIDATES

Village Clerk Walton administered the Oath of Office to Patti Waller and Joni Brinkman.

3. RESOLUTION NO. 2010-21

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 2010-2011, AND PROVIDING AN EFFECTIVE DATE. Staff: Virginia M. Walton, Village Clerk

Vice Mayor Patti Waller nominated Bev Smith for Vice Mayor and Doug Gunther for Mayor Pro Tem. Hearing no further nominations, Village Attorney Torcivia read the resolution by title. A motion to appoint Bev Smith as Vice Mayor and Doug Gunther as Mayor Pro Tem was made by current Vice Mayor Waller and seconded by Council Member Brinkman. Motion carried 5 – 0.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Council Member Brinkman: add item #13A Update on Red Light Cameras

A motion to accept the agenda as revised was made by Mayor Pro Tem Gunther and seconded by Council Member Brinkman. Motion carried 5 – 0.

CONSENT AGENDA

4. Minutes of Local Planning Agency Meeting on February 25, 2010
5. Minutes of Regular Council Meeting on February 25, 2010
6. Approval of Eckler Engineering Task Order No. 109 for production of design/build documents and construction services for the Supervisory Control and Data Acquisition (SCADA) System, to cover existing remote wells at both the Main Water Treatment Plan and the R.L. Pratt Water Treatment Plant.
Staff: Bill Davis, Public Service Director

A motion to approve the consent agenda as revised was made by Council Member Waller and seconded by Council Member Brinkman. Motion carried 5 – 0.

ANNOUNCEMENTS AND PROCLAMATIONS

7. Mayor's Proclamation for April 2010 as Water Conservation Month

Mayor Davis read the proclamation designating April 2010 as Water Conservation Month in Palm Springs to instill a lasting culture of conservation and get the message out that all water users, including commercial, industrial, agricultural, institutional, hospitality and private citizens can make positive contributions to reduce water use and protect Florida's water resources.

PUBLIC COMMENT

Ned Kerr, 2682 S. Garden Drive, Lake Worth, was not present, but asked that his comments be read into the record. Mr. Kerr supported the center (Wal-Mart), if it was sufficiently buffered and associated noise from trash, deliveries, compressors, dumpster, etc. were located in such a way as to not be a nuisance to the condo residents across the canal.

Phyllis Stevens, 104 Henthorne Drive, stated she had lived here for over 50 years and had questions based on the information she had read in the Coastal Observer. Ms. Stevens wanted to know if this would be a super Wal-Mart or a regular smaller one; had the Village taken into consideration there were four smaller supermarkets close by and some of them might be driven out of business; and what were the plans for traffic since this would cause a traffic nightmare. Mayor Davis stated her concerns would be addressed when the site plan came up for discussion.

Blanca Roman, 3715 Riedel Avenue, stated she was concerned about the congestion on 10th Avenue since it was bad already. There were five traffic lights already on this strip of 10th Avenue and if another was added at the Wal-Mart, that would make six in a short distance. Was a traffic study done, and what was the projected increase in traffic. Ms. Roman was also concerned about the businesses in the area, such as La Reina and El Presidente markets. Ms. Roman also asked what the tax benefits would be to residents, when the store construction would break ground and also when would it be completed. Mayor Davis stated her concerns would be addressed when the site plan came up for discussion.

Gary Ready, 3881 Meadow Road, stated that when he was walking around town and also driving on his Community Policing routes, he noticed there were quite a few broken water meter covers that had not been fixed or replaced. Did the Village have a policy on this? Public Service Director Bill Davis stated his staff conducted a monthly inspection of meter covers and ordered replacements for those found damaged. This was an ongoing problem and some covers had to be replaced on a repeated regular basis.

PUBLIC HEARINGS

8. RESOLUTION NO. 2010-11 (SITE PLAN)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE SITE PLAN (SPR10-04) SUBMITTED BY JORGE LOPEZ, FOR CONSTRUCTION OF A 117,805 SQUARE FOOT COMMERCIAL/RETAIL 24-HOUR WAL-MART STORE, FOR THE 17.93 ACRE PROPERTY LOCATED AT 2765 10TH AVENUE NORTH; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

There were no ex parte communications disclosed. Patricia Baloyra, with Broad and Cassel, Greg Wilfong, David Woodward, and Adam Kerr, all with Kimley-Horn, and Stuart Fisher, Asset Protection Manager for Wal-Mart, were sworn in to give testimony by Village Clerk Walton. Manager Umberger advised the Council the proposed building would be on a 15.21 acre parcel, with an additional .77 acre parcel and 1.88 acre parcel designated as outparcels and not part of this site plan. The proposed Wal-Mart was a

new prototype, unlike any others in Palm Beach County, and would contain a pharmacy, restaurant, grocery store and other retail. In a meeting with the Lake Clarke Gardens Condominium Association, the residents requested the Village consider an 8 foot wall along the north property line with the landscape buffer planted on the north side of the wall. The Land Development Board recommended approval of this request, subject to the conditions listed in the staff report.

Patricia Baloyra, stated that this store would create approximately 300 – 400 jobs for this area, with 65% of those jobs being full time and an average salary of \$11.79 per hour. Ms. Baloyra stated that most of the conditions were accepted by the Applicant; however, submitted alternate language for item #10 regarding the cross access agreements with the outparcel properties. Ms. Baloyra stated the outparcels could possibly be sold in the future and part of that sale would require those parcels to sustain their own parking.

In response to questions about security, Greg Wilfong responded that Wal-Mart had an asset protection team on staff and this building would have approximately 20 cameras on the roof, with a total of 196 cameras for inside/outside/parking areas. Mr. Wilfong asked that item #3 be changed to not providing private security, as this was very costly; but rather using the cameras and working with local police. After much discussion between the Applicant and Council, it was decided that this would be reviewed 6 months after the Certificate of Occupancy was issued; and based on that review, the condition may be re-instated. The Applicant agreed. With regard to item #21, Mr. Wilfong stated the Applicant would be bringing forward a sign variance request for the monument sign in the near future. With regard to comments from the public on items #25 and #26 regarding trash, dumpsters and compactors, Mr. Wilfong responded that there would be no dumpsters, only a screened compactor. All trash would be sorted, compacted and offloaded. With regard to the buffer on the backside of the north wall, part of the LWDD approval required they be given an easement and only sod would be allowed in the easement. The back side of the six foot wall would be tree lined.

In response to comments about traffic, Adam Kerr stated that there was a traffic study done and approved by Palm Beach County. The study showed there was capacity on 10th Avenue for the additional anticipated traffic of 450 cars, and the interchange for I-95 had been taken into account when the study was done. One of the conditions of the concurrency approval was a traffic light installed at the store entrance on 10th Avenue North.

Mayor Davis stated this was a public hearing and asked for questions or comments from the Council and also from the public. Vice Mayor Smith had concerns about whether crime statistics had been reviewed for other stores, specifically crimes against persons; and felt that just cameras would not deter this type of crime. Stuart Fischer responded that there was an asset coordinator at each facility and all incidents were investigated. The statistics for other stores were reviewed when security plans

were initiated for a new store. Mr. Fisher added that approximately 30 days after opening, the security needs would be reviewed and if patrols were found to be needed, they would be implemented. There was also enhanced lighting in the parking areas for added security, along with the cameras on the roof. Vice Mayor Smith also asked what the approximate height of the trees in the buffer area would be at planting and at maturity. Dave Woodward state some of the trees would be 10 – 12 feet at installation and 40 feet at maturity, and the cabbage palms would be approximately 12 – 18 feet at installation and 30 – 50 feet at maturity.

Mayor Pro Tem Gunther brought forward a suggestion to move the wall to the other side of the water, with landscaping on the outside; and put a chain link fence around the water management easement area. After much discussion between the Council Members and the Applicant's Representatives, it was decided that the wall would remain at 6 feet, would be moved slightly to the south, with some landscaping on the outside (north side) and the trees remaining on the inside (south side). Mayor Pro Tem Gunther also suggested that it might be more beneficial to eliminate the current stop sign for 10th Avenue traffic entering the property and allow the traffic to immediately flow into the site. Adam Kerr responded that the entrance lane was long enough to avoid back up traffic onto 10th Avenue. Mayor Davis suggested that Chief Pickens could keep an eye on the situation; and if the traffic backed up onto 10th Avenue, then the Village could request the sign be removed.

Council Member Brinkman commented that the site plan only showed one bike rack at the front east side, and felt there should be additional racks, possibly at the western end. David Woodward responded that the current bike rack would accommodate 10 bikes, but another rack for 10 more bikes could be added. Council Member Brinkman also stated there were a lot of bus stops along 10th Avenue, with one right in front of the proposed site along the western property line. Council Member Brinkman would like to add a condition that the Applicant build a bus shelter for that stop. Mr. Woodward reviewed the presentation drawings and stated there might be room directly behind the sidewalk, and they could use the County shelter structures. Council Member Brinkman responded that the County shelters were not customer friendly or esthetically pleasing and the shelter should be compatible with the design of the building. There was Council consensus with this suggestion. Ms. Baloyra stated the Applicant would do as Council suggested.

Blanca Roman and Elizabeth Shields both spoke on traffic concerns, damage to smaller surrounding businesses, crime and fences versus landscaping for a buffer.

Council Member Waller responded to a comment from the public about the other smaller businesses in the area, and stated that competition was healthy and this project would create many jobs for this area. Manager Umberger added that he had spoken to the owners of La Reina and Presidente and they were both excited about the Wal-Mart coming to the area because they felt it would generate more people and more business, not less. In response to questions from Mayor Davis on the anticipated dates for

construction and completion, Mr. Woodward responded that they would be in the permitting process now and hopefully start groundbreaking the first quarter of 2011, with completion anticipated around the first quarter of 2012, or possibly earlier.

Hearing no further comments, Village Attorney Torcivia read the resolution by title. A motion to adopt the resolution and approve the site plan, subject to all conditions listed and those changes made to the conditions at this meeting, was made by Council Member Brinkman and seconded by Vice Mayor Smith. Motion carried 5 – 0.

9. RESOLUTION NO. 2010-19 (PRELIMINARY PLAT)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE PRELIMINARY PLAT FOR WAL-MART, SUBMITTED BY JORGE LOPEZ, OWNER OF THE PROPERTY LOCATED AT 2765 10TH AVENUE NORTH; AND PROVIDING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Manager Umberger advised the Council that this plat was combining pieces of several tracts of land into three lots for development purposes. There were sixteen conditions listed on Exhibit "A" to the resolution which required some minor revisions and clarifications to the plat prior to submission of the final plat for approval. The Land Development Board had recommended approval of the preliminary plat at their meeting on February 9, 2010, subject to the conditions on Exhibit "A".

Mayor Davis 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 resolution by title. A motion to adopt was made by Council Member Waller and seconded by Mayor Pro Tem Gunther. Motion carried 5 – 0.

10. ORDINANCE NO. 2010-04 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 34, LAND DEVELOPMENT, ARTICLE VI, LAND USE, DIVISION 2 "ADMINISTRATION", SECTION 34-605 "ZONING BOARD OF ADJUSTMENT", SUB-SECTION "G" "NOTICE AND HEARING PREREQUISITE TO ACTION"; AND DIVISION 5 "SITE PLAN", SECTION 34-684 "APPLICATION GENERALLY"; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Manager Umberger advised the Council this ordinance was primarily a housekeeping item which clarified and provided consistency to the due public notice procedures for the Village. The ordinance covered the procedures for mailing notices to the surrounding property owners within 300 feet of the proposed project and the posting

of the notice on the proposed property site. The Land Development Board had recommended approval at their meeting on March 9, 2010. The second reading and adoption of this ordinance would be at the Regular Council Meeting on April 8, 2010.

Mayor Davis stated this was a public hearing and asked for questions or comments from the Council and from the public. Council Member Brinkman suggested the language be clarified in Section 2G and at the end of Section 3(5) to state "...and the Applicant post the subject property" so that it was clear that it was the responsibility of the Applicant to post a notice on the site, not Village Staff. Staff had also submitted a language change to add the word "courtesy" to the notice mailed to property owners within 300 feet of the subject site. Hearing no further comments, Village Attorney Torcivia read the ordinance by title. A motion to adopt on first reading was made by Vice Mayor Smith and seconded by Council Member Brinkman. Motion carried 5 – 0.

11. ORDINANCE NO. 2010-05 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ESTABLISHING REGULATIONS FOR ESTABLISHMENTS WHICH SERVE ALCOHOLIC BEVERAGES INCLUDING SPECIFIC REGULATIONS FOR BARS AND NIGHTCLUBS; AMENDING THE VILLAGE CODE OF ORDINANCES AT CHAPTER 1 "GENERAL PROVISIONS", SECTION 1-2; AT CHAPTER 14 "BUSINESSES", SECTION 14-61; AT CHAPTER 34 "LAND DEVELOPMENT", ARTICLE VI, "LAND USE", DIVISION 6 "DISTRICT REGULATIONS", SECTIONS 34-764, 34-794, 34-824, 34-825, 34-853; AND ADDING A NEW SECTION 34-840, "DISTANCE BETWEEN ESTABLISHMENTS THAT SELL ALCOHOLIC BEVERAGES"; AT DIVISION 7, "SUPPLEMENTAL DISTRICT REGULATIONS", BY CREATING SUBDIVISION XVIII "FLEX UNITS" IN ORDER TO RENUMBER THE EXISTING FLEX UNITS RESTRICTIONS AS SECTIONS 34-1248 THROUGH 34-1251; RENUMBERING SUBDIVISIONS XIX "HOSPITALS" AND XX "WIRELESS TELECOMMUNICATION TOWERS AND ANTENNAS"; BY CREATING SUBDIVISION XXI "BARS" AS SECTIONS 34-1303 AND 34-1304; BY CREATING SUBDIVISION XXII "NIGHTCLUBS" AS SECTIONS 34-1309 THROUGH 34-1310 AND SECTION 34-1311 (FORMERLY SECTION 10-15 "NIGHTCLUB SECURITY"); CREATING SUBDIVISION XXIII "ADULT ENTERTAINMENT" IN ORDER TO RENUMBER THE EXISTING ADULT ENTERTAINMENT REGULATIONS AS SECTIONS 34-1316 THROUGH 34-1319; AMENDING DIVISION 8 "OFF-STREET PARKING AND LOADING"; SECTION 34-1322 AND SECTION 34-1324; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Manager Umberger advised the Council this ordinance would establish

regulations for establishments that serve alcoholic beverages, including specific regulations for bars and nightclubs. The annexation of several bars and nightclubs into the Village in recent years necessitated the creation of regulations to protect the health, safety and welfare of Village residents. These regulations would only apply to any future nightclubs, bars, and restaurants, whether new businesses or acquired by annexation. The existing establishments were grandfathered and would retain the regulations under which they were approved. The Land Development Board had recommended approval at their meeting on March 9, 2010, subject to several additional conditions they requested. Director Lowe had provided the Council with this list of additional conditions for their review and comments.

Mayor Davis stated this was a public hearing and asked for questions or comments from the Council and also from the public. Mayor Davis asked Director Lowe to read the additional conditions submitted by the Land Development Board and give her comments on each condition.

1. In definition of private club, it should specify "with or without kitchen" as not all private clubs have kitchens. Director Lowe stated this was just a clarification and was acceptable.

2. Hours of operation for all business that sell alcoholic beverages shall be restricted from 7am to 2am. In response to questions from the Council, Director Lowe responded she had no problem with the time limit if that was the Council's wishes, and felt the intent of the Land Development Board was to discourage totally this type of business. The County Code called for hours of 7am to 5am; however, the Council felt the current Village Code hours of 7am to 4am were more than sufficient and there was no reason to change to 5am or back to 2am. As a clarification, Director Lowe stated that this ordinance would not grandfather in any newly annexed establishments unless an annexation agreement was created.

3. Delete off premise consumption from page 8, Section 8(c). This removes the 1000 foot distance requirement from residential properties for all off premises consumption establishments (examples: liquor stores, Publix, Walgreen's, etc.). Director Lowe stated she agreed with this condition not to limit the distance.

4. Exempt restaurants from 1000 foot distance requirement. Director Lowe stated she agreed with this exemption.

5. Page 13, item 1...exterior security shall direct traffic leaving the establishment to arterial roadways to keep them out of residential areas. Director Lowe responded that she disagreed with this condition because it would be almost impossible to accomplish this requirement.

6. Page 13, item 2...require a minimum of one off-duty police officer as security officer. Currently the Village Code read that off-duty officer requirements were at the discretion of the Chief, and Chief Pickens disagreed with making this mandatory since each situation was evaluated differently. Director Lowe agreed.

After further discussion, the Council consensus was to add conditions #1, #3 and

#4 from the Land Development Board list; but conditions #2, #5 and #6 would not be approved.

Council Member Waller suggested that on page 3 under definition of nightclub, the word "pitcher" should be added to drink, bottle or can. Vice Mayor Smith questioned the definition of "adult dance hall" on page 3 at the top, which had hours of operation from 10pm to 2am, and asked if that included the VFW. Director Lowe stated the VFW was considered a private club. Vice Mayor Smith suggested the hours of this type of club should possibly be 8pm to 2am. Council consensus was to accept Vice Mayor Smith's suggestion. Also, on page 12(l) would unruly patrons just be denied entry to the establishment or to the whole area, including the parking lot. Chief Pickens responded that they had the authority to post these types of people and deny them entry to the entire area.

Hearing no further comments from the Council and no comments from the public, Village Attorney Torcivia read the ordinance by title. A motion to adopt on first reading, with the revised conditions addressed at this meeting, was made by Mayor Pro Tem Gunther and seconded by Vice Mayor Smith. Motion carried 5 – 0.

12. ORDINANCE NO. 2010-07 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA AMENDING ORDINANCE NO. 2006-52 ADOPTED SEPTEMBER 28, 2006; PROVIDING FOR A REVISED AND RESTATED GENERAL EMPLOYEES MUNICIPAL PENSION TRUST FUND; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR PUBLICATION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Staff: Karl Umberger, Village Manager

Manager Umberger advised the Council that this ordinance modifies the existing plan document to recognize the closure of the plan, effective June 30, 2010; and to also document the Village's participation in the Florida Retirement System (FRS). The amend plan also had numerous changes which clarify definitions and remove obsolete language; and were more fully defined in the letter from the Board Pension Attorney, Bonnie Jensen, which was attached to and made a part of the ordinance.

Mayor Davis 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 approve on first reading was made by Council Member Waller and seconded by Council Member Brinkman. Motion carried 5 – 0.

REGULAR AGENDA

RESOLUTIONS

13. RESOLUTION NO. 2010-22

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 2010-2011; AND PROVIDING AN EFFECTIVE DATE. Staff: Virginia Walton, Village Clerk

Mayor Davis asked for volunteers to sit as non-voting ex-officio members on the Land Development Board, Leisure Services Board and the Library Board. Vice Mayor Bev Smith requested the Land Development Board, Mayor Pro Tem Doug Gunther requested the Leisure Services Board and Mayor Davis stated he would select the Library Board. Hearing no further nominations, Village Attorney Torcivia read the resolution by title, indicating the liaison board members as requested. A motion to adopt the resolution and appoint the designated members was made by Mayor Pro Tem Gunther and seconded by Vice Mayor Smith. Motion carried 5 – 0.

ACTIONS AND REPORTS – Added Item

13A. Update on Red Light Cameras

Manager Umberger advised the Council that the cameras were supposed to go live on March 1st; however it had been decided to extend the warning time for an additional month. However, it was recommended that the installation of additional cameras proceed. Chief Pickens stated they were maintaining the status quo for now pending the outcome of the possible legislative actions and other pending court cases. The two cameras now operating with warning notices have averaged about 500 violations, so there is a definite need for enforcement.

Council Member Brinkman commented that she agreed with putting the citations on hold but continuing the installation of cameras; however, would the Village have any liability towards the company should the legislation not allow the cameras. Village Attorney Torcivia stated he would review the contract again, but he didn't believe there was any liability; and he agreed with Chief Pickens that holding off on citations until the outcome of the legislation was a wise decision. Hopefully, whatever is passed will include some authority and protection for municipalities and nip some of those lawsuits in the bud.

Council Member Waller asked how many of the 500 violations were "right on red". Chief Pickens responded that the majority of them were for that violation. However, a criteria threshold had been established for reviewing these violations. If there was no attempt to slow down or stop and the car turned right on red at more than 8mph, those cars would be cited. Of the 500 violations reviewed, less than 50% met

the criteria for citations. Council Member Brinkman asked if there were any reports on how much time officers spent reviewing these violations. Chief Pickens responded that there was a step process. First the videos were reviewed by the camera company, with established benchmarks for automatic dismissal. Those that meet the benchmarks are sent to the Village for review by traffic officers. These officers also have the leeway to accept or reject prior to warnings or citations being issued. Chief Pickens stated he did not have the reports with him, but this process did take time out of the officer's shifts. Council Member Brinkman stated she was concerned that the hourly cost of reviewing these violations might wind up being more than the revenues received. Chief Pickens stated he believed the cameras and associated costs would be beneficial to the Village.

Mayor Davis stated he had written a letter to the editor of the Palm Beach Post a few weeks ago on this subject; however, the Post had not seen fit to print it. Mayor Davis stated that he believed a lot of people are missing the point, particularly the Post. People are saying it's only about the revenue for the cities. Well, to some extent it is about the revenue, but more importantly it's about having control of your vehicle at all times; it's about following the car in front of you at a safe distance; and it's about not anticipating that the car in front of you is going to run a red light, and then when they stop suddenly, you rear end them. So our solution should be putting a cop at every intersection 24 hours a day? There is a serious problem, not just here, but all over the country. People are running red lights. The best way to get someone's attention and change their demeanor or attitude is to get into their pockets. They will remember something if they have to pay for it. The Law is the red light means stop! They need to learn to observe the posted speeds; keep a safe distance behind; don't anticipate the car will keep going and don't speed so you can stop if necessary. This is what we are talking about. We are not talking about revenue for the cities. We are talking about getting the average driving public's attention that when you go to a red light or a stop sign, you stop. It's that simple. Basic human nature is I'm in a rush, or I'm on my cell phone, or a couple of other things I could say, and the last thing on their priority list is driving. You're driving a 3,000 pound lethal weapon, but it's more important to talk on a cell phone, or read a newspaper, or change your radio station. Anyone who thinks this is just about revenues is not thinking clearly.

VILLAGE COUNCIL COMMENTS

Mayor Pro Tem Gunther commented that last meeting they had forgotten to congratulate Elizabeth Shields on her service to the Board of Adjustment, and she was present tonight so he could rectify that.

Vice Mayor Smith congratulated Council Member Waller and Council Member Brinkman on their re-election and thanked the Council for nominating her for Vice Mayor.

Council Member Waller thanked everyone and stated she was looking forward to

the next two years.

Mayor Davis announced that the next regular council meeting would be on April 8, 2010, at 7:30 PM.

ADJOURNMENT

Hearing no further business, Mayor Davis adjourned the meeting at 9:17 p.m.

Respectfully submitted,

Village Clerk

Approved by Council _____

Mayor