

**VILLAGE OF PALM SPRINGS
VILLAGE COUNCIL MINUTES
REGULAR MEETING, COMMUNITY ROOM, JANUARY 27, 2011**

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

Staff present were Capt. Mark Hall, as Sergeant at Arms, Land Development Director Bette J. Lowe, CFO Rebecca L. Morse, 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 Council Member Brinkman.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Village Manager: Items #5, #6, #7 & #8 would be continued to the Feb. 10th agenda

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

1. Minutes of Regular Council Meeting on January 13, 2011
2. RESOLUTION NO. 2011-09

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AWARDED A BID FOR THE PURCHASE OF A WATER TANKER TRUCK TO ORLANDO FREIGHTLINER, IN THE AMOUNT OF \$70,443.00; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Davis, Public Service Director

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

ANNOUNCEMENTS AND PROCLAMATIONS

PUBLIC COMMENT

PUBLIC HEARINGS

3. ORDINANCE NO. 2011-01 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A TOTAL OF TWENTY-FOUR (24) PARCELS OF LAND, PURSUANT TO SECTION 171.0413 (5)&(6) FLORIDA STATUTES, CONSISTING OF A TOTAL OF APPROXIMATELY 7.36 ACRES OWNED INDIVIDUALLY; LOCATED AT 2637 KIRK ROAD, 4041, 4069, 4079, 4087, 4113, 4125, 4135, 4175, AND 4191 LINDA LANE, 2704 DONALD ROAD, 4218, 4212, 4202, 4192, 4180, 4172, 4160, 4136, 4114, 4098, 4084, 4056 LINDA LANE AND 2689 KIRK ROAD; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO MEDIUM DENSITY RESIDENTIAL, 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 RESIDENTIAL MULTI-FAMILY 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

Village Clerk Walton advised the Council that notice of public hearing was placed in the Palm Beach Post on January 7 and January 14, 2011. Village Attorney Torcivia read the ordinance by title. Mayor Davis stated this was a public hearing and asked for questions or comments from the Council and from the public. Hearing no comments, a motion to adopt on second reading was made by Council Member Brinkman and seconded by Mayor Pro Tem Gunther. A roll call vote was in favor of adoption 5 – 0.

4. ORDINANCE NO. 2011-02 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .3586 ACRES OWNED BY JOICIE A. MORELL, TRUSTEE OF JOICIE A. MORELL DECLARATION OF TRUST; LOCATED AT 3921 BELLE VUE 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

Village Clerk Walton advised the Council that notice of public hearing was placed in the Palm Beach Post on January 7 and January 14, 2011. Village Attorney Torcivia read the ordinance by title. Mayor Davis stated this was a public hearing and asked for questions or comments from the Council and from the public. Hearing no comments, a motion to adopt on second reading was made by Council Member Waller and seconded by Vice Mayor Smith. A roll call vote was in favor of adoption 5 – 0.

This item was continued to the February 10, 2011 agenda

5. ORDINANCE NO. 2010-17 (SECOND READING - ANNEX MARLBORO COURT MOBILE HOMES)

This item was continued to the February 10, 2011 agenda

6. RESOLUTION NO. 2011-01 (Site Plan and Special Exception – Burger King)

This item will be continued to the February 10, 2011 agenda

7. RESOLUTION NO. 2011-05 (Site Plan and Special Exception – Med Vance Training School)

This item was continued to the February 10, 2011 agenda

8. RESOLUTION NO. 2011-06 (Site Plan/Special Exception - Concrete Services/Lark Road)

9. RESOLUTION NO. 2011-07

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY, PURSUANT TO SECTION 163.01, AND SECTION 171.046 FLORIDA STATUTES, ET SEQ., FOR THE PURPOSE OF ANNEXING THREE (3) ENCLAVE CONSISTING OF A TOTAL OF FOUR (4) PARCELS, OF TEN ACRES OR LESS, AND THE ROAD RIGHT-OF-WAY, THOSE LANDS BEING MORE FULLY DESCRIBED IN EXHIBIT "A" TO THE INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Manager Umberger advised the Council that this Interlocal agreement was for the annexation of three enclaves, consisting of one two-parcel enclave and two one-parcel enclaves and the road right-of-way. The parcels were identified on the attached map as 4129, 4207, 4153 and 4097 Linda Lane and the road-right-of-way. This resolution was originally heard and approved by the Village Council at the January 13, 2011 Council Meeting. Staff had proceeded with the agreement because the involuntary annexation would not become effective until after the Palm Beach County Commission's approval, which would take three or four months. However, Palm Beach

County had requested that the resolution and Interlocal agreement be read again after the second reading on the voluntary annexation ordinances since the enclaves did not technically exist until after second reading. The Land Development Board had recommended approval at their meeting on January 11, 2011. 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 Mayor Pro Tem Gunther and seconded by Council Member Brinkman. Motion carried 5 – 0.

REGULAR AGENDA

ACTIONS AND REPORTS

10. Appointment of Mark C. Hall as Public Safety Director/Police Chief
Staff: Karl Umberger, Village Manager

Mayor Davis left the Dais and asked Capt. Hall to meet him in front of the Council and audience. Mayor Davis stated that Mark Hall and he had started at the Village within a year of each other and he had watched Mark throughout his entire career with the Village. March had done a fantastic job, had worked very well with everyone in the Village and the entire Council was very proud of him. Mayor Davis then announced that upon the recommendation of Manager Umberger, Mark Hall would be promoted to Police Chief tonight. Mayor Davis swore Mark Hall in as Public Safety Director/Police Chief, with Mark's hand on the family bible being held by his son and daughter.

Chief Hall thanked the Mayor and Council, his Mother for instilling his work ethic, his wife for her support, the Department Heads, particularly CFO Rebecca Morse, for their support and assistance; and to Manager Umberger, who had been his coach and mentor and giving him the support and guidance to excel in his endeavors. Chief Hall stated Manager Umberger's guidance was a huge reason he was now standing here in this position. Chief Hall stated he was humbled by this honor and opportunity, and pledged to prove himself worthy and always conduct himself with character, integrity and in the best interests of the Village of Palm Springs at all times. Chief Hall's wife pinned the badge on his uniform.

Mayor Davis added that a Mayor gets to do many things over the years, but this has to be the best one for him in his fourteen years as Mayor.

VILLAGE COUNCIL COMMENTS

Mayor Davis commented that he had served on the Village Council for twenty years, fourteen years as Mayor, and he would not be running for re-election. It was time to turn to a new chapter in the book and time for him to spend more time on the golf course and having fun. Mayor Davis had told all the Council Members that he would

support anyone that chose to run. Luckily, Vice Mayor Smith has decided to pick up the baton and run; and he supported her 100%. One of the reasons they had been so successful as a Village and a municipality was that there was not a lot of politics here. Instead they dealt in governance. The Council, the Manager, the Department Heads all work together and that was why the Village was doing so well during this economic slump. You had to remember what you were there for. Luckily, the Council did remember it and practiced it.

Vice Mayor Smith announced that she had filed and did plan to run for Mayor. They have had a great run under the current Mayor and she wished to keep the team going. They had been able to keep the taxes down. If you looked at Lake Worth Road and Congress Avenue, you will see a whole new Palm Springs. She hoped for everyone's support. Vice Mayor Smith reminded Chief Hall about one of her first memories of the community block parties he had begun in the Village, and stated she missed them. They were great times. Vice Mayor Smith added that Chief Hall had always been very enthusiastic about whatever he did and the Council was very excited to have him as Chief. Vice Mayor Smith extended a welcome to the Police Chiefs from neighboring communities, as well as the new President of the Police Chief's Association, for coming to support Chief Hall.

Council Member Waller congratulated Chief Hall and commented that she was sure he would continue to do the magnificent job he has been doing so far. Council Member Waller added that she understood, but was heartbroken about breaking up the team; however would give her full support to Vice Mayor Smith.

Council Member Brinkman commented that she had also known Chief Hall for a long time, congratulated him and welcomed him to the team in his new position. Council Member Brinkman thanked Mayor Davis for his years on the Council and stated she knew he was on the Council was because he loved Palm Springs and had something to give to the community to make it a better place. Council Member Brinkman then stated that she had every confidence in Bev Smith that she will be a great leader and continue to move the Village forward, while watching that ever changing budget.

Mayor Pro Tem Gunther stated he remembered then Officer Hall from many years ago, who was commended many times by his neighbor, Elsa Fossum. Mark's many years of public service have paid off well. Mayor Pro Tem Gunther then announced that he had filed his qualifying papers to run again for his District 1 seat and hoped he would have the opportunity to continue forward for the Village. Mayor Pro Tem Gunther thanked the Mayor for the excellent job he has done and stated he was one of the reasons he was serving on the Council.

Mayor Davis stated the Village appreciated the Palm Springs officers and the other Chiefs being here supporting Chief Hall.

ADJOURNMENT

Hearing no further business, Mayor Davis adjourned the meeting at 7:55 p.m.

Respectfully submitted,

Village Clerk

Approved by Council _____

Mayor