

**VILLAGE OF PALM SPRINGS  
VILLAGE COUNCIL MINUTES  
REGULAR MEETING, COMMUNITY ROOM, MAY 12, 2005**

**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 Chet Osborne, Village Manager Karl E. Umberger, Village Attorney Paul J. Nicoletti, and Deputy Village Clerk Virginia M. Walton.

Absent: Council member Bev Smith

Staff present were Lt. Gary Sykes as Sergeant at Arms, Finance Director Rebecca L. Morse, Leisure Services Director Bill Golson 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 Osborne.

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

**Manager: Continue Item No. 4 to June 9<sup>th</sup> Agenda**

A motion to accept the agenda as revised was made by Mayor Pro Tem Waller and seconded by Council Member Osborne. Motion carried 4-0.

**CONSENT AGENDA**

- 1. Minutes of April 28, 2005 Regular Council Meeting**
- 2. Approval of Public Service Department Budget Amendment for transfer of \$241,000.00 to Improvements Other Than Buildings Account for roadway improvements in the Village.** Staff: Bill Davis, Public Service Director
- 3. Approval of Public Safety Budget Amendment of \$63,822.00 to recognize anticipated increases in Special Detail Assignments and Associated Costs.**  
Staff: Jay C. Pickens, Public Safety Director

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

End of Consent Agenda.....

**ANNOUNCEMENTS AND PROCLAMATIONS - None**

**PUBLIC COMMENTS - None**

**PUBLIC HEARINGS**

**This item will be continued to the June 9, 2005 Agenda**

**4. RESOLUTION NO. 2005-33 (SITE PLAN)**

**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 OWNER, DANIEL SALDANA & C&D PRODUCE INC.; FOR SITE PLAN REVIEW (SPR 05-04); FOR CONSTRUCTION OF A 12,625 SQUARE FOOT RETAIL BUILDING ON 2.49 ACRES LOCATED AT 3133 LAKE WORTH ROAD; AND ESTABLISHING AN EFFECTIVE DATE.**

Staff: Bette Lowe, Land Development Director

**5. ORDINANCE NO. 2005-10 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, THE LAND CONSISTING OF LESS THAN 10 ACRES, OWNED BY GONZALEZ MUSIBAY CONSTRUCTORS & LAND DEVELOPERS LLC, AND LOCATED OFF MILLER FRONTING 2<sup>ND</sup> AVENUE NORTH, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; TO MEDIUM DENSITY RESIDENTIAL; SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT MULTI-FAMILY RESIDENTIAL (RM) 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 Clerk Walton advised the Council that notice of public hearing was placed in the Lake Worth Herald on April 7 and April 14, 2005. Attorney Nicolletti read the ordinance by title. Manager Umberger advised Council that presentation of this ordinance had been made at first reading, and staff was available for further questions or comments. Mayor Davis stated this was a public hearing and asked for questions or comments from the Council or the public. Hearing none, a motion to adopt the ordinance on second reading was made by Mayor Pro Tem Waller and seconded by Vice Mayor Brinkman. A

roll call vote was in favor of adoption 4 – 0.

**6. ORDINANCE NO. 2005-11 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE, PURSUANT TO THE “SMALL SCALE” COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, THE LAND CONSISTING OF LESS THAN 10 ACRES, OWNED BY CONGRESS PROPERTIES OF PALM SPRINGS, INC., AND LOCATED AT 2960 AND 2969 SEMINOLE ROAD, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; TO COMMERCIAL LAND USE; 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 Clerk Walton advised the Council that notice of public hearing was placed in the Lake Worth Herald on April 7 and April 14, 2005. Attorney Nicolletti read the ordinance by title. Manager Umber advised Council that presentation of this ordinance had been made upon first reading, and staff was available for further questions or comments. Mayor Davis stated this was a public hearing and asked for questions or comments from the Council or the public. Hearing none, a motion to adopt the ordinance on second reading was made by Council Member Osborne and seconded by Vice Mayor Brinkman. A roll call vote was in favor of adoption 4 – 0.

**7. ORDINANCE NO. 2005-13 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING AN ADDITIONAL HOMESTEAD (AD VALOREM -- REAL PROPERTY) TAX EXEMPTION OF \$25,000.00 FOR PERSONS 65 AND OLDER; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR DELIVERY OF A COPY OF THE ORDINANCE TO THE PROPERTY APPRAISER; AND PROVIDING FOR AN EFFECTIVE DATE.** Staff: Paul J. Nicoletti, Village Attorney

Deputy Clerk Walton advised the Council that notice of public hearing was placed in the Lake Worth Herald on April 28, 2005. Attorney Nicolletti read the ordinance by title. Manager Umber advised Council that presentation of this ordinance had been made upon first reading, and staff was available for further questions or comments. Mayor Davis stated this was a public hearing and asked for questions or comments from the Council or the public. Hearing none, a motion to adopt the ordinance on second reading was made by Mayor Pro Tem Waller and seconded by Council Member Osborne. A roll call vote was

in favor of adoption 4 – 0.

**8. ORDINANCE NO. 2005-14 (FIRST READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING THE RIGHT-OF-WAY OF GULFSTREAM ROAD FROM CANAL 9 ROAD TO CANAL 10 ROAD; BORDERED BY THE VILLAGE, OWNED BY PALM BEACH COUNTY; AND MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR AMENDMENT TO THE CORPORATE LIMITS OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AS SET FORTH IN SECTION 201 OF THE VILLAGE CHARTER TO INCLUDE SAID ANNEXED LANDS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR ADVERTISING; AND PROVIDING THAT THIS ORDINANCE SHALL BE FILED WITH THE CLERK OF THE CIRCUIT COURT OF PALM BEACH COUNTY, FLORIDA, AND FLORIDA DEPARTMENT OF STATE UPON ADOPTION.** Staff: Bette Lowe, Land Development Director

Manager Umberger advised the Council that this ordinance would approve the voluntary annexation for the right-of-way of Gulfstream Road from Canal 9 to Canal 10. The right-of-way is bordered by the Village and owned by Palm Beach County. The Land Development Board recommended approval at their May 10, 2005 meeting.

There were no questions or comments by Council. There were no public comments. Village Attorney Nicoletti read the ordinance by title. A motion to adopt the ordinance on first reading as read was made by Council Member Osborne and seconded by Vice Mayor Brinkman. Motion carried 4-0.

**9. ORDINANCE NO. 2005-15 (FIRST READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, THE VACANT LAND CONSISTING OF LESS THAN 10 ACRES, OWNED BY CONGRESS PROPERTIES OF PALM SPRINGS, INC., AND LOCATED ON SEMINOLE ROAD, BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; TO COMMERCIAL LAND USE; SAID LAND 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

Manager Umberger advised that this ordinance would approve a land use change and rezoning for a vacant parcel consisting of .35 acres located on Seminole Road, and owned by Congress Properties of Palm Springs, Inc. The property was currently vacant.

The property was annexed in June, 2000. The proposed land use was commercial. The proposed zoning was commercial general. The Land Development Board had recommended approval at their May 10, 2005 meeting.

There were no questions or comments by Council. There were no public comments. Village Attorney Nicoletti read the ordinance by title. A motion to adopt the ordinance on first reading as read was made by Vice Mayor Brinkman and seconded by Council Member Osborne. Motion carried 4-0.

## **REGULAR AGENDA – None**

### **Actions and Reports**

#### **Presentation from Greater Lake Worth Chamber of Commerce**

Kim West, Membership Services Director of the Greater Lake Worth Chamber of Commerce, made a presentation for Tom Ramiccio, Executive Director, who was unable to attend due to a family emergency.

Ms. West provided Council with copies of the "Official Guide to Greater Lake Worth". She directed Council to page 14 which highlights the service area from Forest Hill Boulevard, down to Lantana, over to 441, and out to the ocean. Ms. West stated that they serve Atlantis, Greenacres, Lake Clarke Shores and Palm Springs. Ms. West advised that they presently have 640 members, and they wanted to focus on the 200 businesses in and around Palm Springs.

Council Member Waller inquired about the yearly dues and what benefits the Village would receive. Ms. West advised the dues were \$825 for first year and \$800 each year thereafter. She stated that they had a breakfast network meeting on the 3<sup>rd</sup> Wednesday of every month, and that she had 5 people from Palm Springs who are interested in forming a branch network group. Ms. West enthusiastically expressed her ideas about the potential for the Village to promote renting its community center for the Chamber members' business meetings. Ms. West also stated that Mr. Ramiccio would, at no additional cost, build a 4-color directory that would include all of the Village's businesses and a map of Palm Springs.

Mayor Davis said this was an idea Council had talked about, and Mr. Ramiccio had presented the idea several times over the past years. He suggested this item be brought back on the May 26<sup>th</sup> agenda when a full Council would be present for discussion and to take a vote.

In response to Vice Mayor Brinkman's inquiry, Ms. West advised that 33 businesses in the Village's corporate limits were already members. She further advised that Dan Perron of Dorsey E. Earl Smith Memory Gardens is a member of their board of directors.

## **VILLAGE COUNCIL COMMENTS**

Mayor Pro Tem Waller stated that all of the trees being planted along 10<sup>th</sup> Avenue were looking great.

Council Member Osborne agreed that the trees on 10<sup>th</sup> Avenue were very attractive. He also stated that the miniature golf course was coming along. Manager Umberger stated they had all the signage and tee markers and were going to finish the 4-foot fence around the perimeter in the next day or so. He stated there would be a grand opening.

Vice Mayor Brinkman had no comments.

Manager Umberger referred to the strip of overgrown land behind Mr. Ford's house, which Mr. Ford had recently discussed with Council. Manager Umberger said he had just learned that the land was actually owned by two people. The Police Chief and the Leisure Services Director had been actively involved in coordinating clearing the land, which had become barren when all the exotics were moved.

Leisure Services Director Golson had met with representatives regarding donating the land for a passive park, which would be a walk-through with benches, as well as taking over the playground equipment at the east end. Manager Umberger stated the Village would have to fence the eastern side. It was the consensus of Council that the Village pursue this project.

Mayor Davis stated he had no comments other than the next regular Council meeting would be at 7:30 p.m. on May 26, 2005, immediately following the 7:15 p.m. Local Planning Agency meeting.

## **ADJOURNMENT**

Hearing no further business, Mayor Davis adjourned the meeting at 7:56 p.m.

Respectfully submitted,

---

Deputy Village Clerk

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

---

Mayor