

**VILLAGE OF PALM SPRINGS
VILLAGE COUNCIL MINUTES
REGULAR MEETING, COMMUNITY ROOM, FEBRUARY 26, 2006**

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, Council Member Bev Smith, Village Manager Karl E. Umberger, Village Attorney Karen E. Roselli, 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 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 Waller.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Village Manager: Continue items #5, #8 and #11 to the March 9 Agenda

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

CONSENT AGENDA

1. **Minutes of Regular Council Meeting on February 9, 2006**
2. **Public Safety Budget Amendment to recognize insurance payment funds in the amount of \$9,081.00 for replacement purchase of a police vehicle.**
3. **RESOLUTION NO. 2006-17**

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ACCEPTING EASEMENT DEEDS FROM HAYDEN DRIVE AND REO LANE AREA PROPERTY OWNERS AS REQUIRED FOR EXPANSION OF WATER AND SANITARY SEWER SERVICES; PROVIDING FOR RECORDATION AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Davis, Public Service Director

4. **RESOLUTION NO. 2006-16**

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING MODIFICATION NUMBER 1 TO TASK ORDER NO. 87 IN THE AMOUNT OF \$3,737.09 TO GLOBETEC CONSTRUCTION, LLC; AND PROVIDING AN EFFECTIVE DATE. Staff: Bill Davis, Public Service Director

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

PUBLIC COMMENT - None

PUBLIC HEARINGS

This item continued to the March 9, 2006 Agenda

5. RESOLUTION NO. 2005-83 (SITE PLAN - QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF PRINCIPLE DESIGN & DEVELOPMENT, INC., AGENT FOR THE OWNER, DR. ROBERT ROY; FOR SITE PLAN REVIEW (SPR 05-18); FOR CONSTRUCTION OF A 31,740 SQUARE FOOT VETERINARY CLINIC AND TEACHING HOSPITAL ON A VACANT PARCEL CONSISTING OF 2.795 ACRES LOCATED AT 3884 FOREST HILL BLVD.; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

6. RESOLUTION NO. 2006-18 (FINAL PLAT – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE FINAL PLAT OF HENRY-CABRERA SUBDIVISION, A .61 ACRE VACANT PARCEL, OWNED BY HENRY CABRERA, LOCATED ON THE SOUTHEAST CORNER OF KIRK ROAD AND CANAL 9 ROAD; AND PROVIDING AN EFFECTIVE DATE.
Staff: Bette Lowe, Land Development Director

Village Clerk Walton advised the Council advertising was not required for a final plat. There was no ex parte communications disclosed and no sworn testimony. Manager Umberger state the preliminary plat had been approved by Council on January 12, 2006. The plat subdivided a .61 acre parcel into three single family lots. Mayor Davis stated this was a public hearing and asked for questions or comments. Hearing

none, a motion to approve the final plat was made by Council Member Smith and seconded by Mayor Pro Tem Waller. Motion carried 5 – 0.

7. ORDINANCE NO. 2006-01 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF 2.04 ACRES OWNED BY LION COUNTRY SAFARI INC.; LOCATED AT 1212 SOUTH CONGRESS 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 (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

Village Clerk Walton advised Council that notice of public hearing was placed in the Lake Worth Herald on December 8 and December 15, 2005. Village Attorney Roselli read the ordinance by title. There were no comments from Staff or Council. Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing none, a motion to adopt on second reading was made by Council Member Osborne and seconded by Vice Mayor Brinkman. A roll call vote was in favor of adoption 5-0.

This item continued to the March 9, 2006 Agenda

8. ORDINANCE NO. 2006-05 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 10, PERTAINING TO BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, CREATING NEW SECTION 10-34 TO BE ENTITLED "APPLICATIONS FOR BUILDING PERMITS; OWNER-BUILDER PERMITS;" PROVIDING FOR SEVERABILITY, PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

9. ORDINANCE NO. 2006-10 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 14, ARTICLE II, SECTION 14-32 OF THE CODE OF ORDINANCES, PERTAINING TO BUSINESS PERMITS AND ENTITLED "REGULATORY FEE; APPLICATION" TO REQUIRE A SEPARATE BUSINESS PERMIT FOR EACH DWELLING RENTED WITHIN THE VILLAGE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Village Clerk Walton advised Council that notice of public hearing was placed in the Lake Worth Herald on January 12 and January 26, 2006. Village Attorney Roselli read the ordinance by title. Vice Mayor Brinkman asked if the applications forms would include the requirements to meet this ordinance and also the ordinance pertaining to renting to sexual predators. Manager Umberger replied the forms would contain all the information. Mayor Davis stated this was a public hearing and asked for questions or comments from the public.

Pat Testa, 121 Henthorne Drive, asked if there was an effective date or a phase in period to allow owners to obtain the required permits. Village Attorney Roselli replied that the new ordinance would not become effective until October 1, 2006.

Hearing no further comments, a motion to adopt 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 5-0.

10. ORDINANCE NO. 2006-11 (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 LAND CONSISTING OF ONE PARCEL TOTALLING LESS THAN TEN (10) ACRES OWNED BY JEFFREY THOMAS MURPHY BUILDERS INC.; LOCATED AT 2976 LARK 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

Manager Umberger advised Council that .69 acre property was currently the site of a single family home and had been annexed into the Village in September 2000. At the time of annexation, a previous owner resided in the home; therefore, a residential land use and zoning was designated. However, the property is flanked by a commercial strip center on the east, a radio station on the north and a church on the west. The commercial land use was deemed appropriate provided the commercial zoning restrictions apply. The single family home had been demolished and the property was now vacant. The Land Development Board had recommended approval of the request at their meeting on February 14, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing none, a motion to adopt on first reading was made by Council Member Osborne and seconded by Council Member Smith. Motion carried 5 – 0.

This item continued to the March 9, 2006 Agenda

11. ORDINANCE NO. 2006-12 (FIRST READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ADOPTING AN AMENDMENT TO THE COMPREHENSIVE PLAN IN ACCORDANCE WITH THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, AS AMENDED, BEING SECTIONS 163.3161, ET. SEQ., FLORIDA STATUTES, AMENDING THE SCHOOL CONCURRENCY ELEMENT AND CAPITAL IMPROVEMENT ELEMENT TO BE CONSISTENT WITH THE SCHOOL BOARD OF PALM BEACH COUNTY'S FIVE YEAR PLAN; INCORPORATING A LIGHT INDUSTRIAL LAND USE CATEGORY IN THE FUTURE LAND USE ELEMENT; INCORPORATING LIGHT INDUSTRIAL/COMMERCIAL AND COMMERCIAL/RESIDENTIAL MIXED USE OVERLAY DISTRICTS IN THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE PLAN, PURSUANT TO THE LARGE SCALE COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, FOR THE PURPOSE OF INCLUDING PROPERTIES RECENTLY ANNEXED; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff: Bette Lowe, Land Development Director

REGULAR AGENDA

ACTIONS AND REPORTS

12. Appointment to the Library Board

Staff: Virginia M. Walton, Village Clerk

Mayor Davis stated there was a regular member vacancy on the Library Board, due to the resignation of Joan Wyllner. An application had been received from Rose Thomas indicating her willingness to serve. Mayor Pro Tem Waller stated she knew Ms. Thomas and she was very enthusiastic about the Library and had done an excellent job as Chair of the recent Library Book Sale. A motion to appoint Rose Thomas to the Library Board for a term to expire on April 24, 2007, was made by Mayor Pro Tem Waller and seconded by Council Member Smith. Motion carried 5 – 0.

VILLAGE COUNCIL COMMENTS

Vice Mayor Brinkman stated she was happy to be re-elected and was looking forward to continuing to serve the Village residents.

Council Member Osborne congratulated both Joni Brinkman and Patti Waller on their re-election.

Council Member Smith also congratulated both Joni Brinkman and Patti Waller and commented that she had been getting positive feedback on the ball fields looking so much better. People were taking notice.

Mayor Pro Tem Waller stated she was also happy to be re-elected for another two years and was looking forward to serving the Village residents.

Mayor Davis congratulated both council members and stated he was looking forward to a fun filled couple of years. Mayor Davis then announced the next Local Planning Agency Meeting on March 9, 2006 at 7:15 pm and next Regular Council Meeting on March 9, 2006 at 7:30 pm.

ADJOURNMENT

Hearing no further business, Mayor Davis adjourned the meeting at 7:46 p.m.

Respectfully submitted,

Village Clerk

Approved by Council _____

Mayor