

**VILLAGE OF PALM SPRINGS
VILLAGE COUNCIL MINUTES
REGULAR MEETING, COMMUNITY ROOM, April 13, 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 Thomas Baird, 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, Leisure Services Director Bill Golson, Village Engineer Don Eckler and Deputy Clerk Barbara Monticello.

Invocation was given by Village Manager Karl E. Umberger, followed by the Pledge of Allegiance led by Mayor Pro Tem Bev Smith.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Village Manager: Continue item #11 to the May 25th Agenda
Item #16 - Add the word "cross" after Holy as revised
Continue item #17 to the April 27th Agenda

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

CONSENT AGENDA

1. **Minutes of Regular Council Meeting on March 23, 2006**
2. **RESOLUTION NO. 2006-35**

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ACCEPTING EASEMENT DEEDS FROM SPRINGFIELD LANE AND HAYDEN DRIVE 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

3. **Public Safety Forfeiture Expenditure in the amount of \$4,140.00 for the purchase of six (6) new Remington Model 11-87P Shotguns.**

Staff: Jay C. Pickens, Public Safety Director

4. **Public Safety Budget Amendment in the amount of \$10,000.00 to recognize a Local Law Enforcement Block Grant from the Florida Department of Law Enforcement.** Staff; Jay C. Pickens, Public Safety Director

5. **RESOLUTION NO. 2006-37**

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING MODIFICATION NUMBER 2 (FINAL) TO TASK ORDER NO. 74 IN THE AMOUNT OF \$15,894.05 TO GLOBETEC CONSTRUCTION, LLC; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Davis, Public Service Director

6. **RESOLUTION NO. 2006-38**

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A JOINT PARTICIPATION AND PROJECT FUNDING AGREEMENT WITH PALM BEACH COUNTY FOR CONSTRUCTION OF FOREST HILL BLVD. AND HAVERHILL ROAD INTERSECTION IMPROVEMENTS, PURSUANT TO SECTION 163.01, FLORIDA STATUTES, ET SEQ.; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Davis, Public Service Director

7. **RESOLUTION NO. 2006-40**

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING MODIFICATION NUMBER TO TASK ORDER NO. 92 IN THE AMOUNT OF \$164,683.18 TO AKA SERVICES INC; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Davis, Public Service Director

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

ANNOUNCEMENTS AND PROCLAMATIONS

**8. Mayor's Proclamation for Public Safety Telecommunicators Week
April 9 – 15, 2006**

Mayor Davis read the Proclamation and proclaimed the week April 9-15, 2006, as Telecommunicators Week. Public Safety Director Jay Pickens accepted the proclamation and presented gifts to the dispatchers present.

9. Mayor's Proclamation for Water Conservation Month – April 2006

Mayor Davis read the proclamation and proclaimed April 2006 as Water Conservation Month in Palm Springs and presented the proclamation to Don Eckler Village Engineer.

**10. Mayor's Proclamation for Community Development Week
April 17 – 23, 2006**

Mayor Davis read the Proclamation proclaiming the week of April 17-23, 2006 as Community Development Week and presented the proclamation to Land Development Director Bette Lowe.

PUBLIC COMMENT - (Five minute limit.)

None

PUBLIC HEARINGS

11. RESOLUTION NO. 2006-36 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION SUBMITTED BY FRED POPPER, OWNER, FOR SITE PLAN REVIEW (SPR 06-03); FOR CONSTRUCTION OF AN 8,900 SQUARE FOOT RETAIL/OFFICE BUILDING TO BE KNOWN AS PALM PLAZA LOCATED AT 3255 FOREST HILL BOULEVARD; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Week

Continued to May 25th Agenda

12. RESOLUTION NO. 2006-29 (PRELIMINARY PLAT – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE PRELIMINARY PLAT FOR HARDMAN SUBDIVISION, SUBMITTED BY CARLOS M. GONZALEZ, AGENT FOR THE OWNER, ABEL ECHEMENDIA; FOR THE PROPERTY LOCATED ON THE WEST SIDE OF REO LANE, SOUTH OF PARK LANE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Village Clerk Walton advised Council that the notice of public hearing was not required for this item. There was no ex parte communications disclosed and no testimony given.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing no comments, Village Attorney Baird read the resolution by title. A motion to adopt the resolution was made by Mayor Pro Tem Bev Smith and seconded by Vice Mayor Patti Waller. Motion carried 5 – 0

13. RESOLUTION NO. 2006-30 (FINAL PLAT – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE FINAL PLAT OF HARDMAN SUBDIVISION, A 3.58 ACRE PARCEL, OWNED BY ABEL ECHEMENDIA, LOCATED ON THE WEST SIDE OF REO LANE, SOUTH OF PARK LANE; AND PROVIDING AN EFFECTIVE DATE.

Village Clerk Walton advised Council that the notice of public hearing was not required for this item. There was no ex parte communications disclosed and no testimony given.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing no comments, Village Attorney Baird read the resolution by title. A motion to adopt the resolution was made by Council Member Joni Brinkman and seconded by Vice Mayor Patti Waller. Motion carried 5 – 0.

14. ORDINANCE NO. 2006-12 (FIRST READING – COMP PLAN)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ADOPTING AMENDMENTS TO THE COMPREHENSIVE PLAN OF THE VILLAGE OF PALM SPRINGS, FLORIDA, TO BE KNOWN AS

2006 CYCLE 1 AMENDMENTS WHICH AMENDMENTS ARE MORE FULLY DESCRIBED IN EXHIBITS "A", "B" AND "C" ATTACHED HERETO; IN

ACCORDANCE WITH THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, AS AMENDED, BEING SECTIONS 163.3161, ET. SEQ., FLORIDA STATUTES, PROVIDING FOR THE AMENDMENT TO THE TEXT OF THE SCHOOL CONCURRENCY ELEMENT AND THE CAPITAL IMPROVEMENT ELEMENT OF THE COMPREHENSIVE PLAN TO BE CONSISTENT WITH THE SCHOOL BOARD OF PALM BEACH COUNTY'S FIVE YEAR PLAN; CREATING A "LIGHT INDUSTRIAL" LAND USE CATEGORY IN THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN; CREATING A "LIGHT INDUSTRIAL/COMMERCIAL OVERLAY DISTRICT" AND A "COMMERCIAL/RESIDENTIAL MIXED USE OVERLAY DISTRICT" IN THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER PURPOSES.

Staff: Bette Lowe, Land Development Director

Village Clerk Walton advised Council that notice of public hearing was placed in the Palm Beach Post on February 9, 2006.

The applicant, Jim LaRue was sworn in by the Village Clerk. He commented that the Land Development Regulation Act as amended would allow the Village to be consistent with County School Concurrency. Recent annexations had brought about the need for new land use categories. The Land Development Board recommended approval of this item at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. There were no public comments. Village Attorney Baird read the ordinance by title. A motion to adopt on first reading was made by Mayor Pro Tem Bev Smith and seconded by Vice Mayor Patti Waller. Motion carried 5-0.

15. ORDINANCE NO. 2006-16 (FIRST READING – COMP PLAN)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE VILLAGE OF PALM SPRINGS, FLORIDA TO BE KNOWN AS A 2006 CYCLE 1 AMENDMENT; AND WHICH AMENDMENT IS MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, IN ACCORDANCE WITH THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT

REGULATION ACT, AS AMENDED, BEING SECTIONS 163.3161, ET. SEQ., FLORIDA STATUTES, PROVIDING FOR THE AMENDMENT OF THE VILLAGE'S FUTURE LAND USE MAP PURSUANT TO THE LARGE SCALE COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, FOR THE PURPOSE OF INCLUDING PROPERTIES RECENTLY ANNEXED INTO THE VILLAGE ON THE FUTURE LAND USE MAP "FLUM"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER PURPOSES.

Staff: Bette Lowe, Land Development Director

Village Clerk Walton advised Council that notice of public hearing was placed in the Palm Beach Post on April 2, 2006. No ex parte communications were disclosed.

Jim LaRue commented that 170.04 acres have been annexed to date. The Land Development Board recommended approval of this item at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing no questions or comments, Village Attorney Baird read the ordinance by title. A motion to adopt on first reading was made by Council Member Joni Brinkman and seconded by Mayor Pro Tem Bev Smith. Motion carried 5-0.

16. ORDINANCE NO. 2006-13 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING ONE PARCEL OF LAND CONSISTING OF 6.12 ACRES; OWNED BY LUTHERAN CHURCH OF THE HOLY CROSS, LOCATED AT 1591 KIRK ROAD; 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 2.01 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 the property was contiguous to the Village with Palm Springs Middle School to the east. It was currently the site of a church.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. There were no comments or questions from staff, Council or the public. Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Council Member Chet Osborne and seconded by Mayor Pro Tem Bev Smith. Motion carried 5-0.

This item will be continued to the April 27, 2006 Agenda

17. ORDINANCE NO. 2006-15 (FIRST READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 34 ARTICLE VI, DIVISION 7, SECTION 34-914, ENTITLED "PARKING IN SINGLE-FAMILY; RESIDENTIAL LAND USE DISTRICTS;" TO REGULATE THE USE OF PORTABLE STORAGE CONTAINERS AND ROLL-OFF CONSTRUCTION DUMPSTERS

18. ORDINANCE NO. 2006-21 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .48 ACRES OWNED BY MERRILL FOX; LOCATED AT 1144 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 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 the Council that this property was contiguous to the Village with the Michael Anthony property to the south. It was currently the site of an office.

Mayor Davis stated this was a public hearing and asked for questions or

comments from the public. There was no council or public comments. Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Vice Mayor Patti Waller and seconded by Council Member Joni Brinkman. Motion carried 5-0.

19. ORDINANCE NO. 2006-20 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING TWO (2) PARCELS OF LAND CONSISTING OF A TOTAL OF 1.91 ACRES OWNED BY BERNARDI INVESTMENTS & HOLDINGS LLC; LOCATED AT 1122 SOUTH CONGRESS AVENUE AND 2950 PALMARITA ROAD; 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

Manager Umberger advised the Council that this property was contiguous to the Village with the Merrill Fox Trust property to the south. The property was currently occupied by a statue and monument business.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. There was no council or public comments. Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Council Member Chet Osborne and seconded by Mayor Pro Tem Bev Smith. Motion carried 5-0.

20. ORDINANCE NO. 2006-19 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .67 ACRES OWNED BY GOLD COAST HOLDING, INC.; LOCATED AT 2971 PALMARITA ROAD; 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

Manager Umberger advised the Council that this property was contiguous to the Village with the Bernardi property to the south. The site was currently an equipment rental business. Land Development Board recommended approval at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. There was no council or public comments. Village Attorney Baird read by title. A motion to adopt the ordinance on first reading was made by Vice Mayor Patti Waller and seconded by Council Member Joni Brinkman. Motion carried 5-0.

21. ORDINANCE NO. 2006-18 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING TWO (2) PARCELS OF LAND CONSISTING OF A TOTAL OF 2.79 ACRES OWNED BY WALKER INVESTMENT PROPERTIES, LLC; LOCATED AT 1014 SOUTH CONGRESS AVENUE AND 2923 PALMARITA ROAD; 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

Manager Umberger advised the Council that this property was contiguous to the Village with Gold Coast Holding to the south. The site was an equipment rental business. Land Development Board recommended approval at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing no comments, Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Council Member Smith and seconded by Council Member Osborne. Motion carried 5-0.

22. ORDINANCE NO. 2006-17 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING THREE (3) PARCELS OF LAND CONSISTING OF 7.40 ACRES OWNED BY HIGH POINT ON CONGRESS, LLC; LOCATED ON 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 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 the Council that this property was contiguous to the Village with the Walker property to the south. The site was currently vacant. Land Development Board recommended approval at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. There were no comments from the Council or the public. Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Council Member Osborne and seconded by Mayor Pro Tem Smith. Motion carried 5-0.

23. ORDINANCE NO. 2006-25 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .29 ACRES OWNED BY INGRID KUONEN; LOCATED AT 2851/2853 REO LANE; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO LOW 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

Manager Umberger advised the Council that this property was contiguous to the Village with the Hardman, Alexander and Echemendia property to the south. Land Development Board recommended approval at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. There were no comments from the Council or the public. Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Vice Mayor Patti Waller and seconded by Council Member Joni Brinkman. Motion carried 5-0.

24. ORDINANCE NO. 2006-26 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A VACANT PARCEL OF LAND CONSISTING OF .29 ACRES OWNED BY LORE RASCH, INGRID KUONEN AND DIANE RASCH; LOCATED ON ESPAN COURT; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO LOW 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

Manager Umberger advised the Council that this property was contiguous to the Village with Hardman property to the south. Land Development Board recommended approval at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. There were no comments from the Council or the public. Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Mayor Pro Tem Bev Smith and seconded by Vice Mayor Patti Waller. Motion carried 5-0.

25. ORDINANCE NO. 2006-27 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .32 ACRES OWNED BY LORE RASCH AND DIANE RASCH; LOCATED AT 3924 ESPAN COURT; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO LOW 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

Manager Umberger advised the Council that this property was contiguous to the Village with the Hardman, Alexander and Echemendia property to the south. Land Development Board recommended approval at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. There were no comments from the Council or the public. Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Council Member Joni Brinkman and seconded by Council Member Chet Osborne. Motion carried 5-0.

26. ORDINANCE NO. 2006-23 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .37 ACRES OWNED BY ADAM AND RUTH FEIGL; LOCATED AT 3893 ESPAN COURT; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO LOW 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.

Manager Umberger advised the Council that this property was contiguous to the Village with the Kuonen property to south. Land Development Board had recommended approval at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. There being no comments, Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Vice Mayor Patti Waller and seconded by Mayor Pro Tem Smith. Motion carried 5-0.

27. ORDINANCE NO. 2006-24 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING TWO PARCELS OF LAND CONSISTING OF A TOTAL OF .54 ACRES OWNED BY JAMES AND SHARRON HARTMAN; LOCATED AT 3925 AND A VACANT PARCEL ON ESPAN COURT; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO LOW 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

Manager Umberger advised the Council that this property was contiguous to the Village with the Rasch and Kuonen properties to the south. Land Development Board had recommended approval at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. There being no comments, Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Council Member Chet Osborne and seconded by Council Member Joni Brinkman. Motion carried 5-0.

28. ORDINANCE NO. 2006-22 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING TWO (2) PARCELS OF LAND CONSISTING OF A TOTAL OF 1.01 ACRES OWNED BY ROBERT T. AND IRENE F. WILDE; LOCATED AT 2971 OAK DRIVE AND 1202 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 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 the Council that the properties were contiguous to the Village with the Michael Anthony property to the north. Land Development Board recommended approval at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Dennis Koehler, 1966 Rich Lane, was the representative for the owners and thanked Council and Staff for their cooperation in bringing forward this annexation. There being no other comments, Village Attorney Baird read the ordinance by title. A motion to adopt the first reading was made by Council Member Chet Osborne and seconded by Council Member Joni Brinkman. Motion carried 5-0.

29. ORDINANCE NO. 2006-30 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .96 ACRES OWNED BY COUNTY REALTY, INC.; LOCATED AT 3068 LAKE WORTH ROAD; 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

Manager Umberger advised the Council that this property was contiguous to the Village with Seaglades Investment Company property to the west and currently was the site of a major automotive repair shop. Land Development Board recommended approval at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing no comments, Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Council Member Joni Brinkman and seconded by Council Member Chet Osborne. Motion carried 5-0.

30. ORDINANCE NO. 2006-29 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF 1.16 ACRES OWNED BY M. F. AND VIOLA CHILLEM; LOCATED AT 4039 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 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 the Council that this property was contiguous to the Village with the County Realty Property Inc., property to the west. It was currently the site of a multi-family residence. Land Development Board recommended approval at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing no comments, Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Council Member Chet Osborne and seconded by Mayor Pro Tem Bev Smith. Motion carried 5-0.

31. ORDINANCE NO. 2006-31 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF 1.85 ACRES OWNED BY RUDOLF J. STEPLINGER AND MATTHIAS STEPLINGER; LOCATED AT 4063 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 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 the Council that this property was contiguous to the Village with the Chillemi property to the north. Land Development Board recommended approval at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing no comments, Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Vice Mayor Patti Waller and seconded by Council Member Joni Brinkman. Motion carried 5-0.

32. ORDINANCE NO. 2006-28 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .38 ACRES OWNED BY COLLEGE SERVICE STATION, INC.; LOCATED AT 3032 LAKE WORTH ROAD; 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

Manager Umberger advised the Council that this property was contiguous to the Village with the Chillemi property to the west. It was currently the site of a full service gas station. Land Development Board recommended approval at their meeting on April 11, 2006.

Mayor Davis stated this was a public hearing and asked for questions or comments from the public. Hearing no comments, Village Attorney Baird read the ordinance by title. A motion to adopt the ordinance on first reading was made by Vice Mayor Patti Waller and seconded by Mayor Pro Tem Bev Smith. Motion carried 5-0.

REGULAR AGENDA

ACTIONS AND REPORTS

33. Appointments to the Leisure Services Board

Staff: Virginia M. Walton, Village Clerk

Mayor Davis stated there were three regular member positions on the Board which had expired and the current members had indicated their willingness to continue to serve. A motion to appoint Thomas Whittenbarger, Robert Arysman and Sharon Webb as regular members to the Leisure Services Board, for a two year term to expire April 27, 2008, was made by Council Member Chet Osborne and seconded by Mayor Pro Tem Bev Smith. Motion carried 5 – 0.

34. Appointments to the Library Board

Staff: Virginia M. Walton, Village Clerk

Mayor Davis stated there were two regular member positions on the Board which had expired and the current members had indicated their willingness to continue to serve. A motion to appoint Bernard Gardner and Paul Mirabito as regular members to the Leisure Services Board for a two year term to expire April 24, 2008, was made by Vice Mayor Patti Waller and seconded by Council Member Joni Brinkman. Motion carried 5 – 0.

35. Appointments to the Beautification Board

Staff: Virginia M. Walton, Village Clerk

Mayor Davis stated there were three regular member positions on the Board

which had expired and the current members had indicated their willingness to continue to serve.

35A. Discussion and Motion to have the Beautification Board become a Sub-Committee and meet with the Land Development Board when Site Plans required Landscape review.

Council Member Smith stated she had attended the last Beautification Board Meeting, which had been cancelled because there was no quorum. Council Member Osborne stated he felt this was a great idea. Vice Mayor Brinkman stated she had been on the board and also thought it is a good idea. Vice Mayor Waller stated she felt it was a good idea and asked if the board members had been told about this change. Manager Umberger replied the Board members would be told after the Council had made a decision on whether they wanted this change. Mayor Davis stated it made sense and that the decision was not cast in stone. If the sub-committee didn't work, then the Board could be re-activated.

A motion to appoint Joann Farrell, Gordon Levy and Elayne Ryan as regular members to the Leisure Services Board for two year terms to expire April 9, 2008, and also to have the Beautification Board become a Sub-Committee of the Land Development Board was made by Vice Mayor Patti Waller and seconded by Mayor Pro Tem Bev Smith. Motion carried 5 – 0.

36. Designation of Voting Delegate & Alternate(s) to the Palm Beach County League of Cities

Staff: Karl E. Umberger, Village Manager

Mayor Davis stated the present Voting Delegates were himself as Delegate and all Council Members and the Manager as Alternates. A motion to appoint Mayor John M. "Mike" Davis, with Village Manager Karl Umberger and all Council Members as Alternates was made by Council Member Chet Osborne and seconded by Mayor Pro Tem Bev Smith. Motion carried 5-0.

VILLAGE COUNCIL COMMENTS

Council Member Osborne wished everyone a safe and Happy Easter.

Mayor Pro Tem Smith congratulated Director Lowe on a job well done with all of the annexations. Mayor Pro Tem Smith also commented to Public Safety Director Pickens that she liked the annexation reports being done by his department; and then inquired as to what is happening regarding recreation plans, since she received many calls on when the project would be completed.

Vice Mayor Patti Waller wished everyone Happy Holidays.

Mayor Davis wished everyone a Happy Holidays and stated he would be out of town for the next Council Meeting and Vice Mayor Waller would take over the duties.

ADJOURNMENT

Hearing no further business, Mayor Davis adjourned the meeting at 8:43 p.m.

Respectfully submitted,

Village Clerk

Approved by Council _____

Mayor