MINUTES
VILLAGE COUNCIL MEETING
226 CYPRESS LANE, PALM SPRINGS, FLORIDA 33461
MAY 14, 2020
6:30 PM

COUNCIL

- Mayor Bev Smith
- Vice Mayor Patti Waller
- Mayor Pro Tem Gary Ready
- Council Member Doug Gunther
- Council Member Joni Brinkman

ADMINISTRATION

- Village Manager Richard Reade
- Village Attorney Glen Torcivia
- Village Clerk Kimberly Wynn

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1. CALL TO ORDER

Mayor Smith called the meeting to order at 6:36 pm

2. ROLL CALL

Mayor Bev Smith, Vice Mayor Patti Waller, Mayor Pro Tem Gary Ready, Council Member Doug Gunther, Council Member Joni Brinkman, Village Manager Richard Reade, Village Attorney Glen Torcivia, and Village Clerk Kimberly Wynn

3. INVOCATION

Village Manager Reade gave the invocation.

4. PLEDGE OF ALLEGIANCE

The Village Council led the pledge of allegiance.

5. ADDITIONAL, DELETIONS, OR MODIFICATIONS, AND APPROVAL OF AGENDA

Village Manager Reade stated that item 6.12, Approve Playground Equipment, and Installation Sago Palm Park Improvement Contract Award (Task Order No. 254) - Cooperative Purchasing (Piggyback) - Parks and Recreation Department (FY 2020 Funded - General Fund) Gametime c/o Dominica Recreation Products, Inc., the staff has requested this item be postponed to June 11, 2020 Council Meeting. Item 9.1., the Applicant has requested that this item be postponed. Although the applicant requests an indefinite postponement, Staff recommend a maximum of three (3) Village Council meetings.

Approve as Amended Council Member Gunther made a motion to approve the agenda as amended, seconded by Mayor Pro Tem Ready. There was a roll call vote Mayor Pro Tem Ready - Yes, Vice Mayor Waller, Yes, Council Member Brinkman- Yes, Council Member Gunther - Yes, Mayor Smith - Yes. The motion carries 5-0.

6. CONSENT AGENDA *(Public Comment on Consent Agenda Items is permissible prior to voting)*

6.1 Approval of Meeting Minutes

- 02-13-2020 Village Council Regular Meeting Minutes
- March 12, 2020 - Village Council Meeting Minutes

6.2 Appointments to the Construction Board of Adjustment and Appeals

- Joseph Kajak - Board Application is Available Upon Request
- Larry Cellon - Board Application is Available Upon Request

6.3 Resolution No. 2020-08 - Establish Consistent Boards & Committees Expiration Dates - Village of Palm Springs

- Proposed Resolution No. 2020-08

6.4 **Approve Solar Chloride (Solar Salt) Purchase Agreement - 3rd Amendment - Cooperative Purchasing (Piggyback - Renewal) - Public Service Department (FY 2020 Budget Funded) - Morton Salt, Inc.**

- Proposed Amendment No. 3 to Agreement - Morton Salt, Inc.
- Amendment No. 2 to Agreement - Morton Salt, Inc.
- Amendment No. 1 to Agreement - Morton Salt, Inc.
- Approval to Piggyback - Morton Salt, Inc.
- City of Boca Raton - Change Order No. 3 (Renewal) City of Boca Raton - Executed Contract

6.5 **Approve Frost Lake Stormwater Outfall Project Reconciliation (Close Out & Change Order #1) (Task Order #248) – Public Service Department (FY 2020 Budget Funded – Stormwater Enterprise Fund) – TCLM Enterprises, Inc.**

- Proposed Change Order No. 1 - TCLM Enterprises, Inc.
- Allowance Authorization No. 1 - TCLM Enterprises, Inc.
- Agreement - TCLM Enterprises, Inc.

6.6 **Approve Modification No. 2 - Hazard Mitigation Grant Agreement - Florida Division of Emergency Management (FEMA) - Miller Road Stormwater Improvements**

- DRAFT Modification #2 - FEMA (UPDATED)
- Modification #2 - FEMA Approval of Proposed Revised Budget Hazard Mitigation Grant Agreement
- Modification No. 1 - Hazard Mitigation Grant Agreement

6.7 **Approve Change Order #2 - Miller Road Drainage Improvements (Task Order # 213) - Public Service Department (FY 2020 Budget Funded - Stormwater Enterprise Fund) - TCLM Enterprises**

- Proposed Change Order No. 2 - TCLM Enterprises
- Change Order No. 1 - TCLM Enterprises
- Executed Agreement - TCLM Enterprises

6.8 **Approve Interlocal Agreement - Extension/Amendment #1 - Urban County Qualification Process Program Participation in Community Development Block Grant (CDBG) - FY 2021 to FY 2023 - Palm Beach County**

- Proposed Amendment No. 1 - Interlocal Agreement - Urban County Qualification Process Program - Palm Beach County
- Resolution No. 2014-41 - Interlocal Agreement - Urban County Qualification Process Program - Palm Beach County

6.9 **Approve Change Order #2 (Task Order #228) - Foxtail Palm Park - Parks and Recreation Department (FY 2020 Budget Funded - General Fund) - Engenuity Group, Inc.**

- Proposed Change Order #2 - Task Order #228 - Engineering Design & Construction - Foxtail Palm Park - Engenuity Group
- Change Order #1 - Task Order #228 - Executive Brief - Task Order #228 –
- Engineering Design & Construction - Foxtail Palm Park - Engenuity Group, Task Order #228 - Engineering Design & Construction - Foxtail Palm Park - Engenuity Group

6.10 **Approve Village Center Playground Replacement Contract Award (Task Order No. - Cooperative Purchasing (Piggyback) - Parks and Recreation Department (FY 2020 Funded - General Fund) – GameTime**

- Proposed Agreement with GameTime Approval to Piggyback - GameTime
- Village of Palm Springs Membership - Omnia Partners Government Purchasing Cooperative
- City of Charlotte, North Carolina - RFP 269-2017-028 Award Notification City of Charlotte, North Carolina - Executed Contract - GameTime
- City of Charlotte, North Carolina - Original RFP Submittal Documents - GametTime (Available Within the Village Clerk's Office)
- City of Charlotte, North Carolina - Request for Proposals (RFP #269-2017-028) - January 25, 2017

- City of Charlotte - North Carolina - Advertisement - RFP 269-2017-028 - January 25, 2017
- Proposal - Village Center Complex Playground Replacement - GameTime
- Proposed Village Center Complex Playground Replacement Project Site Plan
- Proposed Village Center Complex Playground Replacement Project Conceptual GameTime Price List - Co-Op
- GameTime Schedule of Discounts - Co-Op
- Village Center Playground Replacement FY 2020 CIP Form

6.11 <u>Approve Royal Palm Park Playground Replacement Contract Award (Task Order No. 281) - Cooperative Purchasing (Piggyback) - Parks and Recreation Department (FY 2020 Funded - General Fund) - GameTime</u>

- Proposed Agreement - GameTime
- Approval to Piggyback - GameTime
- Village of Palm Springs Membership - Omnia Partners Governmental Purchasing Cooperative
- City of Charlotte, North Carolina - RFP 269-2017-028 Award Notification

  City of Charlotte, North Carolina - Executed Contract - GameTime
- City of Charlotte, North Carolina - Original RFP Submittal Documents - GametTime (Available Within the Village Clerk's Office)
- City of Charlotte, North Carolina - Request for Proposals (RFP #269-2017-028) - January 25, 2017
- City of Charlotte, North Carolina - Advertisement - RFP #269-2017-028 - January 25, 2017
- Proposal - Royal Palm Park Playground Replacement - GameTime
- Proposed Royal Palm Park Playground Replacement Project Site Plan
- Proposed Royal Palm Park Playground Replacement Project Conceptual
- GameTime Price List - Co-Op
- GameTime Schedule of Discounts - Co-Op
- Royal Palm Playground Improvements - FY 2020 CIP Form

End of Consent Agenda

Vice Mayor Waller made a motion to approve the Consent Agenda, seconded by Council Member Gunther. There was a roll call vote. Mayor Pro Tem Ready - Yes, Vice Mayor Waller - Yes, Council Member Brinkman - Yes, Council Member Gunther - Yes, Mayor Smith - Yes. The motion carries 5-0.

(Mayor Smith requested that Public Comment agenda be heard before Presentations):

8. **PUBLIC COMMENT** *(The public shall be limited to three (3) minutes to speak on agenda or non-agenda item(s)*

Mayor Smith offered the public an opportunity to speak at this time.

1. **Mr. Johnnie Tieche - 305 Winged Foot Drive** - Mr. Tieche complimented the Public Works Department. During his walk (in the Village) he noticed the crews were out trimming trees and had collected debris. He asked the Police Chief Ceccarelli if police officers can be stationed on Greenbrier Drive, Davis Road, and Winged-Foot Drive to deter speeding in the area. Mayor Smith asked Mr. Tieche about a comment he made at a previous meeting regarding parking at some of the complexes in the community. She asked Mr. Tieche if he could let Vice Mayor Waller know the name of the complexes, he visited that had a problem with parking. Mr. Tieche could not recall all of them, but he remembered a couple of areas in Springdale and Keller Canal. He talked about the challenge of parking spaces in the Village.

There were no further comments from the public.

7. PRESENTATIONS

7.1 "Police Week" and "Peace Officers Memorial Day" Proclamation - May 2020

- Police Week in Palm Springs - 2020

Mayor Smith read the proclamation into the record and gave brief comments.

7.2 Public Service Recognition Week Proclamation - May 3, 2020 - May 9, 2020

- Public Service Recognition - May 2020

Mayor Smith read the proclamation into the record and gave brief comments.

9. PUBLIC HEARINGS

9.1 Ordinance No. 2020-04 - Land Use Plan Amendment (Large Scale) - 2085 South Congress Avenue and 3243 Lillian Road (Proposed Palm Springs Residences Residential Planned Development) *(THE APPLICANT HAS REQUESTED THIS ITEM BE POSTPONED INDEFINITELY)*

- Email from Applicant - Palm Springs Residences

Vice Mayor Waller stated that she does not want to meet with the Developer outside of a public meeting to discuss this project.

Council Member Brinkman made a motion to approve postponement of Ordinance No. 2020-04 for three (3) Village Council Meetings, seconded by Mayor Pro Tem Ready. There was a roll call vote. Mayor Pro Tem Ready - Yes, Vice Mayor Waller - Yes, Council Member Brinkman - Yes, Council Member Gunther - Yes, Mayor Smith - Yes. The motion carries 5-0.

9.2 Resolution No. 2020-16 - Final Plat - Barbridge Subdivision - 4424 Barbridge Road *(Quasi-Judicial Hearing)*

- Proposed Resolution No. 2020-16
- Proposed Final Plat
- Letter of Compliance Florida Statutes - Engenuity Group - 4424 Barbridge Road Special Purpose Survey and Site Plan
- Summary of Requested Lot Subdivision - Frogner Consulting Aerial and Location Maps

Mayor Smith asked Council if there was any ex parte communication. Mr. Jim Froegner, the Applicant was present to give his testimony on this project. He was sworn in by the Village Clerk. the Village Manager read the staff report into the record. Mr. Froegner explained the owner bought the dilapidated property two (2) years ago and rehabilitated it. It was discovered that the lot size was large enough to build a new house. Mrs. Glas-Castro had no additional comments but stated this project met the code.

Mayor Smith offered the public and Council an opportunity to speak on this item; there were no additional comments. Village Attorney Torcivia read the title of the caption into the record.

Council Member Gunther made a motion to approve Resolution No. 2020-16, seconded by Mayor Pro Tem Ready. There was a roll call vote. Mayor Pro Tem Ready - Yes, Vice Mayor Waller - Yes, Council Member Brinkman - Yes, Council Member Gunther - Yes, Mayor Smith - Yes. The motion carries 5-0.

9.3. Resolution No. 2020 -14 - Final Plat (Re-Plat) - RaceTrac, Tire Kingdom & Vacant Property - 2601 10th Avenue North *(Quasi-Judicial Hearing)*

- Proposed Resolution No. 2020-14 - Final Plat Replat - 2601 10th Avenue North Proposed Final Plat
- Letter of Compliance Florida Statutes - 2601 10th Avenue North

- Boundary Survey
- Colored Master Plan
- Property Information Report
- Aerial and Location Maps

Mayor Smith asked the Council was there any ex parte communication - there was none. Because the applicant Mr. Chuck Millar was having technical difficulties with the audio, The Village Council proceeded to Item 9.4., until the issue was resolved.

9.4 Resolution No. 2020-13 - Site Development Plan Modification No. 1 (SPR20-05) TowerCom Tower - All Air-Conditioned Self Storage - 2745 Lake Worth Road (*Quasi-Judicial Hearing*)

- Exhibit "A" - Staff Report
- Proposed Site Plan for Generator
- Photographs of Lease Area
- Aerial and Location Maps
- Resolution No. 2018-12 - 2745 Lake Worth Road (Communication Tower)
- Applicant's Presentation Verizon
- Proposed Resolution No. 2020-13

Mayor Smith gave the Council an opportunity to disclose any ex parte communication - there was none. The Village Clerk swore in the applicant, Sheryl Blasi, Agent with Verizon. The Village Manager gave the staff presentation. Ms. Blasi provided a brief background of what happened in Tower Communication. She explained that Verizon applied for a permit for the equipment cabinet for the power tank tower, but not the generator at the site. There was a misunderstanding between both parties of what was being done versus what was done. Mrs. Glas-Castro expressed her pleasure that this was being correct.

Council Member Ready asked when did this project start. Mrs. Glas-Castro confirmed that the project was approved by Council in 2019. Council Member Gunther asked if this item required advertisement. Mrs. Glas-Castro informed him it was advertised. Village Attorney Torcivia read the title of the caption into the record.

Council Member Brinkman made a motion to approve Resolution No. 2020-13, seconded by Vice Mayor Waller. There was a roll call vote Mayor Pro Tem Ready - Yes, Vice Mayor Waller - Yes, Council Member Brinkman - Yes, Council Member Gunther - Yes, Mayor Smith - Yes. The motion carries 5-0.

(At this point, Village Council heard Item 9.3)

9.5 Resolution No. 2020- 06 - Site Plan (SPR20-03) and Four (4) Waivers - 3922 Park Lane (*Quasi-Judicial Hearing*)

- Proposed Resolution No. 2020-06
- Exhibit "A" - Staff Report and Conditions of Approval Project Narrative and Justification Statement
- Site Plan, Landscape Plan, Architectural Plans, Civil Plans and Letters Colored Site Plan and Architectural Renderings - 3922 Park Lane Townhomes Legal Description
- Aerial Map and Location Map
- Applicant's Presentation - 3392 Park Lane Townhouses

Mayor Smith asked if there was any ex-parte communication – there was none. Mr. Cory Cross was sworn in by the Village Clerk. Village Manager Reade read the staff report into the record. Mr. Cross stated that he had a financial analyst look at the project. He explained that he would break even if he downsized the project to nine (9) units; however, if he does fewer units, the project would not be financially feasible. He discussed some of the other features he changed to be residential while remaining within the code.

Vice Mayor Waller stated that the project is too dense for the area. Council Member Brinkman is concerned about the parking. She is concerned with the color of the building, but she supported the building. Mayor Pro Tem Ready explained he had a concern with security in the area. Council Member Gunther asked about homeownership. He wanted to know if there was a way to include a clause that the developer could not convert this to a homeownership opportunity. Mayor Smith talked about the parking conditions, but overall, she supported the project. Village Attorney Torcivia discussed the ownership feature. There was a discussion about the colors.

Village Attorney Torcivia read the title of the caption into the records.

Council Member Gunther made a motion to approve Resolution No. 2020- 06, seconded by Council Member Brinkman. There was a roll call vote Mayor Pro Tem Ready - Yes, Vice Mayor Waller - Yes, Council Member Brinkman - Yes, Council Member Gunther - Yes, Mayor Smith - Yes. The motion carries 5-0.

10. ACTIONS AND REPORTS

10.1 Temporary Use Permit - Outdoor Vehicle & Equipment Storage - Florida Communication Concepts (FCC) - 1195 South Congress Avenue

- Temporary Use Permit Agreement
- Applicant's Temporary Use Permit Application and Narrative - 1195 S. Congress Avenue
- Applicant's Proposed Parking Plan Property Survey - 1195 S Congress Ave Site Photos
- Aerial and Location Maps
- Florida Communication Concepts - Corporate Information

Mayor Smith introduced this item. The Village Manager read the staff report into the record. Mayor Smith opened the meeting up for discussion.

Council Member Brinkman asked if the sabal palms that are located on the property would remain in place until there is a site plan approval. Mrs. Glas-Castro advised that the trees would remain on the property until the property owner seeks approval of a site plan.

Council Member Gunther asked if conduit reels were brought to the property. The applicant explained that the tenants lay telecommunication lines for Comcast and AT&T, so the owners would store about eight (8) spools in the back along the south wall of the unpaved property. Council Member Gunther asked If this had to do with the 5G improvements throughout the County. The applicant answered yes, but explained the owners work state-wide in other counties that included Broward and Dade. Council Member said that he asked the question because a similar business may have fifty (50) reels of conduits brought to the site. He felt it was important that the number of reels is limited. The applicant stated that the owners majorly use their west coast base to store. Council Member asked that the temporary permit include language that the owner cannot exceed ten (10) reels on the property.

Mayor Pro Tem Ready said that he noticed the building north of the property is up for sale. He asked the owner was there a plan of expansion to move in that area in the future. The applicant said there is not a plan (that he is aware of) to expand. They like the particular property because there is a 10 ft wall around the property that protects their vehicles. Mayor Smith asked if the property owner was aware of the business hours as it relates to the noise ordinance.

Mayor Pro Tem Ready made a motion to approve the temporary use permit for outdoor storage, limiting the number of spools of conduits to ten (10), allow the temporary use permit for six months; contingent upon the site plan being processed by the Applicant, seconded by Council Member Gunther.

There was a roll call vote Mayor Pro Tem Ready - Yes, Vice Mayor Waller - Yes, Council Member Brinkman - Yes, Council Member Gunther - Yes, Mayor Smith - Yes. The motion carries 5-0.

10. VILLAGE MANAGER COMMENTS

Village Manager Reade discussed a luncheon for the employees. He gave an update on COVID and explained that the Village tried to maintain normal operations. He discussed the Phase 1 operations for restaurants. There was a concern with the Code being waived to allow outdoor seating. There is a plan to help restaurants that may not have the compatibility for outdoor seating. He discussed the outreach done by the Planning, Zoning, and Building Department. The Village Council expressed no concerns but wants to continue to help in any way possible. She suggested links on the website to tell residents what is open, pictures of the restaurants serving outside, newsletters, any resources the Village can use to help get the word out. Council Member Brinkman explained that other jurisdictions talked about 25% capacity and use of the parking lots as dining space. She suggested a canopy or umbrella, to make the customer comfortable. The Village Manager talked about a possible indemnification form. Mayor Smith asked if the rule on flags can be waived temporarily for restaurants. He talked about the concern with basketball courts being opened (COVID and social distancing). Parks and Recreation would close the basketball court at 6:00 PM. Council Member Ready asked about Lakewood Park. Mr. Lucas explained that the park is monitored throughout the day. Village Manager Reade explained that the basketball goals will be removed if there is a continued problem. Mr. Lucas gave an update on the summer camps that the Village will hold. He suggested that attendance be reduced (36 approximately), and locations be rearranged. Field trips will not be a part of the camp.

Village Manager Reade talked about the Fourth of July event still moving forward. Mayor Pro Tem Ready asked if the firework stores can be monitored. Village Manager Reade talked about the progress of Foxtail Palm Park. Mr. Lucas stated that the project would be completed at the end of July. He discussed algae-eating fish, landscaping, and sod. He also talked about the walking trail. The village manager talked about drivethru graduation ceremonies/parades. He read a letter from Soma Medical Center (Raphel Nunez, MD). The Village Manager asked about a Community Grant program (i.e., rent, utilities, and financial assistance). Mrs. Glas-Castro spoke more on the proposed grant program or hurricane supplies to be offered to the community. The Council concurred that they want to see as many people touched in the community. Council Member Brinkman felt it best to use food to touch more people. Village Manager Reade discussed COVID testing and antibodies. He talked about MS Factor and asked for continued approval to use the vendor to promote online payments. Village Manager Reade stated that a one-time incentive would be offered to all customers, even current customers that have used online bill pay for their utility bill six (6) months consecutively. Mayor Smith asked what percentage of our customers use on-line bill pay. He was not certain, but he thinks it may be less than 5% that use the service now.

At this point, Mayor Smith offered the village attorney an opportunity to make comments. Mr. Torcivia advised that the Village was looking at the Pension Ordinance He explained that the Pension Attorney, David Miller, is looking at the 5th member on the pension board and giving the Village the right to intervene if there is a hearing. He said the changes were based on suggestions by Mr. Miller. Vice Mayor Waller advised that it is difficult to recruit a fifth member for the pension board. She talked about the criteria to become a member of the pension board. She advocated that the fifth member be more publicized. Mayor Smith suggested that the Council look in their neighborhoods.

Village Attorney Torcivia recommended that the 5th member be expanded to a business owner in the Village. Vice Mayor Waller said that it was her understanding from the pension board attorney, Bonnie Jensen, Village Council should not be involved, only the member that is on the board. The Village Council does not have a say in what is going on, which concerned her. Village Attorney Torcivia said this was a great opportunity to work with Ms. Jensen and bring this item forward later.

11. VILLAGE COUNCIL COMMENTS

Congratulated Mrs. Glas-Castro for becoming the President of the Florida League of Cities. Thanked staff and the Salvation Army for doing a food distribution at Lakeside Village. Council Member Gunther thanked Public Service, Village Clerk, and Public Safety. Mayor Smith talked about the noise in the Village. She asked staff to explore how other cities are handling daytime noise.

12. ADJOURNMENT

Hearing no further business Mayor Smith adjourned the meeting at 9:23 PM.

ATTEST:

Bev Smith, Mayor

The undersigned is the Village Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Regular Council Meeting held on **May 14, 2020.** Which minutes were formally approved and adopted by the Village Council on **January 14, 2021.**

Kimberly M. Wynn

Kimberly M. Wynn, Village Clerk

VILLAGE OF PALM SPRINGS SEAL 1957 FLORIDA

NEXT MEETING
THURSDAY, JUNE 11, 2020
at 6:30 PM

If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons who need an accommodation to attend or participate in this meeting should contact the Village Clerk at (561) 965-4010 at least three (3) business days prior to the meeting to request such assistance.