



**MINUTES
VILLAGE COUNCIL MEETING
226 CYPRESS LANE, PALM SPRINGS, FLORIDA 33461
OCTOBER 14, 2021, at 6:30 PM**

COUNCIL

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

ADMINISTRATION

- Interim Village Manager Michael Bornstein
- Village Attorney Glen Torcivia
- Village Clerk Kimberly Wynn

1. CALL TO ORDER

Mayor Bev Smith called the Village Council Regular Meeting to order at 6:40 PM (following the Local Planning Agency Meeting).

2. ROLL CALL

Present: Mayor Bev Smith, Vice-Mayor Gary Ready, Mayor Pro Tem Doug Gunther, Council Member Joni Brinkman, Council Member Patti Waller, Village Attorney Glen Torcivia, Interim Village Manager Michael Bornstein, and Village Clerk Kimberly Wynn

Absent: None

Staff Present: Sergeant-at-Arms Tom Ceccarelli Police Chief, Assistant Village Manager Kim Glas-Castro, Jossie Maliska Interim Library Director; Kim Glas-Castro Assistant Village Manager; Iramis Cabrera Interim Planning, Building and Zoning; and Paul Ward Interim Public Service Administrator.

3. INVOCATION Interim Village Manager Bornstein led the Invocation.

4. PLEDGE OF ALLEGIANCE: Council Member Brinkman led in the Pledge of Allegiance.

5. ADDITIONS, DELETIONS, OR MODIFICATIONS, AND APPROVAL OF AGENDA: Interim Village Manager Bornstein indicated there were no requested changes.

Mayor Pro Tem Gunther motioned to approve the agenda as presented, seconded by Council Member Waller. The motion carried 5-0.

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

- 6.1 Approval of September 8, 2021, Local Planning Agency Meeting Minutes
- [September 8, 2021 Local Planning Agency Meeting Minutes](#)

- 6.2 Approve Property Improvement Program (PIP) Matching Grant Awards
- 332 Pinehurst Road, 3045 Gulfstream Road, 1853 Bell Lane, 3697 Corrigan Court, 1022 Springdale Court, 201 Lake Arbor Drive, and 331 Springdale Circle.

- [Property Improvement Grant Agreement - 332 Pinehurst Road - 332 Pinehurst Road - Before & After Photos](#)
- [Property Improvement Grant Agreement - 3045 Gulfstream Road - 3045 Gulfstream Road - Before & After Photos](#)
- [Property Improvement Grant Agreement - 1853 Bell Lane - 1853 Bell Lane - Before & After Photos](#)
- [Property Improvement Grant Agreement - 3697 Corrigan Court - 3697 Corrigan Court - Before & After Photos](#)
- [Property Improvement Grant Agreement - 1022 Springdale Court - 1022 Springdale Court - Before & After Photos](#)
- [Property Improvement Grant Agreement - 201 Lake Arbor Drive - 201 Lake Arbor Drive - Before & After Photos](#)
- [Property Improvement Grant Agreement - 331 Springdale Circle - 331 Springdale Circle - Before & After Photos](#)

- 6.3 Approve Sodium Hypochlorite Contract - Piggyback - Public Service Department (FY 2022 Budget Funded - Water & Sewer Enterprise Fund) – Allied Universal Corporation

- [Proposed Agreement - Allied Universal Corporation-](#)
- [Approval to Piggyback - Allied Universal Corporation](#)
- [Charlotte County - Executed Agreement - Allied Universal Corporation](#)
- [Charlotte County Bid Tabulation - Allied Universal Corporation](#)
- [Charlotte County Invitation to Bid](#)

6.4 Approve Irrigation Pump Conversion at Foxtail Palm Park (Task Order No. 299) - Piggyback - Parks and Recreation Department (FY 2022 Budget - General Fund) - A Cut Above Landscape & Irrigation

- Proposed Piggyback Agreement - A Cut Above Landscape & Irrigation, Inc.
- Proposal - A Cut Above Landscape & Irrigation
- Foxtail Palm Park Recharge Well Diagram
- Approval to Piggyback - A Cut Above Landscape & Irrigation, Inc. - A Cut Above Landscape & Irrigation, Inc. - Bid Response (Pricing) - Palm Beach County Project Number 20200053 – Executed Contract
- Palm Beach County, Florida - Engineering Annual Roadway Landscape Contract - Award Notice
- Palm Beach County, Florida - Project Number 2020053 - Bid Tab Summary Palm Beach County - Invitation to Bid - Annual Landscaping
- Palm Beach County Project Number 20200053 - Bid Advertisement
- State of Florida Irrigation License - A Cut Above Landscape & Irrigation, Inc.

END OF CONSENT AGENDA

Mayor Smith offered the public an opportunity to speak on the Consent Agenda. There were no comments from the public.

Council Member Brinkman motioned to approve the Consent Agenda; it was seconded by Vice-Mayor Ready. The motion carried 5-0.

7. PRESENTATIONS

7.1 Mediation Week Proclamation - October 18-24, 2021

- Mediation Week Proclamation

Mayor Smith read the proclamation into the record.

7.2 Florida City Government Month Proclamation - October 2021

- Florida City Government Month - Proclamation - 2021

Mayor Smith read the proclamation into the record and presented it to Ms. Maliska. Ms. Maliska discussed the mock meeting held by Palm Springs Middle School Students. She said the students were expected to sit with Council and staff at the November Council Meeting.

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.

- a. **Mr. Richard Lancaster - 325 Cavalier Road** - Mr. Lancaster commented about cars speeding through the neighborhood. He talked about the constant battle with deterring speeders. Neighbors in the area signed a petition. A vehicle struck a little girl. He faced threats. Two (2) homes are the culprits. The speed limit in the residential area is 20 mph, but cars go at least 25 mph. Assistant Village Manager Glas-Castro talked village-wide about the calming traffic measures and the needed support. Police Chief Ceccarelli said that he would speak with the traffic officers.
- b. **Michael Owens - 3097 Prince Drive, Lake Worth, FL** - Mr. Owens wanted to comment on Item 9.4. The Mayor explained that he could comment on the Item in Public Hearings. Mr. Owens continued to speak about the multiple issues at the property, like encroachment of privacy and sewer and septic issues involved with the new project.

9. PUBLIC HEARINGS:

9.1 Ordinance No. 2021-06 - Land Use and Rezoning (Small-Scale) Amendments Boatman's Hammock - 4445 Boatman Street and Vacant Lot on Todd Street
(Quasi-Judicial Hearing)(Second Reading)(Postponed/Continued from August 26, 2021, Meeting)

- Proposed Ordinance No. 2021-06 - Comprehensive Plan (Small Scale) Land Use and Rezoning Amendment - 4445 Boatman Street and Vacant Lot on Boatman Street
- Exhibit "A" Staff Report & Conditions of Approval (For Informational Purposes Only)
- Applicant's Justification Statements
- Proposed Site Plan, Landscape Plans, Building Elevations (For Informational Purposes Only)
- Colored Site Plan and Renderings (For Informational Purposes Only)
- Aerial, Location, FLU and Zoning Maps
- LWH Advertisement - Ordinance No. 2021-06 on May 27, 2021 and June 17, 2021

The Village Clerk swore in the applicants. Mayor Smith asked Council to disclose ex parte communication, but there was none. Staff provided their presentation for the record. The Applicant, Mr. David Miller, 1934 Commerce Lane, Jupiter, FL, presented his report on the project. Mr. Miller stated that he was requesting approval of a Small Scale Land Use, conditional approval. The proposed project is located on the east side of Military Trail. There is a rezoning from GC to a residential property with medium density. He noted there is adequate parking.

Mr. Miller addressed the concerns of the Council from their initial meeting with him. Council Members requested a concrete wall along the western line. He discussed the Council's concern with the concrete wall along the western line and increased height of the Cocoplum based on comments from staff. There was also a concern with the turnaround movement. They are requesting the entrance to the bank gets closed off. Mr. Miller does not see a need to do this. He discussed the dead-end streets in the vicinity. Council Member Brinkman asked about the sidewalks and if they continued up to Military Trail. Mr. Miller stated that there would be a wall on the west side; however, a sidewalk does not exist now. The developers will build a sidewalk. Vice-Mayor Ready asked if a new closing date was projected. The developer said the project should get completed in about one year. There will be a key area for the pool area with a FOB system to gain entry to the pool area. The buildout date was discussed. Assistant Village Manager Glas-Castro stated the date is contingent upon the traffic study. Ms. Cabrera projected the buildout to be complete in December 2023. Mayor Smith offered the public an opportunity to speak. There were no comments from the public.

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

Council Member Brinkman motioned to approve Ordinance No. 2021-06. Council Member Waller seconded the motion. There was a roll call vote as follows: Vice-Mayor Ready - Yes, Mayor Pro Tem Gunther - Yes, Council Member Brinkman - Yes, Council Member Waller - Yes, and Mayor Smith - Yes. The said motion carried 5-0.

9.2 Resolution No. 2021-18 - Site Development Plan - Boatman's Hammock Residential Planned Development Site Plan with Waivers (SPR21-09) - *(Quasi-Judicial Hearing)*

- Proposed Resolution No. 2021-18 - Site Development Plan Amendment - Boatman Hammock - 4445 Boatman Street & Vacant lot on Todd Street
- Exhibit "A" Staff Recommendation and Conditions of Approval
- Site Plan, Landscape Plans, Architectural Plans, Civil Plans and Letters
- Project Narrative and Justification Statements Colored Site Plans
- Colored Elevations with Finish Schedule
- Colored Open Space Exhibit
- Aerial, Location, FLU and Zoning Maps
- Legal Description
- Notice of Public Hearing - 4445 Boatman Street - Boatman Townhomes

The Applicant from Item #9.1 and Item #9.2. were available and sworn in for both items.

Mayor Smith asked the Council to disclose any ex parte communication; but there was none. The Applicant gave his presentation earlier (Item 9.1), so Mayor Smith offered public and Council comments. There were no comments from the public. Village Attorney Torcivia read the title of the caption into the record.

Vice-Mayor Ready motioned to Approve Resolution No. 2021-18, seconded by Mayor Pro Tem Gunther. The said motion carried 5-0.

9.3 Resolution No. 2021- 30 - Residential Planned Development Site Development Plan (PSE21-11) with four (4) Waivers - Prairie Road Subdivision (a/k/a Lox Landing) - 1974 Prairie Road (*Quasi-Judicial Hearing*)

- Proposed Resolution No. 2021-30 - Residential Planned Development Site Plan - Prairie Road Subdivision - 1974 Prairie Road
- Exhibit "A" Staff Report and Recommended Conditions of Approval Project Narrative and Justification Statement
- Site Plan, Landscape Plans, Engineering Plans, Architectural Plans and Letters

- [Color Site Plan and Color Rendering](#)
- [Warranty Deed and Legal Description](#)
- [Aerial Map and Location Map](#)
- [LWH Advertisement Resolution No. 2021-30 - September 2, 2021](#)

Mayor asked Council to disclose exparte communication. There was none. The Applicant, Mr. Kevin McGinley, was sworn in by the Village Clerk. Ms. Cabrera gave a presentation to the staff. Mr. McGinley did not have a presentation. He advised he was available for questions. He explained that the project was a "cookie cutter" project.

He described the project with three specific recreation areas on site, a sidewalk on both sides of the streets, and about 30% more parking than what is required by code. The market price range for these fee-simple homes is \$450k. He was unable to provide a start date for the project.

Mayor Smith offered the Council and Public an opportunity to speak on Resolution No. 2021-30. There were no comments.

Vice-Mayor Ready asked about the traffic on Prairie Road when the G-Star school is in session. Mayor Pro Tem Gunther asked about the Australian Pine trees along the east side of the property. Mayor Pro Tem Gunther asked if there was adequate space for the trees to spread. He also wanted to know about the dedication. Council Member Waller asked if there was enough room for the Fire Rescue Department to turn around or for a moving van to maneuver in the area.

Council Member Brinkman asked if the space were too tight in the garage. Vice-Mayor Ready wanted to know about the allowance to park on the streets. Mayor Smith asked Chief Ceccarelli to give them some insight into the project and offer his opinion about the parking experience on Prairie Key Road. Chief Ceccarelli explained the parking conditions were a nightmare on Prairie Key Road. Ms. Cabrera noted that there was a condition about parking included in the staff report. Another concern was the garage because of the waiver to request the sidewalk get eliminated.

There was a discussion about the elimination of the sidewalk and a request for a waiver.

The Village Attorney read the title of the caption into the record.

Mayor Pro Tem Gunther motioned to approve Resolution No. 2021-30, with an added condition to include sidewalks in the area; it was seconded by Council Member Waller. The said motion carried 5-0.

9.4 Ordinance No. 2021 -09 - Land Use and Rezoning (Small-Scale) Amendments - Prince Place - 3075 Prince Drive, 3098 Ferrell Drive & a vacant lot on Paetzold Drive (*Quasi-Judicial Hearing*) (*First Reading*)

- Ordinance No. 2021-09 Small Scale Land Use Amendment and Rezoning - Prince Place
- Exhibit "A" Staff Recommendation and Conditions of Approval Applicant Justification Statements
- Site Plan, Landscape Plans, Architectural Plans, Civil Plans and Letters
- Color Site Plan and Color Rendering Warranty Deed
- Aerial, Location, FLU and Zoning Map
- LWH Advertisement Ordinance No. 2021-09 - September 2, 2021 and October 7, 2021

Mayor Smith asked Council to disclose their ex parte communication. Village Clerk Wynn swore in the applicant, Mr. Miles Rich, and staff. Ms. Cabrera gave the staff's presentation. She explained there are twenty-one (21) townhomes situated on 1.6 acres of land off of 6th Avenue South. The units are under 1,319 units under air condition. She introduced the Applicant, who explained his project in more depth. He talked about the rental rates and parking requirements.

Mayor Smith offered the Council an opportunity to ask questions. Vice-Mayor Ready asked if employees from JFK Hospital, Palm Beach State, and Lantana Airport were contacted to gauge their interest. Council Member Brinkman asked the location of the sewer lines in that area. Mr. Rich explained that he was working with the City of Atlantis Utilities Department. He discussed the lift station in detail and his efforts with other municipalities.

There was a discussion about the density of the project. Although the Planning and Zoning Board approved a larger density, he is requesting a denser project with thirteen (13) units. Mayor Pro Tem Gunther noted the benefit because the property has a through the street.

The Council and Mr. Rich ensued a further discussion about the acreage of the property, waivers needed, and the force main.

Mr. Michael Owens was sworn in to give testimony. He discussed his concerns with the property, sewer, traffic; and he discussed the high density and how the neighbors will look on his property. There was a discussion about health issues and rodents.

There were people in rehab and an unsafe neighborhood. He tried to get some traffic calming in the area. Vice-Mayor Ready asked about the size of the land and where the drainage system was located.

Mr. Owens discussed his inability to rent the property because of his challenge with the sewer system. A sewer line has to run under the new building. A bigger concern was the lack of privacy. He also mentioned a letter was not sent to him. He tried to talk to the builder.

Council Member Brinkman requested the staff to help Mr. Owens look for resources from the County.

Mayor Smith said that she was comfortable with medium-density instead of high-density in that area. Council Member Brinkman asked what the process is to have the project recommended for medium density. Ms. Cabrera explained the process.

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

Council Member Brinkman motioned to approve Ordinance No. 2021-09. The motion failed for lack of a second.

Vice-Mayor Ready made a second motion to substitute the original Ordinance No. 2021-09 from *high-density* to *medium-density* use. It was seconded by Mayor Pro Tem Gunther. The said motion carried 5-0.

9.5 Ordinance No. 2021-12 - Village Code Amendment - Chapter 78 - Grease Interceptors and Traps (*First Reading*)

- [Proposed Ordinance No. 2021-12 Grease Trap](#)

Mrs. Glas-Castro gave the staff presentation. She explained this ordinance would implement and regulate the oil and grease

management program. It would include an annual permit requirement. Preventative maintenance will help prevent sewer backups and problems with the sewer systems.

Mayor Smith offered the public and Council an opportunity to speak on this item. There was no comment from the public or Council.

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

Mayor Pro Tem Gunther motioned to approve Ordinance No. 2021-12, and it was seconded by Vice-Mayor Ready. The said motion carried 5-0.

9.6 Ordinance No. 2021-14 - Amendment to the Police Officers' Pension Plan (*First Reading*)

- [Proposed Ordinance No. 2021-14 Police Pension](#)
- [Letter from Margie Adcock Plan Administrator](#)

Mrs. Glas-Castro gave the staff presentation. She said Ordinance No. 2021-14 is a housekeeping item based on the Plan Administrator's letter. The changes are similar to changes made with the General Employees' Pension Board Ordinance made last year.

Mayor Smith offered the public and Council an opportunity to speak on this item. There were no comments.

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

Council Member Waller motioned to approve Ordinance No. 2021-12. Council Member Brinkman seconded the motion. The said motion carried 5-0.

10. ACTIONS AND REPORTS

10.1 Temporary Use Permit - On-Site Equipment Storage and Office Use - Primoris T&D Services, LLC - 1195 South Congress Avenue

- [Temporary Use Permit Agreement - 1195 South Congress Avenue Proposed Site Plan and Description](#)
- [Aerial and Location Maps](#)
- [Section 34- 895. Temporary Land Uses in Zoning Districts](#)

Ms. Cabrera and Mrs. Glas-Castro discussed this item. They explained that the Applicant requested to use the premise to store materials and offices while they complete renovations.

Mayor Smith offered the Council an opportunity to speak on this item. There were no comments.

Mayor Pro Tem Gunther motioned to approve the Temporary Use Permit for 1195 South Congress Avenue, and Vice-Mayor Ready seconded the motion. The said motion carried 5-0.

11. VILLAGE MANAGER COMMENTS

There were no comments from the Interim Village Manager, Mr. Bornstein.

12. VILLAGE COUNCIL COMMENTS

The Village Council commented on the activities they attended.

13. ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the Village Council Regular Meeting at 8:37 PM.

Next Meeting
Thursday, November 18, 2021 at 6:30 PM

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 **October 14, 2021**.

Submitted By:

Kimberly M. Wynn, Village Clerk