

TOWN OF PALM BEACH

Office of The Town Clerk

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON WEDNESDAY, SEPTEMBER 29, 2010

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I. CALL TO ORDER AND ROLL CALL

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3 The Special Town Council Meeting was called to order on Wednesday, September 29, 2009, at
4 5:01 p.m., in the Town Council Chambers. On roll call, all of the elected officials were found to
5 be present.

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II. PLEDGE OF ALLEGIANCE

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9 Council President Rosow led the Pledge of Allegiance.
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III. APPROVAL OF AGENDA

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12 **Motion made by Council Member Diamond, seconded by Council President Pro Tem**
13 **Coniglio, to approve the Agenda as printed. On roll call, the motion carried unanimously.**

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IV. PUBLIC HEARING ON FINAL FY2010 MILLAGE RATES AND BUDGETS

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16 Council President Rosow announced that the Public Hearing had been publicly advertised and
17 announced to commence at 5:01 p.m. The Town Council would discuss the proposed Fiscal Year
18 2011 millage rate and General Fund, Debt Service Fund, and Other Fund budgets including the
19 approval of Resolutions No.110-10 and 111-10.

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A. Proof of Publication

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22 Council President Rosow asked Town Clerk Cunningham if there was proof of publication for
23 notice of the meeting and there was. Town Clerk Cunningham answered affirmatively.

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B. Announcement of Proposed Operating Millage Rate

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26 Council President Rosow announced that at the September 13, 2010, Public Hearing at 5:01
27 p.m., which was held by the Mayor and Town Council, the following proposed millage rate was
28 tentatively approved:

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30 General Fund Operating Millage 3.2512 mills.

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C. Reasons for Proposed Operating Millage Rate Decrease from the Rolled-Back Millage Rate

Council President Rosow asked Town Manager Elwell to explain the decrease in the rolled back millage rate.

Town Manager Elwell stated that in order to be in compliance with State Statute, the Town of Palm Beach FY2011 General Fund proposed operating millage rate of 3.2512 mills represented a 11.71% decrease from the rolled-back millage rate of 3.6826 mills and was the same millage rate adopted by the Town for the prior two years, FY09 and FY 10.

Town Manager Elwell added that the tentative FY2011 General Operating Fund Budget of \$63,734,848 had decreased \$3,118,452 or 4.7% from the FY2010 Adopted Operating Budget of \$66,853,300. For the benefit of the public that was present, the Council and Town Manager must go through this recitation of statistics to comply with Florida State Law.

Town Manager Elwell continued that the major reasons for the decrease were the elimination of 32.65 positions, reduction in the transfer to the Capital Improvement Program, reduction in lobbying services, reductions in computer hardware and software expenditures, reductions in contractual plan review and comprehensive plan expenditures, and reductions in funding for employee events. Those decreases have been partially offset by increases in Town contributions to the pension funds and the transfer for coastal protection projects.

D. Comments and Questions from Public

Council President Rosow asked if there was anyone from the public that wished to speak.

Alexander Ives, Preservation Foundation commended the Town Council on this year's budget and stated he had hoped the County would follow the Town's lead. He looked forward to working with the Town in the coming year.

Pat Cooper, 261 Sanford Ave., also commended the Town Council for working so hard and diligently on the budget. He recognized that it was not easy and next year would be even more difficult. He stated that he felt the Town had made an impact on the County.

John Blair, 2275 S. Ocean Blvd., spoke about the County Budget Meeting held the previous night, and along with Council Member Kleid, commended the Town of Palm Beach for not cutting any services to the residents, like the County did.

Council Member Kleid commented that he did speak to the County Commissioners at the budget meeting. He stated that no other municipality spoke to take the same stance that the Town of Palm Beach did.

Council President Rosow stated that the Town Council would now proceed to approve the final General Operating Fund millage rate for FY2011.

- E. RESOLUTION NO. 110-10 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida Adopting The Final Millage Rate And Levying Ad Valorem Taxes For The Fiscal Year Beginning October 1, 2010, And Ending September 30, 2011; Setting Forth Certain Information Regarding The "Rolled-Back Millage Rate"; Directing The Town Manager Or The Finance Director To Adjust The Adopted Millage Rate In The Event Of Changes In The Assessment Roll And Taxable Value; Providing An Effective Date.

Town Manager Elwell read Resolution No. 110-10 by title, as printed above.

Motion to approve Resolution No. 110-10 was made by Council Member Diamond, seconded by Council Member Kleid. On roll call, the motion carried unanimously.

- F. RESOLUTION NO. 111-10 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Adopting A Final Budget And Appropriating Funds For The Fiscal Year Beginning October 1, 2010, And Ending September 30, 2011; Providing For An Effective Date.

Town Manager Elwell read Resolution No. 111-10 by title, as printed above.

Motion to approve Resolution No. 111-10 was made by Council Member Diamond, seconded by Council President Pro Tem Coniglio. On roll call, the motion carried unanimously.

V. ORDINANCES-SECOND READING

- A. ORDINANCE NO. 27-10 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 18, Building And Building Regulations, Section 108.2(1) Permit Fees; Providing For State Required Building Permit Fee Surcharges; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.[Thomas G. Bradford, Deputy Town Manager]

Town Manager Elwell read Ordinance No. 27-10 by title, as printed above.

Motion to adopt Ordinance 27-10 was made by Council Member Diamond, seconded by Council President Pro Tem Coniglio. On roll call, the motion carried unanimously.

- B. ORDINANCE NO. 28-10 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 78 Peddlers And Solicitors, Article II Peddlers, Section 78-40; And At Article III Charitable Solicitations, Sections 78-40; And At Article III Charitable Solicitations, Sections 78-102 And 78-105, So As To Provide For An Administrative Processing Fee And Late Fees As Adopted By Resolution Of The Town Council; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective

Date. [Thomas G. Bradford, Deputy Town Manager]

Town Manager Elwell read Ordinance No. 28-10 by title, as printed above.

Motion to adopt Ordinance 28-10 was made by Council Member Diamond, seconded by Council Member Kleid. On roll call, the motion carried unanimously.

C. ORDINANCE NO. 29-10 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, The Town Code Of Ordinances At Chapter 106, Streets, Sidewalks, And Other Public Places, At Article Vi, Parades, Division 2, Permit, Section 106-216, So As To Exempt The Town Of Palm Beach From The Requirements Relating To Parade Permits For Parades Officially Sponsored By The Town Of Palm Beach With Approval Of The Town Council; Providing An Amendment To Article VII, Special Events On Public Property, Division 2, Permit, Section 106-281, Exempting The Town From Requirements For Permitting And Regulations Relating To Special Events, Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date. [Peter B. Elwell, Town Manager]

Town Manager Elwell read Ordinance No. 29-10 by title, as printed above.

Motion to adopt Ordinance 29-10 was made by Council Member Diamond, seconded by Council Member Wildrick. On roll call, the motion carried unanimously.

VI. RESOLUTION ADOPTING CERTAIN FEES FOR FY11

A. RESOLUTION NO. 104-10 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Adopting Surcharges On Plan Review Fees And Construction Permit Fees In Accordance With Chapter 18, Section 108.2 (I) Of The Town Code Of Ordinances; Adopting A Permit Application Fee In Accordance With Section 78-40(4) Of The Town Code Of Ordinances; Adopting A Schedule Of Late Permit Filing Fees In Accordance With Section 78-102(B) Of The Town Code Of Ordinances; Establishing An Administrative Processing Fee In Accordance With Section 78-105 Of The Town Code Of Ordinances; Providing An Effective Date.[Jane Struder, Director of Finance]

Town Manager Elwell read Resolution No. 104-10 by title, as printed above.

Motion to approve Resolution No. 104-10 was made by Council Member Diamond, seconded by Council President Pro Tem Coniglio. On roll call, the motion carried unanimously.

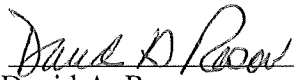
VII. ANY OTHER MATTERS

There were none.

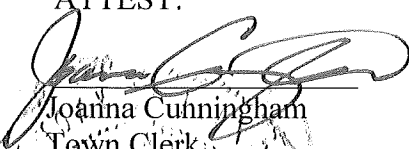
VIII. ADJOURNMENT

There being no further business, the Special Town Council Meeting of Wednesday, September 29, 2010, was adjourned at 5: 16 p.m.

APPROVED:


David A. Rosow
Town Council President

ATTEST:


Joanna Cunningham
Town Clerk

Backup Docs- STC 9-29-10