TOWN COUNCIL MINUTES OF MEETING HELD ON SEPTEMBER 27, 1994 - 5:01 PM

Roll Call

I. CALL TO ORDER AND ROLL CALL. Meeting called to order at 5:01 PM by President Wiener. On roll call, the following Elected Officials were found to be in attendance: Mayor Ilyinsky, President Wiener, President Pro Tem Smith, Councilwoman Royal and Councilman Shaw. Also attending were Town Manager Doney, Town Attorney Randolph, Town Clerk Peters, Mr. Elwell, Mr. Jakubiak, Mr. Palmer, Chief Terlizzese, Chief Elmore, Mr. Rufer, Mr. Bitzer, Major Croft, Mr. Dusey, Mrs. Crozier, and Mrs. Gorman.

Invocation

II. INVOCATION AND PLEDGE OF ALLEGIANCE. Invocation was given by Mrs. Peters. Pledge of Allegiance was led by President Pro Tem Smith.

Comments of the Mayor

III. COMMENTS OF THE MAYOR. None.

Public Haring on FY95 Final Budget

IV. PUBLIC HEARING ON FINAL FY95 MILLAGE RATE AND BUDGET. President Wiener advised this public hearing was publicly advertised and announced to commence at 5:01 PM. She stated they will discuss the proposed Fiscal Year 1995 Millage Rate for General Fund, Debt Service Fund and Other Fund Budgets, and approve Res. No. 48-94 and Res. No. 49-94.

A. Proof of Publication: Mrs. Peters reported the Proof of Publication has been filed for the record.

B. Proposed Operating Millage Exceeds "Rolled-Back Rate" by 2.16 per cent. President Wiener recalled at the September 13, 1994 Public Hearing at 5:01 which was held by the Mayor and Town Council, there were millage rates and called on Mr. Doney to explain.

C. Major Specific Purposes for which Ad Valorem Tax Revenues are Proposed to Be Increased: Mr. Doney stated the major specific purposes for which ad valorem tax revenues are proposed to be increased and they are:

Capital Improvement Fund Increase	$184,000
Lake Worth Inlet Management Plan	$160,000
Beach Cleaning Program	$ 40,000
Residential Collection Replacement 6 Cubic Yard Garbage Packer	$ 76,000
General Pay Increase for Eligible Employees	$409,710
Retirement Contribution Adjustment	$ 99,390

He advised these items represent all but $26,680 of the $995,780 increase and this is required to be announced to be in compliance with Chapter 200, Florida Statutes.

D. Memorandum Regards Proposed Final Millages and Budgets Based Upon Actions at September 13th Public Hearing. Mr. Doney explained at the September 13th Meeting 5:01 PM Meeting of the Mayor and Town Council, he identified and described the major highlights of all of the Exhibits attached to his memorandum dated Sept. 7, 1994.

President Wiener noted the FY95 Proposed Operating Millage Rate of 4.5888 mills represents a 2.16 increase over the rolled-back millage rate of 4.4917 mills and a 1.37% decrease from the adopted FY94 Operating Millage rate of 4.6526 mills. She stated the proposed Debt Service Millage rate for FY95 is .5791 mills or a 5.04% increase from the FY94 Debt Service Millage of .5513 mills. Mr. Doney recalled Res. No. 46-94 and 47-94 were approved at the September 13, 1994 which adopted the tentative budgets and also the proposed millages for the Operating Fund and for the General Fund. He advised there are two resolutions which will be adopted today, Res. 48-94 and 49-94 which identify the final adoption process.

Mr. Doney advised Mrs. Crozier wishes to identify a rounding correction in the millage calculation. Mrs. Crozier explained the original Exhibit B, dated 9-7-94, differs by $74.00 with respect to the ad that was in the newspaper and the ad valorem taxes were increased by $74 and fund balance transfer was decreased by $74 to a net effect of zero and this was done to comply with state required rounding methods as they pertain to the advertising requirements.

E. Comments and Questions from Public: President Wiener called for public comments and there were none from the public.

President Wiener called on the Mayor and Town Council for any comments they might have. President Pro Tem Smith felt this has been discussed fully at past meetings.

F. Discussion and Adoption (With Changes, If Any) of Resolution No. 48-94 Adopting Final Millage Rates for FY95.

Mr. Doney read Resolution No. 48-94 in full:

> A RESOLUTION OF THE TOWN OF PALM BEACH ADOPTING FINAL MILLAGE RATES AND LEVYING AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1994, AND ENDING SEPTEMBER 30,1995; SETTING FORTH CERTAIN INFORMATION REGARDING "ROLLED-BACK MILLAGE RATE"; DIRECTING THE TOWN MANAGER OR THE FINANCE DIRECTOR TO ADJUST THE ADOPTED MILLAGE RATES IN THE EVENT OF CHANGES IN THE ASSESSMENT ROLL AND TAXABLE VALUE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Palm Beach held a public hearing on September 13, 1994, on the proposed millage rates and tentative budgets for the 1994-95 fiscal year, and has approved proposed millage rates, and tentative budgets; and

WHEREAS, the Town of Palm Beach proposes by a separate resolution to adopt a final budget and make appropriations for various funds for the Town of Palm Beach for the fiscal year beginning October 1, 1994, and ending September 30, 1995; and

WHEREAS, THE BUDGETS AS PROPOSED WILL REQUIRE THAT THE SUM OF $20,993,650 be raised and collected by an ad valorem tax levy.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, FLORIDA, as follows:

SECTION 1. The sum of $20,933,650 shall be raised and collected for the Town of Palm Beach by ad valorem taxes for the fiscal year beginning October 1, 1994 and ending September 30, 1995, as follows:

Public Hearing on Final FY95 Budget (cont'd)

(1) There is hereby levied on all non-exempt taxable property within the Town of Palm Beach an ad valorem tax of 4.5888 mills for operational purposes and ad valorem tax of .5791 mills for debt service, making a total of 5.1679 mills.

(2) Such millage shall be levied upon the dollar amount of the assessed valuation of all non-exempt taxable property in the Town of Palm Beach ad determined by the Palm Beach County Property Appraiser and as shown by the 1994 assessment roll for the Town, allowing homestead and other lawful exemptions. All such taxes so specified and levied are ordered extended upon the assessment roll to show the tax attributable to all taxable property, and shall be collected by the Palm Beach County Tax Collector as provided by law.

Section 2. The ad valorem taxes hereby levied are for the purpose of raising funds, revenues and monies to be used, set aside, and expended for the functions and purposes of the municipal government of the Town of Palm Beach pursuant to the provisions of the Town Charter and the laws of the State of Florida.

Section 3. The following information is set forth as required by Section 200.065 (2) (d), Florida Statutes:

(1) The millage rate levied herein is 2.16% more than the "rolled-back rate" of 4.4917 mills, which represents "the percentage increase in property taxes" according to the characterization ascribed to said percentage by the Florida Legislature.

Section 4. Pursuant to Section 200.065(5), Florida Statutes, the Town Manager, or in his absence the Finance Director, is hereby authorized and required to adjust the adopted millage rates set forth herein if the taxable value within the jurisdiction of the Town of Palm Beach as certified by the Property Appraiser is at variance from the taxable value shown on the assessment roll to be extended, such that the taxes computed by applying the adjusted adopted rate to the taxable value on the roll to be extended, except that no adjustment shall be made to levies required by law to be a specific millage amount. The Town Manager or the Finance Director shall certify to the Property Appraiser the aggregate change in the assessment roll and taxable value, if any, from that certified.

Section 5. The resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH THIS 27TH DAY OF SEPTEMBER, 1994.

Motion was made by Mrs. Smith, seconded by Mr. Shaw to adopt Resolution No. 48-94. On roll call, the motion carried unanimously.

G. Discussion and Adoption (With Changes, If Any) of Resolution No. 49-94 Adopting Final Budgets for FY95.

Mr. Doney read the Resolution No. 49-94:

Res. 49-94

A RESOLUTION OF THE TOWN OF PALM BEACH ADOPTING FINAL BUDGETS AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1994, AND ENDING SEPTEMBER 30, 1995; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Palm Beach has held a public hearing on September 13, 1994 on its proposed millage rates and its tentative budgets for the 1994-95 fiscal year, and approved proposed millage rates and tentative budgets; and

WHEREAS, a public hearing has been held this date to finalize the budgets and adopt millage rates.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH:

Section 1. The budgets for the Town of Palm Beach, as attached, market Exhibit A, are hereby adopted as the final and approved budgets for the fiscal year ending September 30, 1995.

Section 2. Funds are hereby appropriated in accordance with the Town Charter and Code of Ordinances as set forth in the budgets identified above.

Section 3. All funds appropriated for the 1993-94 fiscal year which are encumbered but unexpended as of the last day of the fiscal year shall be deemed reappropriated for the same purposes for the 1994-95 fiscal year.

Section 4. The Town Council hereby authorizes and directs the Town Manager to implement and administer the budgets as adopted herein,

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH THIS 27TH DAY OF SEPTEMBER, 1994.

EXHIBIT A.
BUDGET SUMMARY - TOWN OF PALM BEACH - FISCAL YEAR 1994-1995

GENERAL FUND

REVENUES		FY 95 PROPOSED
Ad Valorem Taxes	4.5888 mills	$18,857,885
General Use Taxes		4,274,000

Public Hearing on FY95 Budget (cont'd)

Licenses and Permits	1,573,600
Intergovernmental	1,807,077
Charges for Services	917,600
Fines and Forfeitures	403,500
Interest	628,550
Miscellaneous	1,726,800
Use of Fund Balance	1,000,000
Total	$30,199,205

EXPENDITURES:	
General Government	$3,698,633
Development Regulation	1,228,858
Public Safety	13,669,216
Physical Environment	8,000,000
Transportation	921,204
Cultural and Recreation	878,680
Capital Outlay	1,802,000
Total	$30,199,205

DEBT SERVICE FUND

REVENUES	
Ad valorem taxes .5791 mills	$2,345,765
Use of Fund Balance	00
TOTAL	$2,345,765
EXPENDITURES	$2,345,765
TOTAL	$2,345,765

OTHER FUNDS:

	FY 95 PROPOSED
CAPITAL IMPROVEMENT FUND	
Revenues	$1,953,900
Expenditures	$1,953,900
PARKING FUND	
Revenues	$582,933
Expenditures	$582,933
GOLF COURSE FUND	
Revenues	$713,132
Expenditures	$713,132
MARINA FUND	
Revenues	$1,242,260
Expenditures	$1,242,260
RETIREMENT FUND	
Revenues	$8,058,000
Expenditures	$8,058,000
SELF INSURANCE FUND	
Revenues	$5,775,664
Expenditures	$5,775,664

On motion of Mrs. Smith, seconded by Mr. Shaw, the Resolution No. 49-94 was adopted. On roll call, the motion carried unanimously.

Mayor Ilyinsky commended the members of the Finance & Taxation Committee, Mrs. Wiener and Mrs. Smith, the Town Manager and the Town Departments for their many hours spent on this item.

Any Other Matters

V. ANY OTHER MATTERS:

A. Councilman Shaw announced the Florida League of Cities has asked him to serve on the League's Intergovernmental Relations and Policy Committee and he needs the Council's approval. He noted the first meeting will be held on October 22, 1994 in Orlando, Fl.

FL. League of Cities

Mrs. Smith asked what benefit would the participation of Mr. Shaw on this Committee be for the Town to which Mr. Shaw responded the Committee will meet various lobbying groups and other governmental groups who are hopefully there to represent the interests of not just the Town but as a member of the League and he felt the Town should have a voice or an ear at these meetings, so it is known what is happening around us and we could come back to the Town and keep them informed. He thought it was an extension of the Palm Beach County's Municipal League and he believed the Mayor had strong feelings about the League and Mr. Shaw going to the annual conference, and he thought Palm Beach should be visible in their operation.

Mrs. Wiener called for the motion to approve Mr. Shaw as a member of this Committee as that has been the Town Council's policy and then they would go into the financial part of it. Mrs. Smith wondered about that. Mr. Shaw explained he has to get to the meetings. Mrs. Royal felt he should be reimbursed for his expenses. Mrs. Smith stated she had not anticipated there would be a cost to the Town taxpayers for Mr. Shaw serving on this Committee. Motion was made by Mrs. Royal that Mr. Shaw be honored for his nomination by the Florida League of Cities and the Council send him as our delegate to be a member on the Intergovernmental Relations Policy Committee. Seconded by Mrs. Smith. On roll call, the motion carried unanimously.

Mrs. Wiener asked how many trips would Mr. Shaw have to make to which Mr. Shaw responded it appears there are two trips, one on October 21, 1994 and another on November 17, and 18 which appears to be in conjunction with the League's Annual Legislative Conference.

FL. League of Cities (cont'd)

Mrs. Smith recalled the Council last year was reluctant to commit funds for extensive travel. Mayor Ilyinsky stated he has attended these meetings but has never been a delegate on a specific topic as he thought it would be too time consuming. He recalled they have paid for some delegates but they also have not paid for others.

Mr. Doney reported the Town has authorized in the past payment of actual expenses and in certain instances, some individuals chose to pay their own expenses, but the authorization of any elected official has always been according to the Town's travel policy.

Mrs. Smith recalled Mr. Weinberg last year was the delegate and they did discuss that but they didn't get into the attendance at Committee meetings, as at the Finance & Taxation Committee meetings, they did not think that was relevant. Mrs. Royal felt this could give the Town more of a voice as these people at the Florida League of Cities do lobby in Tallahassee with a certain degree of success, and if there was state funding available for a full coastal study to repay the Town for something they have already done or contribute to something they intend to do, it should be worth two nights in a motel and car expense. Mrs. Smith felt if Mr. Shaw was on the Water Committee or the Beach Erosion Committee or the Restoration Committee, she thought that would be fine, but for the Intergovernmental Committee is pretty broad and she hoped it wouldn't be a group of leaders from various cities touting their own cities and coming up with concepts which are impossible to enforce.

Mr. Shaw thought it was inappropriate for him to go to the Committee Meeting and then find it was not beneficial to the Town, and he did not think the committee was structured solely for the municipality which he represents, but the Florida League of Cities' function is to help out all of the cities with State or Federal funding.

Mrs. Smith asked again what would be the cost to which Mr. Shaw responded it would be a few hundred dollars. Mrs. Smith asked what would the expense be to the Town? Mr. Shaw understood there was a per diem as to mileage and for lodging and meals. Mr. Doney commented this would be travel, whether it be air fare, or mileage and other expenses.

Mrs. Wiener recalled she served on this Committee and the big cities always tried to get certain things to happen and then there were other things they tried to get to happen, but the electric companies took care of that. She recalled she was removed after her second year as she led the fight against the utilities and it was the only time in the history of the League that they were unable to control the members of the Committees and the only time the Executive Committee turned down the recommendation of the Standing Committee. She recalled long arguments about low cost housing and the fact that the League should be very involved in it, and she locked horns with another committee member on that subject, so after two years, it was decided she was not needed there anymore.

Mrs. Wiener noted there are always out-of-pocket expenses which some of them take care of themselves and others don't, but she always found it to be kind of a half way of offering to do the job, and have the Town pay certain part of the expenses and it has always been peculiar to her to take per diem as she thought that was a staff matter. She wondered if as a matter of policy, Mr. Shaw also might consider that. She pointed out it has nothing to do with him, but certain members have always paid their expenses, the Mayor and Mrs. Smith, and as members of the Council, they have certain responsibilities to go that extra mile and however they do it, it should be up to the individual what he wishes to do. She asked for a motion to approve the expenditure and it be left up to the good graces of Mr. Shaw or whomever travels for the Town to try to keep those expenses as low as possible.

Mrs. Royal moved that they approve any expenses Mr. Shaw incurs in his duties serving on the Florida League of Cities Intergovernmental Relations Policy Commission. Mrs. Smith thought the motion was open ended and she asked if it could be amended. Mrs. Royal stated she would state any meager expenses that Mr. Shaw cares to incur. Mr. Shaw thought it should be reasonable or prudent expenses to get there, stay there and come back. Mr. Doney suggested the motion should state "as authorized under Town travel regulations as approved by the Town Council previously." Mr. Shaw advised he does intend to fly up and back the same day and will not be staying over for the October meeting, but will be staying for two days for the November legislative session. Mrs. Smith stated she would second the motion as modified to include prudent expenses according to the Town's travel policy. On roll call, the motion carried unanimously.

VI. ADJOURNMENT. Meeting was adjourned at 5:45 PM.

Grace T. Peters, CMC
Town Clerk