

# TOWN OF PALM BEACH

Office of The Town Clerk

## MINUTES FROM THE SPECIAL TOWN COUNCIL MEETING WITH PUBLIC HEARING HELD ON THURSDAY, SEPTEMBER 18, 2003

### I. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President William J. Brooks at 5:01 p.m. in the Town Council Chambers. The following Elected Officials were in attendance: President William J. Brooks; President Pro-Tem Norman P. Goldblum; Councilman Samuel C. McLendon; and Councilman Jack McDonald. Mayor Lesly S. Smith and Councilman Allen S. Wyett were absent.

Also attending the meeting were: Town Manager Peter B. Elwell; Assistant Town Manager Thomas G. Bradford; Assistant to the Town Manager Sarah Hannah; Town Attorney John C. Randolph; Finance Director Jane Skittone; Assistant Finance Director Cheryl Somers; Police Major Gary B. Sallenbach; Risk Manager Karen Temme; Public Works Director Albert P. Dusey; Town Engineer James Bowser; Coastal Management Coordinator Sandra Tate; Fire-Rescue Chief Kent Koelz; Assistant Fire-Rescue Chief John DeLorio; Recreation Director Russell Bitzer; Information Systems Manager Spencer Wilson; Assistant Director of Planning, Zoning and Building Veronica Close; Human Resources Director William C. Crouse; and Town Clerk Mary A. Pollitt.

### II. INVOCATION AND PLEDGE OF ALLEGIANCE

Town Clerk Pollitt gave the invocation, and President Brooks led the pledge of allegiance.

### III. APPROVAL OF AGENDA

Under "Any Other Matters", a request from Ballast Nedam Construction, Inc. was added to allow milling and paving of Royal Palm Way on the eastbound side from Lakeview to Cocoanut at night starting at 7:00 p.m. until 7:00 a.m. on September 24<sup>th</sup> and 25<sup>th</sup>.

**President Pro-Tem Goldblum made a motion to approve the agenda, as amended. Councilman McLendon seconded the motion. The motion carried 4-0 on roll call as Councilman Wyett was absent from the meeting.**

**Minutes from the Special Town Council Meeting and Public Hearing Held on 9/18/2003**

**IV. PUBLIC HEARING ON FINAL FY MILLAGE RATES AND BUDGETS**

President Brooks announced the public hearing was advertised and announced to commence at 5:01 p.m. with discussion of the FY2004 millage rates, General Fund, Debt Service Fund, and other Fund budgets including approval of Resolutions No. 48-03 and No.50-03.

**A. Proof of Publication**

Town Clerk Pollitt affirmed proofs of publication were provided for notice of the meeting.

**B. Proposed Operating Millage Rate**

President Brooks said that at the 5:01 p.m. Public Hearing held on September 9th the FY2004 General Fund Proposed Operating Millage Rate of 3.9768 mills and the Debt Service Millage Rate of .0761 mills were tentatively approved for a total of 4.0529 mills. He continued that the FY2004 General Fund Proposed Operating Millage Rate of 3.9768 mills represents an 8.641% increase over the rolled-back millage rate of 3.6605 mills. He requested the Town Manager comment regarding the reasons the ad valorem taxes are being increased above the rolled-back rate.

**C. Reasons for Proposed Operating Millage Rate Increase over Rolled-Back Millage Rate**

Town Manager Elwell, referring to Exhibit B presented at the September 9<sup>th</sup> Town Council meeting, said the FY2004 Operating Fund Budget of \$47,450,635 has decreased \$1,221,036 or 2.5% from the FY2003 Adopted Operating Budget of \$48,671,671. He continued the major increases and decreases to the budget were summarized on Exhibit D in the September 9<sup>th</sup> backup, and the changes include an increase in the amount transferred to the Retirement Funds; employee pay for performance and competitive pay increases; increase in the annual transfer to the Equipment Replacement Fund; the addition of three shift commander positions in the Fire-Rescue Department; increase in the General Fund Contingency Account; decreases in the transfers to the Capital Improvement Funds; and decreases in various contractual service accounts.

**D. Comments and Questions from Public**

**Minutes from the Special Town Council Meeting and Public Hearing Held on 9/18/2003**

There were none.

- E. Discussion and Adoption (with changes, if any) of Resolution No. 48-03 - Adopting Final Millage Rates for FY 2004

**RESOLUTION NO. 48-03**

A RESOLUTION OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING FINAL MILLAGE RATES AND LEVYING AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2003, AND ENDING SEPTEMBER 30, 2004; SETTING FORTH CERTAIN INFORMATION REGARDING THE "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.

President Brooks asked for a motion to adopt Resolution No. 48-03 for the Town of Palm Beach which sets a final millage rate of 3.9768 mills for the General Operating Fund and .0761 mills for the Debt Service Fund for a total of 4.0529 mills.

**President Pro-Tem Goldblum made a motion to approve Resolution No. 48-03. The motion was seconded by Councilman McLendon and carried 4-0 on roll call as Councilman Wyett was absent from the meeting.**

- F. Discussion and Adoption (with changes, if any) of Resolution No. 50-03 - Adopting a Final Budget for FY2004

**RESOLUTION No. 50-03**

A RESOLUTION OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING A FINAL BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2003, AND

**Minutes from the Special Town Council Meeting and Public Hearing Held on 9/18/2003**

ENDING SEPTEMBER 30, 2004; PROVIDING  
FOR AN EFFECTIVE DATE.

President Brooks asked for a motion to adopt Resolution No. 50-03 approving the final budgets for all funds for FY2004.

**Councilman McLendon made a motion to approve Resolution No. 50-03. The motion was seconded by President Pro-Tem Goldblum and carried 4-0 on roll call as Councilman Wyett was absent from the meeting.**

**V. REQUEST BY FLORIDA PUBLIC UTILITIES FOR EXTENDED WORK HOURS TO COMPLETE A GAS LINE REPLACEMENT ON ROYAL PALM WAY DURING OCTOBER.**

Town Manager Elwell reported that Marc L. Schneidermann, Director, Florida Public Utilities, requested extended work hours to complete a gas line replacement on Royal Palm Way during the month of October.

**Councilman McLendon made a motion to approve the request. The motion was seconded by President Pro-Tem Goldblum and carried 4-0 on roll call as Councilman Wyett was absent from the meeting.**

**VI. RESOLUTION 51-03 A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE ANNUAL FUDNING APPLICATION TO THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION, FLORIDA BEACH EROSION CONTROL PROGRAM.**

**President Pro-Tem Goldblum made a motion to approve Resolution No. 51-03. The motion was seconded by Councilman McLendon (*Councilman McLendon said his second of the motion was subject to his reservation on the mitigation numbers shown on the form which should be looked at carefully when the time comes to spend the money.*)**

Town Manager Elwell said Councilman McLendon had voiced his concern earlier regarding the mitigation numbers, and this approval provides the commitment for the application for funding assistance that is consistent with the current plan. He said the conceptual plan is being developed into a detailed plan for Reach 2, and before a final commitment is made to move forward with any particular project in that location at any particular cost to the Town, the Council will review the plan in detail to make a substantive decision at that time.

**Minutes from the Special Town Council Meeting and Public Hearing Held on 9/18/2003**

**On roll call, the motion carried 4-0 as Councilman Wyett was absent from the meeting.**

**IV. ANY OTHER MATTERS**

Request from Ballast Nedam Construction, Inc. to allow milling and paving of Royal Palm Way on the eastbound side from Lakeview to Cocoanut at night starting at 7:00 p.m. until 7:00 a.m. on September 24<sup>th</sup> and 25<sup>th</sup>.

Town Manager Elwell explained the request was to do night time milling and paving during the nights of September 24<sup>th</sup> and September 25<sup>th</sup> to expedite the completion of that segment of Royal Palm Way which is between the bridge and Cocoanut Row, on the south side. He continued that it is noisy work; however, working during the night would allow traffic to not be unnecessarily disrupted, and it is in the Town's best interest to have the work completed as quickly as possible.

President Pro-Tem Goldblum stated his concerns for the condo dwellers on Lakeview and purported the work on the western end should be done earlier in the evening.

Town Engineer Bowser confirmed that could be a condition of the approval. He clarified milling would be done on one evening with paving being done the next evening.

Town Manager Elwell said the businesses in the area would be notified.

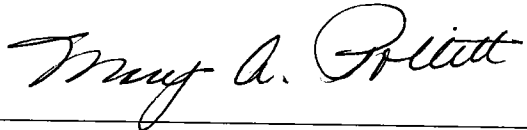
**President Pro-Tem Goldblum made a motion to approve the request. The motion was seconded by Councilman McLendon and carried 4-0 on roll call as Councilman Wyett was absent from the meeting.**

**V. ADJOURNMENT**

The meeting was adjourned at 5:15 p.m.



William J. Brooks, Town Council President



Mary A. Pollitt, Town Clerk