Public Hearing
Millage Rate
& budget

Group Health Insurance, Liability and
Worker's Compensation....................$405,000
Incentive Pay Adjustments..................242,000
4% General Pay Increase....................503,828
New Employees..............................31,000
Retirement Fund............................117,600
Retirement Benefit Improvements...........204,378

TOTAL.................................$1,503,806

D. Comments and Questions from Public: None

E. Discussion and Adoption (With Changes, If Any) of Resolution No. 70-90 Adopting a Final Millage Rate for FY 91. Mr. Randolph read the Resolution in full:

RESOLUTION NO. 70-90 - A RESOLUTION OF THE TOWN OF PALM BEACH ADOPTING FINAL MILLAGE RATES AND LEVYING AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1990, AND ENDING SEPTEMBER 30, 1991;SETTING FORTH CERTAIN INFORMATION REGARDING 'ROLLED-BACK RATES"; 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.

On motion of Mrs. Wiener, Seconded by Mrs. Douthit, the Resolution 70-90 was adopted. On roll call, the motion carried unanimously.

F. Discussion and Adoption (With Changes, if any) of Resolution No. 71-90 Adopting a Final Budget for FY91. Attorney Randolph read the Resolution in full:

Res. 71-90

RESOLTUION NO. 71-90 - A RESOLUTION OF THE TOWN OF PALM BEACH ADOPTING A FINAL BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1990, AND ENDING SEPTEMBER 30, 1991; PROVIDING AN EFFECTIVE DATE.

On motion of Mr. Ilyinsky, seconded by Mrs. Douthit, the Resolution No. 71-90 was adopted. On roll call, the motion carreid unanimously.

IV. ANY OTHER MATTERS:

Any Other
Matters

1. Mayor Marix noted there was an article in the Post on how taxes are assessed and she asked if it might not be possible to base the taxes on what it cost when you bought or built a house and it would remain like that until the house changed ownership. She stated when it changes hands, the new purchaser pays taxes on the amount the house sold for and that would stop the people being put out of their homes because they can't afford the taxes and would save countless hours and thousands of dollars of payroll. She thought if the assessments did not cover the expenses, the responsibility would go where it belongs with the taxing authority and she thought this would be totally fair.

Mr. McPhail responded the State Statutes would have to be changed. Attorney Randolph stated that would require a referendum and this is a suggestion made by those who would like to see a change in the law so the private property owner who has owned their property for years would not be driven out because of the taxes.

Mayor Marix thought it should be pursued. She stated in the article they had a list of the towns which were undertaxed and of course, Palm Beach did not appear. Mrs. Wiener pointed out they were not towns, but were developments. Mr. Heeke believed the issue they are trying to get on the November ballot is still very much alive, and pointed out PROPOSITION 13 in California just did not work out and this is almost what has been outlined.

Mrs. Wiener pointed out if someone bought a house 30 years ago, the salaries at that time were entirely different and salaries have to go up and somewhere along the line, people do have to pay. Mr. Ilyinsky pointed out they have tried this in Ohio and they have the worse educational system. Mrs. Wiener felt if there were people living in a community for many years and prices go up and we all don't want taxes to go up, but everyone has to pay taxes but we have to recognize what is realistic and what is pie in the sky and someone paying the same tax bill as they paid 40 years ago is not realistic. Mayor Marix thought it would be up to the taxing authorities to levy their millage on what is necessary but what will happen is if someone builds a two million dollar house next door, the people who have been living there for 40 years would not have their taxes raised because they live next to t high priced house. She stated the responsibility for the collection of the monies would fall upon those who collect it be it the Town, the School Board or the County and it would not stop the amount of money being raised but would put the responsibility where it belonged. Mrs. Douthit felt the various taxing authorities have no accountability and because there are so many of them, it allows the County to stay under their cap.

Mayor Marix stated the Port Commission is looking for their cap to be taken off. She recalled their cap is $250,000 which they have not collected for fourteen years.

Adjournment

V. ADJOURNMENT. There being no further business, the meeting was adjourned at 5:40 PM.

Grace T. Peters
Town Clerk

OUT OF PLACE

TOWN COUNCIL MINUTES OF
SEPT. 5, 1990 - 5:01PM

Roll Call

I. CALL TO ORDER AND ROLL CALL: President Heeke called the public hearing to order at 5:01PM on Sept. 5, 1990 in the Town Hall Council Chambers. On roll call, the following elected officials were found to be in attendance: Mayor Marix, President Heeke President PRO Tem Ilyinsky and Councilwoman Wiener. (Absent were Councilman Weinberg and Councilwoman Douthit). Also attendin were Town Manager Doney, Finance Director McPhail, Town Clerk Peters, Mr. Bitzer, Chief Elmore, Cpt. Shetron, Cpt. Croft, Mr. Moore, Mr. Dusey, Mr. Jakubiak and Mr. Elwell.

Invocation

II. INVOCATION AND PLEDGE OF ALLEGIANCE: Invocation was given by Mrs. Peters. Pledge of Allegiance was let by President Pro Tem Ilyinsky.

Motion was made by President Pro Tem Ilyinsky to approve the agenda as printed. Seconded by Mrs. Wiener. On roll call, the motion carried unanimously.

III. PUBLIC HEARING ON "TENTATIVE" FY91 BUDGET AND PROPOSED MILLAGE RATE:

Public Hearing on FY91 budget

A. "Notice of Proposed Propoerty Taxes" - President Heeke read the following statement: "Pursuant to Section 200.065 of the Florida Statutes, the Town Council is holding this public hearing on the Tentative Operating Budget and Proposed Operating Millage Rate for 1991 FY. A Notice of Proposed Operating Millage Rate for 1991 FY. A Notice of Proposed Property Taxes has been mailed by the County Property Appraiser to each property owner within the Town of Palm Beach and this notice contained the date, time and place of today's public hearing; the amount of last year's taxes, the amount of taxes if the rolled back rate were utilized; and the amount of taxes if the Town's preliminary proposed millage of 5.0799 mills were levied on your property. This consisted of the proposed operating millage of 4.267 mills which was 9.72% above the rolled back millage rate and a proposed debt service millage of .8192 mills as approved by the Town Council at its special Town Council Meeting on Aug. 3, 1990 at 9 AM. This notice contained similar information for all other taxing authorities having jurisdiction over the Town's property owners. Prior to the conclusion of this hearing, the Town Council shall amend the tentative budget, if it is deemed necessary, recompute the proposed millage rate and publicly announce the recomputed proposed millage and/or percent, if any, by which the recomputed millage rate exceeds the rolled back rate. For reference purposes, the rolled back rate is the revenue equivalent millage needed to raise prior year's tax levies on the current year tax base less prior year net new construction. The Town;s rolled back millage rate for operating budget fiscal year 1991 is 3.8833 dollars per one thousand dollars of taxable value."

B. Memorandum (with enclosures) dated 8-29-90, regarding FY91 Proposed "Tentative" General (Operating) Fund Budget and Millage and all Budgets. President Heeke explained the Mayor and Town Council met on August 3 and 14 to further consider the budget for FY91. He recalled the Finance & Taxation Committee met on June 4 and 5, July 13 on the proposed budgets. He stated the Revised Operating or General Fund Budget which is being ocnsidered today for adoption reflects a revised operating millage levy of 3.9679 dollars per thousand of taxable value and this represents a 2.18 Percent increase over the rolled back millage rate of 3.8833 dollars per thousand of taxable value. He stated the tentative debt service millage will be .8192 dollars per thousand dollars of taxable value.

C. Proposed Operating Millage Exceeds "Rolled-Back Rate" by 2.18 Percent. Mr. Heeke explained the revised operating millage rate of 3.9679 mills is 2.18% above the Rolled Back Rate.

D. Major Specific Purposes for which Ad Valorem Tax Revenues are Proposed to be Increased for Operating Budget. Mr. Doney reported the following proposed major increases include:

Insurance (Group Health, Liability and Worker's Compensation)...........	$ 405,000
Incentive Pay Adjustments..............	242,000
Four Per Cent General Pay Increase......	503,828
New Employees..........................	31,000
Retirement Fund per Actuarial Report....	117,600
Benefit Improvements (Retirement Fund)..	204,378
Replacement Computer (2nd year of 3 year Lease Purchase)..................	108,000
TOTAL..................................	$1,611,806

Mr. Doney explained the new employees include one full time position of a Purchasing Clerk for the Purchasing Division and a part-time secretary for the Public Works Department.

Mr. Doney pointed out the artificially high millage rate had to be set at the August 3, 1990 meeting, but as indicated in the materials furnished the Mayor and Council, they have itemized the revised millage rate and impact on the Town's budget, the Solid Waste Authority's proposed mandatory assessment program.

Mayor Marix noted Mr. Doney has read the major increases and she viewed these as something different, however, she didn't understand why he included the second year of the three year lease purchase charge for the replacement computer as we had it last year and we will have it this year and next year, and she didn't view that as a jamor increase. Mr. Heeke thought it was for specific purposes to which Mr. Doney agreed, noting it does have the impact on the FY91 Budget. Mayor Marix didn't agree as this expense was in the budget last year and it will be next year also, and she didn't consider it a reason for the increase to be higher. Mr. Doney stated it is the same budget item we had in FY90 and it is included in the proposed FY91 budget and we will have it again in FY92 which will be the third year. Mr. Heeke agreed it was not a reason for an increase over last year's budget. Mr. McPhail noted it is an item which is included in the total budget. Mr. Doney stated the impact of the increases are identified in the exhibits and Exhibit C shows what has increased and what has decreased. Mayor Marix felt other things could be on the list, as for instance the extra amount of money we are spending in the Rec Center. Mr. Doney agreed if there were a major individual item, it couldbe, but what he has tried to itemize are those individual items which had the most impact, however, he can strike this item on the computer from the list.

Mr. Heeke stated the point is this wasn't a new item to this year'sbudget and the others are increases over last year's budget and he realizes it doesn't change where we will end up, and asked that the $108,000 for the second year charge for the replacement computer be removed as a major specific purpose for which taxes are being increased to which Mr. Doney agreed.

E. Comments and questions from the public. Mr. Heeke called for public comments and there were none.

RESOLUTION NO. 68-90 - A RESOLUTION OF THE TOWN OF PALM BEACH ADOPTING A TENTATIVE BUDGET FOR THE 1990-91 FISCAL YEAR.

Res. 68-90

Motion was made by Mrs. Wiener who moved for the adoption of Res. No. 68-90. Seconded by Mr. Ilyinsky. On roll call, the motion carried unanimously.

G. Discussion and Adoption (with changes, if any) of Resolution No. 69-90, Adopting Tentative Operating and Debt Millage Rates for FY91. Mrs. Peters read the Resolution by title:

Res. 69-90

RESOLUTION 69-90 _ A RESOLUTION OF THE TOWN OF PALM BEACH ADOPTING TENTATIVE MILLAGE RATES NECESSARY TO FUND A BUDGET FOR THE 1990-1991 FISCAL YEAR.

A motion was made by Mr. Ilyinsky to adopt Res. No. 69-90. Seconded by Mrs. Wiener. On roll call, the motion carried unanimously.

Mr. Heeke asked if the proposed budget figure of $26,352,277 is a .66% increase over FY90

Adjusted Budget figure of $26,180,077 to which Mr. Doney responded affirmatively.

Public Hearing FY91 budget

Mr. Doney stated the total actual millage for the current year is 4.9003 or $4.90 per thousand dollars of taxable value and the resolutions adopted today setting the tentative operating millage and tentative general fund budget for FY91 ahve a total proposed millage of operating and debt service of 4.781 mills or $4.79 per thousand dollars of taxable value and is a 2.3% decrease in actual millage.

Mr. Heeke felt there may be some confusion as to the adjustments made in the tentative budget at the last meeting with respect to the Solid Waste Authority (SWA) and asked Mr. Doney to report on where we are on this matter. Mr. Doney explained the current budget as revised and tentatively approved today has been revised based upon the most current available information from the Palm Beach County Solid Waste Authority to reflect that the SWA will directly be assessing residential units as a line item on the upcoming tax bills which will be sent in November by the County. He stated from the Town's budget perspectives, the reason the millage rate was set higher on August 3rd was at that time it was uncertain what the Solid Waste Authority had planned to do concerning whether they would directly be assessing the commercial properties on the tax bills or require the municipalities to pay for the disposal charges from their operating budgets. He stated the current position of the SWA is they will not be taxing the commercial properties and will be charging the tipping fee at the SWA facility which will be $83.50 per ton.

Mr. Doney stated the Town has addressed this issue and this will be on the agenda at the Sept. 11th Town Council meeting by a resolution which will increase the commercial collection and disposal fees for the commercial properties within the Town. He stated another major issue which affects the Town's budget is the disposal charges for solid waste from Town-owned properties, such as Town Hall, Phipp's Ocean Park, the Police facility had a charge by SWA in teh amount of $74,675 which we have been able to have revised downward to $44,214 and we are still contesting the proposed assessment amount for the Phipp's Ocean Park property as it is believed the methodology which the SWA has used is too high.

Mr. Doney advised the Town Attorney has written to the SWA attorney, contesting the rates which are charged for the residential properties to ensure they are proportionately reduced to reflect the yard trash which is separately collected and disposed of by the Town at its yard trash sites. Mayor Marix asked if the amount of the SWA's fees was included in the proposed budget, how much could the budget e reduced as this year the people are paying that tax directly. Mr. McPhail stated it would probably be $500,000 higher. Mayor Marix felt the increases for this year then are more than what was reported. Mr. Doney stated it has been eliminated for the impact on residential properties in the Town. Mayor Marix realized that but felt it was not really a fair comparison as this year we are short $500,000 which would normally have been included. Mr. Doney stated that was correct, if the Town were paying the disposal fees.

H. Second and Final Public Hearing to Adopt Final Millage Rates and Budgets Will be on Tuesday, Sept. 11, 1990 at 5:01PM in the Council Chambers. President Heeke indicated the Town Council will hold the second Public Hearing to adopt the final millage rate and Operating Budget on September 11, 1990 at 5:01PM in the Council Chambers, 360 S. County Road, Palm Beach, FL.

IV. ANY OTHER MATTERS. President Heeke called for any other matters and there were none.

Adjournment

V. ADJOURNMENT. Motion was made by Mrs. Wiener, seconded by Mr. Ilyinsky to adjourn the meeting at 5:35 PM. Motion carried unanimously on roll call.

Grace T. Peters,
Town Clerk

TC Minutes of 10-9-90

TOWN COUNCIL MINUTES OF MEETING
HELD ON OCTOBER 9, 1990

Roll Call

I. CALL TO ORDER AND ROLL CALL: The October meeting of the Town Council was called to order by President HEEKE AT 9:30 AM on October 9, 1990 in the Town Council Chambers. On roll call, President Heeke, President Pro Tem Ilyinsky, Councilwoman Wiener, Councilwoman Douthit and Councilman Weinberg were found to be in attendance. Mayor Marix was absent. Also attending the meeting for all or portions of the meeting were Town Manager Doney, Town Attorney Randolph, Town Clerk Peters, Mr. Dusey, Mr. Bowser, Mr. Boggs, Chief Terlizzese, Chief Elmore, Mr. Bitzer, Mrs. Crozier, Mrs. Haynie-Timmons, Mr. Elwell and Mr. Jakubiak.

Invocation

II. INVOCATION AND PLEDGE OF ALLEGIANCE: Invocation was given by Rev. Lampe and Pledge of Allegiance was let by President Pro Tem Ilyinsky.

Approval of Minutes

III. APPROVAL OF MINUTES OF SEPTEMBER 11, 1990 (9:20 AM and 5:01PM). Minutes of the meeting held on September 11, 1990 at 9:30 AM was approved on motion of Mrs. Wiener, Seconded by Mrs. Douthit. On roll call, the motion carried unanimously.

Approval of Agenda

IV. APPROVAL OF AGENDA. Motion was made by Mr. Ilyinsky, seconded by Mrs. Douthit to add to the agenda, Item VIII C-7, the comments of Cpt. Montgomery on Peanut Island. Motion carried unanimously on roll call.

Motion was made by Mrs. Douthit, seconded by Mr. Ilyinsky to discuss the Johnson Seawall under Item XII. Any Other Matters. Motion carried unanimously on roll call.

Motion was made by Mrs. Douthit, seconded by Mr. Weinberg that Item X. B. 2, Special Exception No. 10-90 be withdrawn and the agenda be approved as amended. Motion carried unanimously on roll call.

V. Comments of the Mayor. None.

Licenses & Permits

VI. LICENSES AND PERMITS;

A. Charitable Solicitations

1. City of Hope, Palm Beach Chapter, No. 13-91.
2. Jewish Guild for the Blind, No. 23-91.
3. The Garden Club of Palm Beach, Inc., No. 123-91.
4. American Jewish Committee, No. 125-91.
5. Poinciana Children's Theatre Co., Inc., No. 149-91.
6. Women's American ORT of Palm Beach County; No. 167-91.
7. The Preservation Foundation of Palm Beach, Inc., No. 192-91.
8. Bar-Ilan University, No. 196-91.
9. Palm Beach Rotary Club, No. 231-90.
10. Bethesda Hospital Association, Inc., No. 267-91.