

Adjourn-
ment

Mr. Heeke called the discussion to an end.

XVI. ADJOURNMENT Meeting was adjourned at 5:36 PM.

Grace T. Peters
Town Clerk

MINUTES OF SPECIAL TOWN COUNCIL MEETING HELD ON

AUGUST 1, 1991

TC
Meeting
8-1-91

Roll Call

I. CALL TO ORDER AND ROLL CALL: President Heeke called to order a special meeting of the Town Council on Thursday, August 1, 1991, at 9:30 AM in the Town Hall Council Chambers. On roll call the following were found to be in attendance: Mayor Marix, President Heeke, President Pro Tem Weinberg and Councilman Ilyinsky. Councilwomen Douthit and Wiener did not attend the meeting. Staff members attending the meeting were: Town Manager Doney, Finance Director McPhail, Mr. Myers, Mr. Moore, Mr. Bowser, Mr. Bitzer, Mr. Jakubiak, Mr. Elwell, Mr. Crouse, Chief Terlizese, Chief Elmore, Capt. Shetron and Ms. Reedy.

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II. INVOCATION AND PLEDGE OF ALLEGIANCE: Invocation was given by President Heeke. Pledge of allegiance was led by President Pro Tem Weinberg.

III. APPROVAL OF AGENDA: On motion by Mr. Ilyinsky and seconded by Mr. Weinberg agenda was approved with no changes.

FY-92
proposed
budgets

IV. FY-92 PROPOSED BUDGETS

A. 1991-92 FISCAL YEAR "TENTATIVE" MILLAGE RATE AND BUDGET FOR GENERAL FUND AND PROPOSED BUDGETS FOR OTHER FUND GROUPS. Before conclusion of meeting, in accordance with Section 200.065(2)(b), Florida Statutes, the Town Council shall announce and advise on the following:

1. Advise Property Appraiser of Town's Proposed "Tentative" Operating (General Fund) Millage Rate, Rolled-Back Millage Rate and Debt Service Millage Rate.

Mr. Heeke said the purpose of this meeting is to set a tentative budget as required by State law. He said this is a "Tentative" rate, set higher because if it is determined at a later date that a higher millage rate is necessary and they have to raise the tentative rate, then the Town is required by State Law to send a certified letter via first class mail to every property owner in the Town of Palm Beach announcing the change in the proposed millage rate. Mr. Heeke said they expect the millage rate will be reduced when the final budget is adopted.

Mr. Doney said he would like to give the Mayor and Town Council a brief update on the budget revisions which have been made to date, and to identify other issues which would need to be considered by the Finance and Taxation Committee and subsequently by the Mayor and Town Council during the budget process. He said those hearings will take place in August and September.

Mr. Doney referred to his memorandum dated July 23, 1991. He said the memo identified the proposed tentative operating millage rate for FY92, and Mr. Doney said he is recommending a millage rate 3.8339 mills which represents a 6.73% increase over the roll back millage rate which is 3.5921 mills, and a 3.37% decrease over the adopted FY91 operating millage rate which was 3.9679 mills. Mr. Doney said the actions the Town Council must take today is to set a tentative operating millage rate and he recommends that the Town Council approve a tentative operating millage rate of 3.9 mills. He said that figure is higher than 3.8339 mills but would allow the Town Council to reduce that figure depending on future deliberations of the Finance and Taxation Committee and the Town Council.

Mr. Doney said further discussion and action which is required by the Town Council is; the Health Insurance Program, the FY92 Proposed Capital Improvement Program and the Staffing and General Pay Increase, if any.

Mr. Doney said he realized this was a very tight budget year but he felt this was a responsible budget, and one that is justified to be able to maintain the current level of services to Town residents. He said there was one particular change in the level of service in the proposed budget which is a \$100,000 increase in the Public Works Department Program to expand the voluntary recycling program for multi-family residents. He said it is required by State law that a certain percentage of the waste volume be removed from the waste stream by 1993 or 1994.

Mayor Marix said she had read an article about mulching, and she asked if the Town of Palm Beach has considered this?

Mr. Doney said that Mr. Dusey had looked into that previously and he would ask him to look into it again. He said mulching was being encouraged by the State and Federal agencies to compost, but he said that any compost operation in the Town of Palm Beach would be relative only to vegetation yard trash. Mr. Doney said that in some areas of the Country where they have more serious solid waste and land fill problems then we have here, they are encouraging residents to do household composting where all items are composted together. Mr. Doney said in some areas there are units which residents can purchase for composting in their back yard providing they have the room.

Mayor Marix asked if we could look into composting even if it is only for vegetation matter. She said many Towns are now requiring composting, and she thought it would pay for itself and save money on purchases of top soil.

Mr. Doney said Mr. Dusey had spoken with the Solid Waste Authority but in September the Solid Waste Authority will be abolished and the Palm Beach County Commission will take over the function of the Solid Waste Authority. He said that neither agency has shown an inclination towards allowing the reduction of fees for garbage which is transported to the solid waste resource recycling facility.

Mayor Marix said it was her understanding from reading the article that the Town would save money because we wouldn't need to buy as much top soil. She said the article didn't address the possibility of a reduced rate for solid waste disposal. Mr. Heeke suggested that Mr. Dusey should look into mulching as a possible revenue source but he felt the use of mulch for the Town of Palm Beach would be fairly limited.



Mr. Doney said that Riviera Beach had entered into a mulching process. However, he said the last time they checked with Riviera Beach they had more chips than they knew what to do with and it wasn't a revenue generating action.

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Mr. Ilyinsky made a motion that the Town's proposed operating millage rate for FY92 be set at 3.90 mills, the Town's roll back millage rate for FY92 is 3.5921 mills, and the proposed operating millage rate of 3.90 mills is an 8.57% increase over the roll back millage rate. The Town's proposed debt service millage rate for FY92 is .7397 mills. Seconded by Mr. Weinberg, on roll call motion carried.

2. Set the Date, Time and Place of a Public Hearing when Town Council will Consider and Act Upon Tentative Proposed Millage Rate and Tentative Budget for General Fund and Other Funds. (Proposed Date: Wednesday, September 4, 1991 at 5:01 PM in Town Council Chambers and for Final Adoption Public Hearing, Proposed Date: Thursday, September 12, 1991, at 5:01 PM in Town Council Chambers).

Mr. Ilyinsky made a motion that the first Public Hearing meeting on the FY92 proposed budget be held on Wednesday, September 4, 1991 at 5:01 PM, in the Town Council Chambers, 360 South County Road, Palm Beach, Florida. Seconded by Mr. Weinberg, on roll call motion carried.

3. Authorize Town Manager to Execute 1991 Certification of Taxable Value With Details Directed Today.

Motion was made by Mr. Ilyinsky that the Town Manager be authorized to complete and execute the 1991 Certification of Taxable Value with the details directed by the Town Council today, and file the certification with the County Property Appraiser. Seconded by Mr. Weinberg, on roll call motion carried.

B. ANY OTHER FY92 PROPOSED BUDGET MATTERS

Mr. Heeke said the first item under any other FY92 proposed budget matters is to announce the next meeting of the Finance and Taxation Committee meeting which will be Friday, August 9, 1991, at 9:00 AM in the Town Council Chambers.

Mr. Doney said the staff recommends that the second Budget Public Hearing meeting which is on today's agenda be held on Thursday, September 12, 1991 at 5:01 PM in the Town Council Chambers, and the regular Town Council meeting for September 11, 1991, at 9:30 AM in the Town Council Chambers.

Motion was made by Mr. Weinberg to hold the second Budget Public Hearing meeting on Thursday, September 12, 1991, at 5:01 PM, and the regular Town Council meeting for September be held on Wednesday, September 11, 1991 at 9:30 AM, both to be held in the Town Hall Council Chambers. Seconded by Mr. Ilyinsky, on roll call motion carried.

Mr. Heeke asked Mr. Doney if they should set a date for the second Budget Public Hearing meeting today?

Mr. Doney said that by law they have to advertise the second Public Hearing meeting fifteen days after the first Public Hearing meeting which is scheduled for September 4th.

Motion was made by Mr. Ilyinsky to hold the second Budget Public Hearing meeting on Thursday, September 12, 1991, at 5:01 PM, in the Town Council Chambers for the purpose of adopting the final FY92 budget. Seconded by Mr. Weinberg, on roll call motion carried.

V. ANY OTHER MATTERS

Mayor Marix said her first comment was directed at the press. She said she had received a lot of phone calls and comments from Town residents who are very excited about the fact that the Town's expenditures and taxes are going to be reduced. She said the expenditures are going to go up at least a million dollars, and taxes certainly will go up. She said people were confused by the millage rate and she asked if the press could possibly make it known that we will be spending more money and taxes are going to go up. Mayor Marix said she felt it was very important to let the Town residents know that everyone involved in the budget process is making every effort to minimize the spending increase, but taxes will not be lower.

Mr. Doney said one example of what the Mayor was talking about is the total taxable value for levying an operating millage has increased by approximately 10.5%. If a property has a current taxable value of \$425,000, and has a \$25,000 homestead exemption, it would have an adjusted taxable value \$400,000, and based on the current year's millage of 4.7871, Town taxes on that property would be \$1,915. If that property experiences the 10.5% increase in taxable value, and you subtract the \$25,000 homestead exemption, the adjustable taxable value is \$444,625, and if you took the proposed millage rates of 3.8339 and the proposed debt millage rate of .7397 mills which total 4.5736 mills, that would yield \$2,034 in Town taxes and would represent an increase of \$119.00. Mr. Doney said from the big picture, and he said he felt the big picture is what concerns the Mayor, in the proposed millage rates of all taxing authorities having an effect on Town property, the Town of Palm Beach would receive 21% of that total, and the other taxing authorities would receive 79%. Mr. Doney said if you consider all other proposed millages for all other taxing authorities and take the total proposed millage effect, citing the previous example it would mean the property would experience an increase in taxes for FY92 of \$1,204. Mr. Doney said that using the same example of property with a \$425,000 taxable value with the \$25,000 homestead exemption, the total taxes for this year would be \$8,419 and the proposed taxes for FY92 would be \$9,623 and would represent an increase of \$1,204.

Mr. Doney said that Mr. Jakubiak has prepared a number of exhibits and they are still preparing additional tables and information which, he felt would be very beneficial in explaining the budgeting process.

Mayor Marix said it was very important to make the figures known, because when people receive their tax notices, she said her phone and the members of the Council's phones were going to break.

Mayor Marix said the second item she wished to mention was that she had attended the Palm Beach County School Board meeting the previous night. She said the attendance was very small but with the exception of only two people, everyone there was irate about the spending policies of the School Board. She said the main complaint the people had was the inefficiency of the School Board. Mayor Marix said the bottom line was that they all agreed that the tax situation is just too much, and is breaking too many people. She said people are very upset about taxes. Mayor Marix said she felt that everyone seemed to be picking on any bit of inefficiency, overstaffing or things which were done wrong in the building. She said it was a very interesting meeting but she was disappointed that the new School Superintendent was not in Town to attend the meeting.

Mr. Doney said that under the proposed millage for FY92, of the total tax bill for a Town tax payer, under the proposed figures the School Board would represent 46% of the total tax bill.

Mayor Marix said the bottom line of all of the people's objections and, under the threat of a possible law suit the bottom line was, that between now and their final hearing the School Board should definitely begin to reduce their budget.

Mr. Doney said that in FY84, of a Town tax payers total tax bill, 35.5% was related to the Town of Palm Beach taxes. In the FY92 proposed budget the Town will receive a 21% of the total tax bill. He said that represents a decrease of approximately 40% in the comparative percentage of Town taxes v.s. total taxes for this period.

VI. ADJOURNMENT

Mr. Ilyinsky moved that the meeting be adjourned. Seconded by Mr. Weinberg, on roll call motion carried.

TOWN COUNCIL MINUTES OF MEETING HELD ON AUGUST 13, 1991

I. CALL TO ORDER AND ROLL CALL. President Heeke called the August 13, 1991 Town Council Meeting to order at 9:32 AM in the Town Hall Council Chambers. On roll call, the following were found to be in attendance: Mayor Marix, President Heeke, President Pro Tem Weinberg, Councilwomen Douthit and Wiener and Councilman Ilyinsky. Also attending for all or portions of the meeting were Mr. Doney, Attorney Randolph, Mrs. Peters, Mr. Iwell, Mr. Jakubiak, Mr. Moore, Mr. Zimmerman, Mr. Dusey, Mr. Bowser, Chief Terlizzese, Chief Elmore, Assistant Chief Frazier and Mr. McPhail.

II. INVOCATION AND PLEDGE OF ALLEGIANCE. Invocation was given by Rabbi Feldman. Pledge of Allegiance was led by President Pro Tem Weinberg.

III. APPROVAL OF MINUTES OF JUNE 11, JULY 8, 9, AND AUGUST 1, 1991 Motion was made to approve minutes of July 8, 1991 with corrections by Mrs. Douthit. Seconded by Mr. Ilyinsky. Motion carried unanimously on roll call. Motion was made by Mr. Ilyinsky, seconded by Mr. Weinberg to approve the minutes of August 1, 1991. Motion carried unanimously on roll call. The minutes of June 11 and July 9 were deferred to the September Town Council Meeting.

IV. APPROVAL OF AGENDA. Motion was made by Mr. Ilyinsky, seconded by Mr. Weinberg to approve the agenda with Item XIII. C.2, Variance No. 38-91 postponed to the September Town Council meeting. On roll call, the motion carried unanimously.

V. PRESENTATION: A. Recognition of Retirement of Wavell B. Darville, Fire-Rescue Department - Deferred from April meeting. Mr. Darville was presented a plaque in recognition of his 27 years of service.

VI. COMMENTS OF THE MAYOR: Mayor Marix asked that an item be added under Any Other Matters and there be discussion about the length of the Town Council meetings.

VII. PUBLIC HEARING

A. Landmark Designation

1. Landmark Designation for 25 Middle Road - Consideration of Resolution No. 28-91 - Deferred from July meeting. Mrs. Peters advised this was advertised in June and at each meeting this item was postponed to a date certain, so it is in order. Mrs. Peters gave the oath to those who would be participating in the public hearing. Mr. Moore reported the staff has met with Mr. Mason, the property owner to work out a possible compromise in the designation which had originally recommended all of the property be designated and have reached a compromise to landmark the western facade of the building five feet into the building, which would include the right to apply for a circular drive at a future date.

Mr. Randolph read the resolution by title:

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RATIFYING AND CONFIRMING THE DETERMINATION OF THE LANDMARKS PRESERVATION COMMISSION THAT THE PROPERTY HEREINAFTER DESCRIBED MEETS THE CRITERIA SET FORTH IN ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 16, ARTICLE III OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH, AND DOES HEREBY DESIGNATE SAID PROPERTY AS A TOWN OF PALM BEACH LANDMARK PURSUANT TO ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 16, ARTICLE III, OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH.

Mr. Moore reported the criteria is "C" which is it embodies the distinguishing characteristic of an architectural type or is a specimen inherently valuable to the study of a period, style, method of construction or indigenous materials or craftsmanship.

Mrs. Douthit moved that Resolution No. 28-91 be adopted with the change in Section 2 and the statement that it meets the criteria as stated in the Ordinance under "C". Seconded by Mr. Weinberg. On roll call, the motion carried unanimously.

B. Abandonments 1. Request for Abandonment and

Re-Dedication of a Public Utilities Easement by Palm Beach Tamarin, Inc. at 165 Atlantic Avenue - Consideration of Resolution No. 43-91. Mr. Bowser noted the applicant has purchased 25' of a lot to the north of this property and want to relocate the aerial lines by burying them underground around the perimeter of the newly acquired property to the north. He requests, if this is granted that all the relocated facilities be located underground and all poles required to be installed or relocated be constructed on their property and not on any neighboring property and that all costs associated with the preparation of the easement documents and recording and all costs associated with the relocation of the utilities as well as restoration costs be paid by the owner requesting the abandonment.