

**VILLAGE OF ROYAL PALM BEACH
MINUTES OF COUNCIL REGULAR MEETING
VILLAGE MEETING HALL
THURSDAY, NOVEMBER 6, 2008
7:00 P.M.**

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor David A. Lodwick
Vice Mayor Fred Pinto
Councilman David Swift
Councilman Matty Mattioli
Councilwoman Martha Webster

All members of Council were present; also present were the Village Manager, the Village Attorney and the Village Clerk.

PRESENTATION OF 15 YEAR SERVICE AWARD TO LOU RECCHIO

Mayor Lodwick made the presentation after reading a short bio on Mr. Recchio and thanked him for his loyal service to the Village.

REPORTS

Mayor Lodwick congratulated staff for the successful Fallfest celebration recently held at Veterans Park; 2) invited residents to attend the Veterans Day celebration at 9:00 a.m. on November 11th at Veterans Park.

Vice Mayor Pinto also commented favorably on the Fallfest celebration and thanked the Parks and Recreation staff for their efforts throughout the Village.

Councilwoman Webster thanked the Parks and Recreation staff for their efforts in organizing a recent trip to the Dolphins game; 2) reported that the Charter amendment regarding home rule passed; 3) reported on a recent meeting with the Tabernacle of Pentecost of the Palm Beaches where impacting government was discussed and a commemorative plate was presented to the Village.

Mayor Lodwick thanked the Village Clerk and her staff for their efforts on Election Day.

Councilman Swift recognized and also thanked Lou Recchio for his years of service to the Village; 2) reported on two recent IPARC meetings held, the first meeting addressed the inland port; and the second meeting,

Brad Merriman, representative from the Supervisor of Elections office, reported on the efforts being made to assure that the election process is successful.

Mayor Lodwick congratulated Susan Bucher on her recent election win as Supervisor of Elections. A discussion ensued regarding the election process and it was the consensus of Council that there is a need for an administrative person with good technical knowledge to assist the Supervisor of Elections.

Councilman Mattioli also thanked Lou Recchio for his years of service and congratulated his staff on the Fallfest event.

The Village Manager asked that the December 4th meeting be moved to December 3rd in order to accommodate conflicting Council's schedules. Councilman Mattioli made a motion to approve; seconded by Vice Mayor Pinto. Mayor Lodwick put the motion to a vote and it passed unanimously.

PETITIONS - None

STATEMENTS FROM THE PUBLIC - None

CONSENT AGENDA

The Village Clerk read the Consent Agenda into the record as follows:

1. **Approval of minutes of Council Regular Meeting of September 18, 2008, October 2, 2008 and October 16, 2008. (Village Clerk)**
2. **Adoption of Resolution No. 08-49. A resolution of the Village Council of the Village of Royal Palm Beach, Florida, approving and authorizing, in accordance with established policy, the making of a budget amendment for Fund 001 in the fiscal year 2007/2008 Budget. Said amendment represents the year end (13th period) budget adjustment and appropriates \$1,097,000 from carryover revenues and increases Recreation/Cultural Center Facilities debt service principal and interest line items in the general fund for a like amount. (Finance Director)**
3. **Approval and authorization, in accordance with established policy, to make a budget amendment for Fund 303 in the fiscal year 2008/2009 Budget. Said amendment to transfer \$100,000 from PW0901 (Trucks) to project PW0906 (Truck Wash). (Finance Director)**

4. **Approval of a Seasonal Vendor Permit application by Lowe's Home Improvement Warehouse to sell Christmas trees and related Christmas items from November 23 through December 22, 2008 at 103 South State Road 7. (Senior Planner)**
5. **Approval of a Seasonal Vendor Permit application by Publix at Crestwood Square to sell Christmas trees from November 28 through December 24, 2008, between 7:00 a.m. and 11:00 p.m. at 11977 Southern Boulevard. (Senior Planner)**
6. **Approval of a Seasonal Vendor Permit application by Publix at Crossroads Center to sell Christmas trees from November 30 through December 24, 2008, between 7:00 a.m. and 11:00 p.m. at 1180 Royal Palm Beach Boulevard. (Senior Planner)**
7. **Approval of a Seasonal Vendor Permit application by Tree Towne Christmas Trees to sell Christmas trees at Southern Palms Crossing from November 28 through December 24, 2008, between 9:00 a.m. and 9:00 p.m. at 11071 Southern Boulevard. (Senior Planner)**
8. **Approval of a Seasonal Vendor Permit application by WalMart to sell Christmas trees and related items from November 23 through December 22, 2008, at 9990 Belvedere Road in the WalMart Center. (Senior Planner)**
9. **Approval of a Special Event Permit for Royal Palm Beach Rotary Club, co-sponsored by the Village of Royal Palm Beach, to hold a community barbecue fundraiser on Sunday, November 23, 2008, from 12:00 noon to 5:00 p.m. located at Veterans Park. (Senior Planner)**
10. **Approval to utilize \$9,703.18 from the Law Enforcement Trust Fund (LETF) to cover the purchase of various types of equipment. The equipment is necessary for proactive and reactive service within the Village of Royal Palm Beach. (Captain Araujo)**

Councilman Mattioli pulled Consent Agenda Item No. 9 for clarification on the day of the event.

Councilman Swift made a motion to approve the Consent Agenda less Consent Agenda Item 9; seconded by Vice Mayor Pinto. Mayor Lodwick put the motion to a vote and it passed unanimously.

Councilman Mattioli asked for clarification on the day of the event. The Director of Parks and Recreation stated that the event will be held on Sunday not Saturday.

Councilman Mattioli made a motion to approve Consent Agenda Item 9; seconded by Vice Mayor Pinto. Mayor Lodwick put the motion to a vote and it passed unanimously.

REGULAR AGENDA

- 1. Approval of bid award and authorization for the Village Manager to execute a contract with the lowest responsive, responsible bidder, Green Construction Technologies, Inc., in the amount of \$132,462.18 for the installation of a traffic circle at the intersection of Ponce de Leon Street and Infanta Avenue in the LaMancha subdivision. Funds will come from project PW0703, Account No. 303-4100-541-63-55. (Village Engineer)**

The Village Manager gave a brief history of this agenda item and stated that the design had been distributed to Council member for review and clarification. He added that the contractor agreed to extend their bid for 60 days should the Council want to postpone the award.

Councilman Swift stated his previous concerns were how it affected the citizens locally; however, it was on the front page of the local newspaper and he has not heard any further complaints regarding this project. He added these traffic circles will slow down traffic on that street. Councilwoman Webster did hear from one resident and responded; however, did not hear any other complaints.

Mayor Lodwick clarified that adding rumble strips will not be an option with this project because of the noise levels. He added that the diameters will acceptably slow traffic.

The Village Engineer responded that the circles were designed to allow a school bus to be able to maneuver at 15 mph. He further explained the reason the rumble strips were placed on Royal Palm Beach Boulevard as the vehicles were traveling at a higher rate of speed.

Vice Mayor Pinto made a motion to approve; seconded by Councilwoman Webster. Hearing no discussion, Mayor Lodwick put the motion to a vote and it passed unanimously.

- 2. First reading and approval of Ordinance No. 811 seeking the rezoning of a parcel of land totaling 63.318 acres more or less**

from Residential Mixed Use (RMU) to Limited Industrial (IL), located west of State Road 7, and approximately 1,500 feet south of Okeechobee Boulevard. Second reading and adoption is scheduled on November 20, 2008. Agent: Jan Polson, Coltleur and Hearing, Inc. (Senior Planner)

This was quasi-judicial and the Village Attorney swore in all who will speak on this issue. Mayor Lodwick gave the history of the property and noted the applicant is requesting that the land be reverted back to the original zoning.

The Senior Planner stated that the site is in compliance with the Village's Comprehensive Plan and Code of Ordinances. The Planning and Zoning Commission acting as the Local Planning Agency recommended approval.

Councilman Mattioli made a motion to approve; seconded by Vice Mayor Pinto. The Village Attorney read Ordinance No. 811 into the record by title only. Hearing no discussion or public comment, Mayor Lodwick put the motion to a vote and it passed unanimously.

- 3. Public hearing to consider Landscape Waiver petition of the Centre on 441, LLP by Centre-441, Inc. by agent, Russell C. Scott and approval of Landscape Waiver Order No. 08-09 regarding waivers from the following landscape code requirements: Subsection 15-133 (b)(1) to allow for a waiver from the requirement that a perpendicular divider strip be provided within the parking rows of the newly reconfigured parking area and the existing parking areas. (Senior Planner)**

This was quasi-judicial and the Village Attorney swore in all who will speak on this issue. The Village Manager stated this agenda item was changed to reflect only one Landscape Waiver as opposed to the original request of two.

Mayor Lodwick gave a brief history of the shopping center stating that the developer has been asked to review the parking for improved traffic flow and aesthetics in the center.

Russell Scott, representing the applicant, explained that new floor area requires additional parking spaces and if this landscape waiver is allowed that parking issue would be resolved. He showed the existing parking area along with the proposed parking area. Mayor Lodwick stated his approval of the improvements at the shopping plaza and supported the proposed parking area presented. Councilman Swift also stated he supported this waiver and thanked the developer for improving the shopping center.

Councilman Mattioli made a motion to approve the Landscape Waiver of Subsection 15-133 (b)(1) only; seconded by Vice Mayor Pinto. Hearing no discussion or public comment, Mayor Lodwick put the motion to a vote and it passed unanimously.

4. **Public hearing for approval of Application No. 165/3 (A) (SPM,PP) – an application by Absolute Holdings of South Florida, Inc. and RPG of South FL, Inc. – and adoption of Resolution No. 08-45 confirming Council action. The applicant is seeking Site Plan Modification and Preliminary Plat approval for a 6.44 acre parcel of land located approximately 1,800 feet south of Okeechobee Boulevard and west of State Road 7 in the Village of Royal Palm Beach. Agent: Dana I. Gillette, Erdman Anthony. (Senior Planner)**

This was quasi-judicial and the Village Attorney swore in all who will speak on this issue. The Senior Planner stated that the site is located west of State Road 7 approximately 1,800 feet south of Okeechobee Boulevard. The applicant is requesting a major site plan modification in order to subdivide the site into two tracts and three lots. He showed the site plan with three (3) 10,320 square foot lots containing 8,860 square foot buildings on each lot. He showed aerials of Tract B and Tract A. Tract A included a lake area. The Planning and Zoning Commission and staff recommend approval of this request with the attached conditions of approval. The Senior Planner added that the Planning and Zoning Commission and staff recommend approval for the final plat.

Councilman Swift asked if the lake on the plat will have to be filled. Dana Gillette responded no. Mayor Lodwick explained the property is being replatted in order to sell individual parcels.


Councilman Mattioli made a motion to approve; seconded by Councilwoman Webster. The Village Attorney read Resolution No. 08-45 into the record by title only. Hearing no discussion or public comment, Mayor Lodwick put the motion to a vote and it passed unanimously.

5. **Public hearing for approval of Application No. 165/3 (B)(FP) - an application by owner RPG of S. Florida, Inc. – and adoption of Resolution No. 08-46 confirming Council action. The applicant is seeking Final Plat approval of “Regal Center Plat Four” representing a subdivision of land on a 6.44 acre parcel of land lying within a portion of the Regal Center PCD located at 1011 North State Road 7, in the Village of Royal Palm Beach, Florida. Agent: Erdman Anthony**

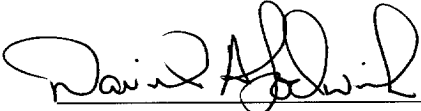
The Village Attorney reaffirmed oaths. The Senior Planner stated this is a companion item to Regular Agenda Item 4.

Vice Mayor Pinto made a motion to approve; seconded by Councilwoman Webster. The Village Attorney read Resolution No. 08-46 into the record by title only. Hearing no discussion or public comment, Mayor Lodwick put the motion to a vote and it passed unanimously.

ADJOURNMENT



Diane DiSanto, Village Clerk



Mayor David A. Lodwick