

Agenda Item No. C - 1

VILLAGE OF ROYAL PALM BEACH
Agenda Item Summary

AGENDA ITEM: Approval of the minutes of the Council Regular Meeting of June 16, 2022, Council Regular Meeting of July 7, 2022, Council Budget Workshop Meeting of July 7, 2022 and Council Special Meeting of July 14, 2022.

ISSUE: It is necessary for Village Council to approve all Village Council meeting minutes.

RECOMMENDED ACTION: Motion to Approve

Initiator	Village Manager Approval	Agenda Date	Village Council Action
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Village Clerk		08/18/22	
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**VILLAGE OF ROYAL PALM BEACH
MINUTES OF COUNCIL REGULAR MEETING
VILLAGE MEETING HALL
THURSDAY, JUNE 16, 2022
6:30 P.M.**

Ways to Participate

- In Person: Public may participate in person at the Village Meeting Hall, 1050 Royal Palm Beach Boulevard, Royal Palm Beach, FL 33411.
- Computer, Tablet, Smartphone: Public may participate remotely by joining GoToWebinar from your computer, tablet or smartphone via www.royalpalmbeach.com/webmeetings.
- Telephone: Public may listen only via phone remotely by dialing United States +1 (562) 247-8422, Webinar ID: 881-499-123, Access Code: 873-901-893.

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor Fred Pinto
Vice Mayor Selena Samios
Councilman Jeff Hmara
Councilwoman Jan Rodusky
Councilman Richard Valuntas

All members of the Council were present along with the Village Manager, Village Attorney (Keith Davis), Village Attorney (Mitty Barnard) and the Village Clerk.

REPORTS

Mayor Pinto reported on the Palm Beach County Transportation Agency meeting where the 5 year TIP was passed that includes the State Road 7 extension.

Vice Mayor Samios announced 1) Concerts in the Park the 1st and 3rd Fridays of the month; 2) July 4th Extravaganza that includes concerts over the weekend July 1st – 4th as well as on July 4th the Mayor’s Golf tournament, fishing tournament as well as other activities. She reported on the Recreation Advisory Board meeting where the expansion of the Recreation Center was discussed. She reported on the Young at Heart luncheon and installation noting that there will be no restrictions on the number of registrations in the fall. Vice Mayor Samios congratulated Councilwoman Rodusky on being installed on the League of Cities Board. She reported on the Memorial Day Observance as well as the Citizen Summit. Vice Mayor Samios invited everyone to attend the State Road 7 Workshop at 6:00 p.m. on June 23rd at the Cultural Center. She reported that the Solid Waste Authority will be holding their Business Power Network and referred interested parties to their website swa.org for information.

Councilman Valuntas reported on the Royal Palm Beach High School graduation as well as the virtual CAFCI scholarship awards presentation.

Councilman Hmara reported on the Florida Regional Council Association where he has been appointed First Vice President. At that meeting, Jarod Perdue, the new Florida Secretary of Transportation gave a report on community centric.

Keith Davis reported on his recent trip to Sitka, Alaska where he stopped by their City Hall and found it an interesting experience that they are dealing with the same topics such as millage rate, budget hearings, vacation rentals, public transportation, etc. the same topics as South Florida.

PETITIONS – None

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS OR CONSENT AGENDA ITEMS

Gina A. Levesque, Intake and Compliance Manager from the Palm Beach County Commission on Ethics introduced herself as the liaison for the Village and passed out information regarding their office and was available for any questions.

Delsia Brooks Hamilton, CEO of Pangea Grill, commented regarding her objection to award of the ice cream vendor services agreement stated in item 7. Village staff explained that the Village’s procurement process does not provide additional points for small minority and woman-owned businesses and that the selection is done in accordance with the criteria set forth in the Request for Proposal. Clarification was also provided on the timing of her comments relative to contract award and formal protest.

CONSENT AGENDA

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

1. **Approval of the minutes of the Council Regular Meeting of May 19, 2022. (Village Clerk)**
2. **Approval and authorization, in accordance with established policy, to make a budget amendment for Fund 102 in the fiscal year 2021/2022 Budget. Said amendment to transfer a total of \$160,000 from Undesignated Fund Balance (3990100) Okeechobee Blvd W Landscape Imps (PW2006). (Finance Director)**
3. **Approval and authorization for the Village Manager to enter into a contract with A Cut Above Landscape & Maintenance, Inc. the lowest responsible, responsive bidder for the construction of landscape improvements for the Okeechobee Boulevard W Landscape Improvement Project, PW2006 in an amount not to exceed \$235,812.58. (Director of Public Works)**
4. **Authorization for the Mayor to execute a Participation Agreement to sign-on to the additional settlement agreement between the State of Florida and Walgreens and any future settlement agreements related to the opioid litigation and resulting remediation. (Village Manager)**
5. **Approval and authorization for the Village Manager to execute Consultant Services Authorization No. 20 with Erdman Anthony of Florida, Inc. to provide Engineering design services for the Water Treatment Plant Site Modification, PW1902, demolition of the water**

treatment plant. The cost for said services shall not exceed \$89,900.00. (Director of Public Works)

- 6. Approval of a special event permit for the Village of Royal Palm Beach to hold Concerts for Weekend Spectacular at Royal Palm Beach Commons on Saturday, July 2, 2022 and Sunday, July 3, 2022, from 4:00 p.m. until 9:00 p.m. (Director of P & Z)**
- 7. Approval and authorization for the Village Manager to enter into an agreement with Kool Runnings, LLC as recommended by the selection committee, as the most responsive, responsible proposer for a monthly lease amount of \$300.00 for the use of building 1036A in Veterans Park to provide ice cream vendor services. (Director of Parks & Recreation)**

Vice Mayor Samios pulled Item #4 and Councilman Valuntas pulled Item #7 for discussion.

Councilman Hmara made a motion to approve the Consent Agenda less Item #4 and #7; seconded by Councilwoman Rodusky. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

Councilwoman Samios asked for clarification on Item #4 where the Village Attorney explained that these are additional settlement funds. This agenda item also includes the authorization of the Village Manager to handle additional settlement funds.

Vice Mayor Samios made a motion to approve the Consent Agenda Item #4; seconded by Councilman Valuntas. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

Councilman Valuntas clarified and confirmed the RFP process for Consent Agenda Item #7.

Councilman Valuntas made a motion to approve Consent Agenda Item #7; seconded by Councilman Hmara. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

REGULAR AGENDA

- 1. Public hearing for second reading and adoption of Ordinance No. 1026 and Application 22-4 (Zoning Text), an application by Redd & Associates, regarding a zoning text amendment to Chapter 26 of the Village's Zoning Code to include "Senior Housing Facility" as a Special Exception Use in the Industrial General (IG) zoning district. By Frank Baynham (Director of P & Z)**

The P & Z Director stated the applicant is proposing an amendment to the to the Zoning Code to allow a Senior Housing Facility as a Special Exception Use in the Industrial General (IG) Zoning District. Currently the senior housing facility is considered a legal nonconforming use. The applicant would like to expand the existing facility and has applied for a text amendment in order to

make the existing use a codified special exception use in the IG Zoning District. The Local Planning Agency and staff recommended approval.

Frank Baynham of Redd & Associates, applicant was present for any questions.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response. Mayor Pinto noted this is second reading.

Councilwoman Rodusky made a motion to approve; seconded by Councilman Hmara. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 2. Public hearing for second reading and adoption of Ordinance No. 1029, amending Chapter 6. Buildings and Building Regulations. at Article XI. Standard Housing Code. to add entirely new Division 4. - Landlord Tenant Notice Requirements. and Sections 6-200. - Notice of Termination of monthly residential tenancy without specific duration. and 6-201 - Written Notification Requirements related to rental payment increases for all residential tenancies., to require 60-days' written notice for termination of tenancies and increases in rental rates. (Village Attorney)**

The Village Attorney stated this is a second reading and was discussed at the strategic planning session. He explained this ordinance is an attempt to address the unprecedented increase in rental costs. This ordinance will require landlords to give a 60-day notice prior to increasing the current rent more than 5% as well as requires a 60-day notice with month-to-month renters as well.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilwoman Samios confirmed this would be in effect 10 days after adoption.

Vice Mayor Samios made a motion to approve; seconded by Councilman Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 3. Public hearing to consider Variance Application 22-8 (VAR) and approval of Variance Order VC-22-06, an application by R P Logistics, LLC, to allow a warehouse building with a building height of 37 feet 9 inches and a parapet wall height of 8 feet above the building height, where village code sections 26-92(4)(d) and 26-22 requires a maximum building height of 32 feet and a maximum parapet wall height of 5 feet above the proposed building height, a variance of 5 feet 9 inches for the building height and 3 for parapet height, for a property located at 1131, 1141, 1151, and 1161 North State Road 7 within the Aldi Park PID. Applicant: Steven E. McCraney. * (Director of P & Z)**

This was quasi-judicial and the Village Attorney (Mitty Barnard) swore in all who will speak on this item and asked for ex-parte disclosures. The P & Z Director stated this variance is in conjunction with a site plan and architectural

approval to construct a 128,500 sq. ft. office building. The applicant is proposing a building height of 37' 9" for a variance of 5'9" and to allow a parapet to extend 8 feet above the proposed roof height of 37 feet and 9 inches where Village Code only allows parapets to extend five feet above the roof height for a variance in this case three feet. He reviewed the criteria for granting a variance and reviewed the applicant's justification statement. The Planning and Zoning Commission and staff recommended approval.

Mark Smiley of R P Logistics, LLC representing the applicant was present for any questions.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Vice Mayor Samios clarified the size of the warehouse and it was noted the uses would be Light Industrial.

Michael Lanford of McCraney Property Company gave examples of national, regional and local companies that may become tenants and clarified this is for commercial storage only not self-storage.

Councilwoman Rodusky asked for clarification on the building height and end roof features.

Councilman Hmara made a motion to approve; seconded by Councilwoman Rodusky. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 4. Public hearing to consider Application 22-6 (SP, AAR), an application by R P Logistics, LLC, and adoption of Resolution 22-16 confirming Council action. The applicant is seeking site plan and architectural approval to construct a 128,500 sq. ft. office warehouse combination building and associated parking and landscaping on a 7.9± acre site located on four (4) vacant parcels, for a property located at 1131, 1141, 1151, and 1161 North State Road 7. Applicant: Steven E. McCraney. * (Director of P & Z)**

This was quasi-judicial and the Village Attorney (Mitty Barnard) swore in all who will speak on this item and asked for ex-parte disclosures. The P & Z Director stated the applicant is seeking site plan and architectural approval to construct a 128,500 sq. ft. Office-Warehouse. The project meets the requirements for the Limited Industrial Zoning District as it pertains to parcel size, parcel width, setbacks, pervious area, parking requirements, landscape areas and maximum building height with the approval of the Variance request. The Planning and Zoning Commission and staff recommended approval.

Mark Smiley of R P Logistics, LLC representing the applicant was present for any questions.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilman Valuntas made a motion to approve; seconded by Councilman Hmara. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 5. Public hearing to consider Application No. 22-7 (FP), an application by R P Logistics, LLC, and adoption of Resolution 22-18 confirming Council action. The applicant is seeking final plat approval to replat four parcels of land totaling 7.9 ± acres into one parcel for a property located at 1131, 1141, 1151, and 1161 North State Road 7. Applicant: Steven E. McCraney. (Director of P & Z)**

The Village Attorney (Mitty Barnard) stated that the applicant requested a postponement of this application to a time certain of Thursday, July 14, 2022.

Councilman Hmara made a motion to approve the postponement to a time certain of 6:30 p.m. on Thursday, July 14, 2022; seconded by Councilman Valuntas. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 6. Public hearing to consider Application 22-12 (LW), an application by JMorton Planning and Landscaping Architecture, for the consideration of landscape waivers from Village Code section 15-131 (b)(2) to allow the elimination of the required three (3) foot high berm within the south perimeter buffer, and from Village code section 15-131 (c)(3) to allow trees to be located a minimum of 54 feet on center near utility easements, where a minimum of 20 feet on center is required, for a property located at 11925 & 11931 Southern Boulevard situated within the Cypress Key Town Centre development. Agent: Jennifer Morton. * (Director of P & Z)**

This was quasi-judicial and the Village Attorney (Mitty Barnard) swore in all who will speak on this item and asked for ex-parte disclosures. The P & Z Director stated the applicant is requesting landscape waivers to allow the elimination of the required three-foot high berm within the south perimeter buffer and to allow trees to be located a minimum of 54 feet on center near utility easements, where a minimum of 20 feet on center is required. The first request is to eliminate the berm requirement within the south perimeter buffer and to allow two sets of two trees adjacent to Southern Boulevard to be located more than 20 feet on center from each other. One set of two trees is proposed to be located 54 feet on center from each other and another set of two trees is proposed to be located 34 feet on center from each other. The Planning and Zoning Commission and staff recommended approval.

Jennifer Morton of JMorton Planning and Landscaping Architecture made a presentation and requested site plan, special exception, two landscape waivers and architectural approval. She presented a letter of support from the Park Central Homeowner's Association and stated for the record the applicant accepted all conditions of approval.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilman Hmara confirmed the area would contain in-line neighborhood commercial retail uses only. Vice Mayor Samios clarified the landscaping and area berm.

Councilman Hmara made a motion to approve; seconded by Councilman Valuntas. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 7. Public hearing to consider Application 21-129 (SP, SE, AAR), an application by JMorton Planning and Landscaping Architecture, and adoption of Resolution 22-19 confirming council action. The applicant is seeking site plan modification, special exception, and architectural approval to allow a “restaurant with drive through”, add a combined 1,249 square feet to buildings B1 and B2, and various reconfigurations, for a property located at 11925 & 11931 Southern Boulevard and situated within the Cypress Key Town Centre MXD. Agent: Jennifer Morton. * (Director of P & Z)**

This was quasi-judicial and the Village Attorney (Mitty Barnard) on the previous agenda item swore in all who will speak on this item and asked for ex-parte disclosures. The P & Z Director stated the presentation had been given in the previous agenda item. The Planning and Zoning Commission and staff recommended approval.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilman Hmara made a motion to approve; seconded by Councilwoman Rodusky. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

The Village Attorney (Mitty Barnard) stated the Planning and Zoning Department received a request from the applicant for a postponement for Regular Agenda Items 8 – 14 for additional Technical Staff Review.

- 8. Public hearing to consider Application 20-113 (SPM), an application by D.R. Horton, Inc, and adoption of Resolution 22-12. The applicant is seeking a site plan modification in order to remove approximately 125,520 square feet of approved and unbuilt commercial square footage and a total of 12.28± acres of vacant and partially developed land from the existing site plan of record for Waterway Plaza, for a property located northwest of the Okeechobee Boulevard and Royal Palm Beach Boulevard intersection. Agent: Edwin Muller of WGI, Inc. * (Director of P & Z)**
- 9. Public hearing to consider Variance Application 21-22 (PVAR) an application by D.R. Horton, Inc. and approval of Variance Order VC-22-04, to allow the use of tandem parking spaces for a townhouse residential development to count toward the required parking, where Village Code Section 23-49 (b) (1) b. allows tandem parking to be counted only for single-family residences and from Village Code Section 23-18 (b) (3) b. 2 to allow vehicles which are neither prohibited or restricted to park in front yards front setbacks of**

residential property where only 11% of the front yards are landscaped where village code prohibits parking in these areas except when the lesser of 1,000 square feet or 75% of the front yards are landscaped, for a property located northwest of the Okeechobee Boulevard and Royal Palm Beach Boulevard intersection. Agent Edwin Muller of WGI, Inc. * (Director of P & Z)

10. Public hearing to consider Variance Application 21-23 (VAR) and approval of Variance Order VC-22-05, an application by D.R. Horton, Inc. requesting variances from section 26-83 (4) (c) to allow for 20 foot front setbacks where Village code requires 25 feet, a variance of five (5) feet, a 20 foot side setback to adjacent structure where Village code requires 30 feet, a variance of 10 feet, and a variance for a 10 foot rear setback where Village code requires 20 feet, a variance of 10 feet; and a variance from section 26-83 (4) (d) to allow for a zero (0) foot perimeter landscape setback width adjacent to interior lot lines where Village code requires 10 feet, a variance of 10 feet, for a property located northwest of the Okeechobee Boulevard and Royal Palm Beach Boulevard intersection. * (Director of P & Z)
11. Public hearing to consider Variance Application 20-116 (VAR) and approval of Variance Order VC-22-03, an application by D.R. Horton, Inc., to allow for a 50-foot right-of-way (private roadway) in lieu of the required 60-foot right-of-way required by Village Code Section 22-51 (b) (4) a., for a property located northwest of the Okeechobee Boulevard and Royal Palm Beach Boulevard intersection. * (Director of P & Z)
12. Public hearing to consider Landscape Waiver Application 20-115 (LW) and approval of order LW-22-02, an application by D.R. Horton, Inc. for consideration of three (3) landscape waivers as follows: (1) waiver from sec. 15-131 (d) to allow for a zero (0) foot buffer along the entrance drive where Village code requires 25 feet; (2) waiver from sec. 15-131 (e) to allow for a zero (0) foot buffer along the western property line where Village code requires 15 feet; and (3) waiver from sec. 15-131 (b) to allow for no berms within the buffers where Village code requires a 3-foot berm, for a property located northwest of the Okeechobee Boulevard and Royal Palm Beach Boulevard intersection. * (Director of P & Z)
13. Public hearing to consider application 20-114 (SPM, AAR), an application by D.R. Horton, Inc., and adoption of Resolution 22-13 confirming council action. The applicant is seeking a site plan modification and architectural approval for a 100 unit townhouse development for a property located northwest of the Okeechobee Boulevard and Royal Palm Beach Boulevard intersection. Agent: Edwin Muller of WGI, Inc. * (Director of P & Z)
14. Public hearing to consider Application 21-56 (PP) an application by WGI, Inc. and adoption of Resolution 22-14 confirming council action. The applicant is seeking preliminary plat approval to plat one (1) parcel of land totaling 12.28± acres; for a property located on

the northwest corner of Okeechobee Boulevard and Royal Palm Beach Boulevard. Agent: Edwin Muller. (Director of P & Z)

- 15. Public hearing for first reading and approval of Application No. 22-19 (CPA Text) and Ordinance No. 1028, an application by Urban Design Studios, regarding a Comprehensive Plan Text Amendment to the Village's Comprehensive Plan to create an entirely new Mixed Use Social Center (MXS) future land use designation within the future land use element. Agent: Lentzy Jean-Louis of Urban Design Studios. (Director of P & Z)**

The P & Z Director stated that the applicant is proposing an amendment to the Comprehensive Plan's Future Land Use Element to add an entirely new Mixed Use Social Center ("MXS") Land Use Designation to allow for large-scale (40+ acre) mixed-use projects that would include both residential and non-residential uses integrated in a vertical rather than horizontal manner. The proposed MXS designation would allow for overall density of ten units per acre, mass transit or multi-modal facility within ½ mile upon buildout. The intent of the amendment is to create a Future Land Use Designation that allows for innovative, and urban mixed-use developments that provide integrated, vibrant, compatible, and complimentary uses within a single development. This future land use designation allows for greater intensities and densities than would otherwise be permissible in typical zoning allowances. The P & Z Director reviewed the floor area ratio minimums and maximums. A discussion and clarification was given on the Floor Area Ratio. The Planning and Zoning Commission recommended approval 3 - 1 and staff recommended approval.

Lentzy Jean-Louis of Urban Design Studios representing Main Street at Tuttle Royale LLC made a presentation to introduce the Mixed-Use Social Center future land use designation. He said the request is to allow large scale, vibrant mixed uses located at strategic locations and named existing mixed-use centers in Palm Beach County. He said the proposed mixed-use social center has a density of 10 dwelling units per acre, read into the record the definition of a Mixed Use Social Center and reviewed the MXS categories that include residential. He showed the Floor Area Ratios for non-residential, residential, structural parking. The open space will be no less than 20% of the total site of the project and ensured that at buildout a mass transit or multi-modal facility will be built within ½ mile.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Vice Mayor Samios stated her concerns with high density, traffic and size intensity and asked for clarification on staff recommendation of approval. The P & Z Director responded these are the contributing factors for a successful mixed-use development. He said the density and internal intensity makes these types of projects viable. The Village Manager added this application is technically accurate and correct as it relates to creating a new land use category of Mixed-Use Social Center and noted changing the land use designation is a policy decision.

Councilman Hmara asked and received clarification on what a social center is and how it works in a community. A discussion ensued with regard to

additional traffic, a mass transit system and multi-modal facility. The Village Manager reported on the number of people moving to South Florida daily as well as gave an update on the Palm Beach County Transportation Planning Agency's 561 plan. Direction was given to staff to report back on the types of land uses currently at the Alton development in Palm Beach Gardens.

Councilman Hmara made a motion to approve; seconded by Councilwoman Rodusky. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed 4 - 1 with Vice Mayor Samios dissenting.

ADJOURNMENT

Mayor Fred Pinto

Diane DiSanto, Village Clerk

**VILLAGE OF ROYAL PALM BEACH
MINUTES OF COUNCIL REGULAR MEETING
VILLAGE MEETING HALL
THURSDAY, JULY 7, 2022
6:30 P.M.**

Ways to Participate

- In Person: Public may participate in person at the Village Meeting Hall, 1050 Royal Palm Beach Boulevard, Royal Palm Beach, FL 33411.
- Computer, Tablet, Smartphone: Public may participate remotely by joining GoToWebinar from your computer, tablet or smartphone via www.royalpalmbeach.com/webmeetings.
- Telephone: Public may listen only via phone remotely by dialing United States +1 (415) 655-0052, Webinar ID: 263-775-611, Access Code: 362-601-974.

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor Fred Pinto
Vice Mayor Selena Samios
Councilman Jeff Hmara
Councilwoman Jan Rodusky
Councilman Richard Valuntas

All members of the Council were present along with the Village Manager, Village Attorney (Keith Davis) and the Village Clerk.

REPORTS

The Mayor and Council thanked the Parks and Recreation Department for their successful July 4th Spectacular Event as well as the weekend concert series.

Councilwoman Rodusky invited everyone to attend the Shakespeare by the Sea Palms II *Richard II* at Commons Park July 21st through July 24th.

Councilman Hmara reported on the Palm Beach County Fire Rescue's roll back event for the new fire truck at Station 29.

Councilman Valuntas thanked PBSO and Palm Beach County Fire Rescue for the fabulous and safe July 4th event as well. He also commented on the State Road 7 Corridor Workshop held at the Cultural Center.

Councilwoman Samios also attended the Palm Beach County Fire Rescue's Station 29 roll back on their new vehicle. She invited everyone to attend the concerts in the park the first and third Fridays of the month as well as the Family Fun Day on July 23rd.

Mayor Pinto suggested staff research some options regarding exiting Commons Park after large events.

The Village Attorney stated he and Ms. Barnard would be attending the Attorney's Conference the last week in July.

PETITIONS – None

STATEMENTS FROM THE PUBLIC ON NON AGENDA ITEMS OR CONSENT AGENDA ITEMS

Danielle Underwood of 122 Valencia Street, stated her safety concerns with the intersection of Sevilla Street and Ponce de Leon Street. She requested a 4-way stop sign be installed and will provide pictures that show residents parking blocking the sidewalk and driveway.

CONSENT AGENDA

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

1. **Approval and authorization, in accordance with established policy, to make a budget amendment for Fund 303 in the fiscal year 2021/2022 Budget. Said amendment to transfer a total of \$50,000 from Roadway Crack Sealing (PW2002) to FOC Roof Replacement (PW2201) (Finance Director)**
2. **Approval and authorization for the Village Manager to enter into a contract with Garabar, Inc. the lowest responsible, responsive bidder for the construction of the FOC Roof Replacement Project, PW2201 in an amount not to exceed \$127,648.00 and 120 days to substantially complete the work. (Director of Public Works)**
3. **Approval and authorization for the Mayor to execute the Seventh Addendum to the Law Enforcement Service Agreement by and between the Palm Beach County Sheriff's Office and the Village of Royal Palm Beach. (Village Manager)**
4. **Approval and authorization for the Village Manager to execute the "Second Addendum to Agreement for Professional Grant Writing Services" between the Village and RMPK Funding, Inc., to provide for the second and final two (2) year renewal term beginning retroactively on April 10, 2022 and ending April 10, 2024. (Director of Parks & Recreation)**
5. **Approval and authorization for the Village Manager to execute the First Addendum to Franchise Agreement by and between Waste Pro of Florida, Inc. and the Village of Royal Palm Beach. (Finance Director)**

Vice Mayor Samios pulled Item #3 and Councilman Hmara pulled Item #5 for discussion.

Councilman Hmara made a motion to approve the Consent Agenda less Item #3 and #5; seconded by Councilwoman Rodusky. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

Vice Mayor Samios stated she supported the item but was sorry to see the PAL Program be eliminated and thanked everyone involved.

Vice Mayor Samios made a motion to approve the Consent Agenda Item #3; seconded by Councilman Hmara. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

The Village Manager stated that Consent Agenda Item #5 is a second five-year renewal with Waste Pro. He gave a history of the original contract with Republic Services and explained existing terms and conditions noting although staff negotiated this is a significant increase in cost for residents but felt going out to bid would not lower the rate. Staff recommended the additional 5 years with the cost of \$13.86 for single-family residents. Vice Mayor Samios confirmed the residents would see the increase on their water bill.

Councilman Hmara made a motion to approve Consent Agenda Item #5; seconded by Councilman Valuntas. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

REGULAR AGENDA – NO ITEMS

ADJOURNMENT

Mayor Fred Pinto

Diane DiSanto, Village Clerk

**VILLAGE OF ROYAL PALM BEACH
MINUTES OF COUNCIL BUDGET WORKSHOP
VILLAGE MEETING HALL
THURSDAY, JULY 7, 2022
IMMEDIATELY FOLLOWING COUNCIL REGULAR MEETING**

Ways to Participate

- In Person: Public may participate in person at the Village Meeting Hall, 1050 Royal Palm Beach Boulevard, Royal Palm Beach, FL 33411.
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PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor Fred Pinto
Vice Mayor Selena Samios
Councilman Jeff Hmara
Councilwoman Jan Rodusky
Councilman Richard Valuntas

All members of the Council were present along with the Village Manager, Village Attorney (Keith Davis) and the Village Clerk.

COMMENTS FROM THE PUBLIC – None

REGULAR AGENDA

1. Budget Message by Village Manager

The Village Manager submitted, in accordance with the Village Code, the proposed 2023 budget to establish an action, operation and financial plan for the delivery of Village services and facilities. The preparation of the budget is consistent with the Village’s Vision and Mission of being a hometown family community providing services and facilities to create an aesthetically pleasing, active and connected community. This budget proposes \$1.92 per \$1,000 of taxable value which has remained the same for the 11th year in a row. This is the 26th year the tax rate has remained the same or less than the previous year. The tax rate is constant because of the significantly higher reserves than required. The budget has been balanced this year by using State and Local Fiscal Recovery Funds under the American Rescue Plan Act of 2021 where the funds can be used for general government expenses, public health, negative economic impacts, premium pay, stormwater, broadband and revenue replacement. The funds cannot be used to reduce taxes or build reserves. He reported that the Village’s tax rate is 10% of the total tax rate charged by the Palm Beach County Property Appraiser. He said that excluding county subsidized services, residents pay the lowest municipal property tax per person of all the Palm Beach County cities. This year’s budget increases the level of service in Parks and Recreation, the PBC Sheriff’s Office and Engineering with the addition of a full time Public Relations Specialist, Public Art Professional, Community Service Aid and a part time Engineering Intern.

2. Budget Overview by Finance Director

The Finance Director gave a summary of the 2022-2023 budget showing the total budget of \$85,593,453 with 34% for General Operating, 46% Capital Projects, 18% for reserves and 2% stormwater utility. He stated the budget highlights are as follows: property values up again and projected this year at 13.1%, the tax rate of 1.92 has been maintained, consumption based revenues have increased and the Village has received \$20,232,484 in American Rescue Plan Funds which must be obligated by December 31, 2024 and spent by December 31, 2026. All Strategic Plan Initiatives have been incorporated into the budget.

He gave the Ad Valorem Tax overview which shows the Village's property values, including new construction, have increased 13.1% as follows: Prior year value – \$3.386 billion; current year value – \$3.831 billion with an increase of \$445 million. The Finance Director stated the budget is proposing to maintain the operating millage rate at \$1.92 mils per thousand.

He showed the impact of the total proposed millage rate of \$1.9200 on homes valued from \$186,000.00-\$261.00, \$261,000.00-\$405.00 and \$337,000.00-\$551.00 all-encompassing the homestead exemption.

The General Fund Revenue Summary is \$28,775,019 with property taxes generating 24%, other taxes and fees 21% which totals 45% of the revenue stream. Licenses and permits are 12%, intergovernmental revenues at 18%, charges for services 1%, fines 2%, miscellaneous revenues 4%, transfers 9% and current year fund balance at 9%. The expenditure summary is \$28,775,019 with personal services at 41%, contractual services 37% which is comprised of mainly the PBSO, other charges and services 15%, commodities at 3%; and other operating expenses, department capital outlay and grants and aids are less than 1%. Transfers out are at 4%. The expenditure summary shows merit adjustments are programmed at an average of 3.5% for all employees. A cost of living adjustment of 6.2% is included based on the 12 month running average from April 2021 – March 2022. Medical insurance cost premiums are based on market projections.

The expenditure summary shows the following position additions are as follows: Human Resources – Payroll Specialist (50%); Engineering – Intern (P/T); Parks and Recreation – Recreation Division – P/T to F/T Public Information Specialist, Parks and Recreation – Cultural Center Division – Public Art Professional. Positions deletions are as follows: Village Manager – Public Art Professional; Finance – Payroll Specialist (50%); Parks – 3 General Maintenance Worker I

The Finance Director stated that the Stormwater Utility Fund Revenue Summary is \$1,436,138 which is funded 77% by the stormwater utility fee and 23% Fund Balance. The expenditure summary is \$1,436,138 which is 44% for personal services, contractual services less than 1%, other charges and services 38%, commodities 4%, other operational expenses less than 1% and transfers 14%.

The Finance Director reviewed the Capital Improvements Funds – CIP at \$55,382,297. The Beautification Fund is less than 1%; American Rescue Plan is 20%; Impact Fee Fund 3%; Sales Surtax 38%; General Capital Improvements Fund 8%, Utility 2% and Reserves 29%.

Vice Mayor Samios confirmed that the elimination of the three Parks and Recreation positions are now being outsourced.

3. Department Directors Present Operating Budgets

General Fund

1. Village Council

The Village Manager referred to page 32 noting the only increase was in the personal services division. Vice Mayor Samios asked for consideration to participate in The Palm Beaches Florida “Partner in Tourism” program that will promote Village activities, events and as well as the Village’s venues. She said the initial investment would be a \$500.00 and asked that it be added to the budget. Village Council members asked for clarification on the City Advisory Round Table Participation and consensus was given to add the funds.

2. Village Manager

The Village Manager referred to page 37 reporting the only change was to add a part time Audio/Video Broadcast Operator.

3. Legal

The Village Manager referred page 46 explained the increase, noting that the Developers are being billed for their application process in order to recoup the attorney fees.

4. Police

The Village Manager referred to page 54 noting the deletion of the part time Recreation Specialist and the addition of a full time Community Service Aide to assist the Traffic Division. He also noted a 3% cost of living increase.

5. Human Resources

The Human Resources Director referred to page 39 noting the addition of a half Payroll Specialist position. The only other significant changes are in the personal services division.

6. Planning & Zoning

The Director of Planning & Zoning referred to page 40 noting a status quo budget with a reduction in contractual services. He also noted slight increases in travel and memberships.

7. Finance

The Finance Director referred to page 45 noting the elimination of the half Payroll Specialist position to the Human Resource department. The remainder is a status quo budget. It was noted there are no electric vehicles included in this budget.

8. Non-departmental

The Finance Director referred to page 80 noting a slight increase in various insurances as well as utilities with an overall increase of 6% standard operating costs.

9. Information Systems

The Information Systems Director referred to page 50 noting a proposed 11% increase for hardware, maintenance contracts and hosting services. The 11% also reflects the addition of a maintenance plan for the Village's surveillance systems.

10. Community Development

The Director of Community Development referred to page 56 noting no changes. He referenced page 29 where it shows the major revenue streams for Community Development. He showed the line items listed on pages 58 – 60. The Village Manager reported the major changes include the implementation of the Project Dox program with an on-line application (OAS) to assist residents. The Community Development Director reported on the efficiency of the plan review and permitting as well.

11. Engineering

The Village Engineer referred to page 65 reported on an uptick in his department with capital improvement projects and the addition of a part time intern.

12. Public Works

The Director of Public Works referred to pages 68-69 noting that two General Maintenance I positions were eliminated. He referenced the 4.7% increase on page 70 noting that it represents primarily maintenance contracts, fuel and lube with the remaining budget staying status quo.

Vice Mayor Samios confirmed that line item – Emergency Exp - Covid-19 is for hand sanitizer and other disinfectants.

Utility Fund

1. Stormwater Utility

The Director of Public Works referred to page 87 noting there are no level of service changes. Page 88 there is an 11.2% increase attributed to personal services, maintenance contracts and fuel. He reported on the canal maintenance, debris cleanup and the purchase of a harvester. Vice Mayor Samios asked and received confirmation that the canal maintenance contract could be funded by the American Rescue Plan.

13. Parks & Recreation

The Parks & Recreation Director announced that the operating budget for all three divisions has an increase of 8.47% that includes fuel, personnel and health benefits. He referred to Page 74 of the Parks Division Budget noting that line item 34-90 Contract Services has increased by \$50,000 due to outsourcing of the athletic fields while noting the deletion of three positions. Line item 52-10 fuel & lube has increased as well with the remaining budget staying status quo. The Director referred to Page 76 of the Recreation Division Budget line item 34-96 Contract Labor – Senior Programs reporting the increase is due to the activities and entertainment getting back to normal. Also noting line item 47-10 Printing & Binding has increased with the printing of the Community Connection, as well as 52-26 Senior Programs Supplies. He referred to Page 78 of the Cultural Center Budget line item 34-90 Other Contractual Services has increased by adding West Fest and the concert series. Vice Mayor Samios confirmed that any resident could request that the Community Connection be mailed; received clarification on line item 46-60 under Parks Division regarding repair and maintenance of grounds in all fields as well as the increase in registration for sports programs.

4. Capital Budget

The Village Engineer presented the 2023-2027 Capital Improvement Program summary and gave an overview of the seven different funds totaling \$55,382,257 in Revenues and \$39,628,849 in Expenditures. The Recreation Facilities Fund 101 expenditures are associated with the acquisition, improvement, expansion or implementation of parks and recreational facilities and has no revenues or expenditures this year. The Community Beautification Fund 102 is expenditures associated with enhancing the aesthetic landscape and visual perception of the Village that includes two projects Okeechobee Blvd. West Landscape Improvement and Royal Pine Estates Entry Sign. The American Rescue Plan Capital Projects 105 is dedicated to supporting public health expenditures and addressing negative impacts from Covid-19. He added the fund can be used for general government expenses, water, sewer and broadband. He reviewed the Point2Point Wide Area Wireless High-Speed Enet, Data Center Hardware-Software Upgrade at the new Village Hall, Corporate Picnic Pavilions, Six Electronic Message Boards Upgrade, LaMancha Subdivision Underdrain, Canal Bank Maintenance, Storm Drain Outfall Replacement and Canal System Dredging and showed a summary of the remaining projects. The Impact Fee Fund 301 expenditures are associated with the acquisition, improvement, expansion or implementation of facilities related to new development and expenditures are limited to new roads, public parks and public buildings. This fund includes Crestwood North Park project that will include a multi-purpose field, pavilion, volleyball, tennis courts, basketball courts and playground that includes a \$400,000 grant. He showed a summary of the remaining projects. The Local Discretionary Sales Surtax Fund 302 associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of five or more years and any land acquisition land improvement design and engineering costs. He noted a \$500,000 grant was applied for. This fund includes the renovation and expansion of the Recreation Center, road re-surfacing projects and showed a list of the remaining projects in the fund. The Village Engineer reviewed the expenditures in the General Capital Improvement Fund 303 where the expenditures are associated with general capital improvements and includes new Village Hall office furniture, FPL pedestrian and bicycle improvements, FOC campus video surveillance upgrade, surveillance systems integration, golf facility lighting replacement, safety surface replacement at Veterans Park and Preservation Park, field lighting replacement at Ferrin Park and showed a summary of the remaining projects in the fund. He added that a \$600,000 TPA grant has been submitted for the Bike Path Trailhead and Signage Plan as well as the ADA Improvements Phase II. The Village Engineer reported that the Stormwater Capital Improvement Fund 408 where the expenditures are associated with capital improvements for stormwater infrastructure includes a street sweeper and FPL dry detention pond. The Village Engineer announced that Capital Budget would be available for review on the website.

ADJOURNMENT

Mayor Fred Pinto

Diane DiSanto, Village Clerk

**VILLAGE OF ROYAL PALM BEACH
MINUTES OF COUNCIL SPECIAL MEETING
VILLAGE MEETING HALL
THURSDAY, JULY 14, 2022
6:30 P.M.**

Ways to Participate

- In Person: Public may participate in person at the Village Meeting Hall, 1050 Royal Palm Beach Boulevard, Royal Palm Beach, FL 33411.
- Computer, Tablet, Smartphone: Public may participate remotely by joining GoToWebinar from your computer, tablet or smartphone via www.royalpalmbeach.com/webmeetings.
- Telephone: Public may listen only via phone remotely by dialing United States +1 (415) 655-0060, Webinar ID: 497-182-859, Access Code: 714-933-668.

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor Fred Pinto
Vice Mayor Selena Samios
Councilman Jeff Hmara
Councilwoman Jan Rodusky
Councilman Richard Valuntas

All members of the Council were present along with the Village Manager, Village Attorney (Mitty Barnard) and the Village Clerk.

REPORTS

Vice Mayor Samios congratulated the Royal Palm Beach 12 and under Girls All-Star Softball team on winning the State championship for a second year in a row. She announced a free breakfast, lunch and snacks meal program for children 18 years old and under. Visit the website summerbreakspot.org for information.

Councilman Hmara reported on a meeting with the Superintendent of the Palm Beach County School District, a School Board member as well as the Chairman of the Education Advisory Board on the new school year and its challenges.

Councilwoman Rodusky reported on her recent trip to Peru. She showed pictures of public art that included streetscapes, murals and other forms of Poke Art.

PETITIONS – None

STATEMENTS FROM THE PUBLIC ON NON AGENDA ITEMS OR CONSENT AGENDA ITEMS - None

CONSENT AGENDA

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

- 1. Approval and authorization for the Village Manager to enter into a Professional Services Agreement for Architectural Design Services to Renovate and Expand the Recreation Center (PR2201) with DHGA Design-FL. (Village Engineer)**
- 2. Approval and authorization for the Village Manager to execute Consultant Services Authorization No. 1 with DHGA Design-FL (DHGA) to provide Architectural Design Services for the Renovation and Expansion of the Recreation Center, Project Number PR2201. The cost for said services shall not exceed \$153,427.00. (Village Engineer)**
- 3. Adoption of Resolution No. 22-20, a resolution of the Village Council of the Village of Royal Palm Beach, Florida, changing the name of Park Road S., lying and being within the corporate limits of the Village of Royal Palm Beach, to Park Road N.; providing an effective date; and for other purposes. (Village Engineer)**
- 4. Tentative adoption of the proposed millage rate of 1.9200 and approval of scheduled public hearings on September 8, 2022 at 6:30 p.m. and September 15, 2022, at 6:30 p.m. in the Village Meeting Hall. (Finance Director)**

Vice Mayor Samios pulled Consent Item #3 and Councilman Hmara pulled Item #4 for discussion.

Councilman Hmara made a motion to approve the Consent Agenda less Items #3 and #4; seconded by Councilman Valuntas. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

The Village Manager addressed Item #3 noting this is a technical correction and reported on the platting of the roadway as both Park Road North and Park Road South. He clarified there is no street Park Road South and this change will not affect the residents addresses.

Vice Mayor Samios made a motion to approve the Consent Agenda Item #3; seconded by Councilwoman Rodusky. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

Councilman Hmara asked for an overview for maintaining the proposed millage rate. The Village Manager explained the millage rate and taxes collected are not used for balancing the budget. He said proceeds from the last 15 years of the utility sale have been used for 11 of those years and this year the ARPA money is being used to balance the budget. The Village Manager reported on the investing of the sale of the water plant proceeds and the importance of keeping the reserve as long as possible. He addressed growth, inflation and reasons for not lowering the tax rate.

Councilman Hmara made a motion to approve Consent Agenda Item #4; seconded by Councilwoman Rodusky. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

REGULAR AGENDA

- 1. Public hearing to consider application no. 22-7 (FP), an application by R P Logistics, LLC, and adoption of Resolution 22-18 confirming Council action. The applicant is seeking final plat approval to replat four parcels of land totaling 7.9 ± acres into one parcel for a property located at 1131, 1141, 1151, and 1161 North State Road 7. Agent: Steven E. McCraney. (Director of P & Z) [Postponed to a time certain of July 14, 2022 at 6:30 p.m. at the June 16, 2022 Regular Council Meeting]**

The Village Attorney (Mitty Barnard) explained the deadline to deliver the mylar was not met. The applicant agreed to a postponement of this application to a time certain of 6:30 p.m. on Thursday, August 18, 2022.

Vice Mayor Samios made a motion to approve the postponement to a time certain of 6:30 p.m. on Thursday, August 18, 2022; seconded by Councilman Valuntas. Hearing no discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

- 2. Public hearing to consider Variance Application 21-81 (SVAR), an application by Glen Welden & Associates LLC, the applicant is requesting a variance from Section 20-60 to allow for a 198.33 square foot wall sign where village code allows a maximum of 90 square feet and a 14.94 square foot cabinet sign where Village Code prohibits cabinet sign in excess of 10 square feet, for a property located at 390 S. State Road 7. * (Director of P & Z)**

This was quasi-judicial and the Village Attorney (Mitty Barnard) swore in all who will speak on this item and asked for ex-parte disclosures. The P & Z Director stated the applicant is requesting a sign variance for the City Mattress to allow for a 198.33 square foot wall sign where code allows a maximum of 90 square feet. He said Section 20-60 (4), which regulates signs permitted in the General Commercial (CG) district, states that the allowable front wall sign area for each building shall not exceed one square foot per linear foot of the front length of the building. As the building frontage is 90 feet, the maximum sign area allowed is 90 square feet. Also requested is a variance to allow for a 14.94 square foot cabinet sign where code prohibits cabinet signs in excess of 10 square feet. The applicant asserts that City Mattress has the same basic facade area as the other "In-Line" tenants yet is penalized with a significantly smaller wall mounted identity due to the restrictions imposed. Coupled with the 1,818 foot (1/4 mile) setback from State Road 7, being obscured by landscaping and the outparcel building for most of the viewable frontage causes the sign to be virtually invisible to the traveling public. The P & Z Director reviewed the criteria for granting a variance. The P & Z Commission and staff recommended denial.

After a short discussion, Glen Weldon representing the applicant asked for a postponement in order to prepare a full presentation.

Councilman Valuntas made a motion to postpone to a time certain of 6:30 p.m. on August 18, 2022; seconded by Councilwoman Rodusky. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

3. Public hearing to consider Variance Application 21-91 (VAR), an application by Myrione Pierre-Louis, the applicant is requesting a variance from Section 26-79 (4) (d) to allow for a reduced rear setback of 5.04 feet for an existing gazebo where Village Code requires 20 feet, a variance of 14.96 feet, for a property located at 211 Las Palmas Street. * (Director of P & Z)

This was quasi-judicial and the Village Attorney (Mitty Barnard) swore in all who will speak on this item and asked for ex-parte disclosures. The P & Z Director stated the applicant is requesting a Variance to allow for a reduced side setback of 5.04 feet where the code requires 20 feet, a variance of 14.96 feet. The applicant is requesting the variance to allow the placement of an existing gazebo that measures 12 feet by 12 feet. The applicant asserts that the gazebo is built within the property line; the permanent structure has been there for years, is not a substantial detriment to neighborhood and adds value while making the property more marketable. He reviewed the criteria for granting a variance. The P & Z Commission recommended approval and staff recommended denial.

Myrione Pierre-Lewis owner of the property at 211 Las Palmas Street stated she purchased the property five years ago with the existing gazebo. She reported that she was cited by Code Enforcement and asked for approval.

The Director of P & Z confirmed that letters were sent out to surrounding property owners and received no letters of support or objection.

Vice Mayor Samios confirmed that the gazebo was discovered by code enforcement. The Village Manager explained the code enforcement process noting that when the illegal structure became visible the property owners were cited.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilman Valuntas confirmed it is located on a public drainage easement. The P & Z Director stated that if the variance is approved they would be required to get a permit as well as sign an Easement Agreement. The applicant agreed to all conditions.

Vice Mayor Samios made a motion to approve; seconded by Councilman Hmara. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

4. **Public hearing for first reading and approval of Ordinance No. 1030, amending Chapter 26. Zoning. at Chapter 11.5. Floodplain Management., Sec. 11.5-2. Applicability. to update and clarify the firm maps dates and language, at Sec. 11.5-20. Definitions. to add a definition for the term accessory structure, remove definitions regarding existing, expanded and new manufactured home parks, and revise the definition of market value, at Sec. 11.5-30. Buildings and Structures. to allow accessory structures in flood hazard areas under certain circumstances, at Sec. 11.5-33. Manufactured Homes. to revise requirements for elevating manufactured homes and provide cross-reference to the Florida Building Code, at Sec. 11.5-37. amendments to the Florida Building Code. to remove local amendments regarding elevation requirements which have become part of the Florida Building Code, and at Sec. 11.5-1. General. to provide consistency edits. (Village Engineer)**

The Village Engineer stated this is a housekeeping item that will preserve the CRS rating and is consistent with FEMA requirements for that rating. He explained the flood zone areas and elevations to provide flood protection for the named structures.

Mayor Pinto confirmed this will maintain our level of service and will not have any negative impact on any existing homes. The Village Manager added this maintains the 20% discount.

After confirming with the Village Clerk and the Village Manager there were no public comments, Mayor Pinto closed public comment with no response.

Councilman Hmara made a motion to approve; seconded by Councilman Valuntas. Hearing no further discussion, Mayor Pinto put the motion to a vote and it passed unanimously.

ADJOURNMENT

Mayor Fred Pinto

Diane DiSanto, Village Clerk