

MINUTES OF REGULAR COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 260 ORANGE TREE DRIVE ATLANTIS, FL ON MAY 21, 2008 – IMMEDIATELY FOLLOWING LOCAL PLANNING AGENCY MEETING.

Mayor Manny Fernandez called the meeting to order at 7:20 PM, immediately following the LPA Meeting.

Present: Mayor Manuel Fernandez; Vice Mayor Fred Furtado, Mayor Pro Tem David Kintz, Councilmember Catherine Higgins, City Manager Mo Thornton, City Attorney Keith Davis, City Clerk Joan Cannata-Fox, Police Chief Robert Mangold and Utilities Director Steve Mazuk. Treasurer Michael Dahlgren was absent.

Mayor Pro Tem David Kintz moved to approve the minutes of the Council Workshop Meeting on Ordinance 404, the Council Meeting held April 16, 2008 and the FRIMA Workshop held April 30, 2008. The motion was seconded by Councilmember Catherine Higgins. Motion carried 4-0.

City Attorney Davis read by title only for second and final reading, Ordinance No. 404 – an Ordinance Amending Chapter 15, Zoning, to Provide for a Definition of Residential Use for second and final reading, which passed at the LPA meeting held previously. Mayor Pro Tem David Kintz made a motion to accept the Ordinance, with a revision on page 4 (18.5), striking the words from “for a period of no less than one month and no more frequently than three times per year”, from the first part of the definition and leaving it in the second part, which was seconded by Vice Mayor Fred Furtado. Motion carried 4-0.

City Attorney Davis read by title only first reading, Ordinance No. 405, an Ordinance Amending Chapter 9, Licenses Creating a new section titled Residential Rentals and to provide for an increase in Business Tax Fees. Vice Mayor Fred Furtado made a motion to accept the Ordinance, which was seconded by Mayor Pro Tem David Kintz. Motion carried 4-0.

Representative Shelley Vana provided Council with an update on the recent legislative session.

City Attorney Davis read by title only first reading, Ordinance No. 406, an Ordinance amending Chapter 10.7 to Provide for Additional Investment Options for the Police Pension Fund. Councilmember Catherine Higgins made a motion to accept the Ordinance, which was seconded by Vice Mayor Fred Furtado. Motion carried 4-0.

Miscellaneous Business:

FRIMA Mediation – the offer was \$97,500 plus attorney fees and costs. After discussion, Mayor Pro Tem David Kintz made a motion to accept the offer, which was seconded by Councilmember Catherine Higgins. Motion carried 4-0.

An Airport Safety Letter was drafted by Attorney Lohman to NTSB regarding the concerns at the Lantana Airport. After discussion, Mayor Pro Tem David Kintz made a motion to have Council sign the letter, which was seconded by Councilmember Catherine Higgins. Motion carried 4-0.

The Mayor read and signed a Proclamation of April 17, 2008 as Gene Baker Day in Atlantis.

Mayor Fernandez asked for comments from the public.

Naomi Zibelli, 253 N. Country Club Drive mentioned her concerns about rentals and traffic.

Chris Bluemer, 373 Colony Key Circle voiced his feelings regarding the flag at City Hall.

William Mitchell, 261 N. Country Club Drive also discussed rentals and traffic.

Pat Thorne, 540 Woodland Circle requested clarification of the FRIMA mediation matter. The city Manager provided same.

Leslie Leckrone, 569 N. Country Club Drive, expressed her concerns about Kintz Park.

League of Cities Report, City Manager Thornton reported on the last meeting she attended and announced that the Installation Banquet was this Friday. There was a very successful workshop for newly elected officials which was attended by Mayor Pro Tem David Kintz and Councilmember Catherine Higgins. The City Manager announced that \$33,800 in grant money would be coming to Atlantis for the Heart Trail in the west park. We hope to start the trail by spring of 2009. City Manager Thornton discussed Attorney Trela White representing both the Golf Club and the City in the matter of a temporary construction easement. Following discussion, Mayor Pro Tem David Kintz made a motion to have City Attorney Davis revise the drafted letters for signature by the City and the Golf Club, which was seconded by Vice Mayor Fred Furtado. Motion carried 4-0. The City Manager announced that the website is still a work in progress. City Manager Thornton presented a proposal for the JFK walls by Alexander King Construction. Following a discussion, it was agreed that since two council members were not present for the initial discussions of the design of the wall, that information would be provided to them. The City Manager gave a brief Treasurers Report in the absence of Michael Dahlgren. The water rate increase notification will be on the May water bills, announced in the June newsletter and would be discussed at the June Council meeting. Congratulations to City Clerk Joan Cannata-Fox who just recently received her Certified Municipal Clerk certificate.

Police Chief Mangold reported on the crimes for the month. He announced the retirement of Sgt. Jack Allen on June 1, 2008 and the return of Craig Brown in 4-6 weeks. City Attorney Davis reported that there was no change in the status of the municipal cases that were being monitored by Corbett & White on behalf of the City. Councilmember Catherine Higgins advised Council that she had been exploring the possibility of the gate guards asking drivers of vehicles without Atlantis stickers "May I Help You"? Vice Mayor Fred Furtado inquired as to how people who are renting their homes would be advised of the new ordinance. City Manager Thornton stated that they would receive letters, it would be announced in the newsletter and the various realty agencies would be provided with information and affidavits. The initial Business Tax Receipt for rentals would be from now until September 2009. In the future, they would only be for 12 month periods. Mayor Pro Tem David Kintz had no comments. Mayor Manny Fernandez announced that there was no Working Group meeting in May. They would meet in June to discuss hurricane preparedness. He inquired about the status of the lighting in the area of the JFK Medical Center, the Palms and the Atriums. This matter is still under investigation. The Shoppes of Atlantis have been cited for code enforcement violations.

There being no further business, the meeting was adjourned at 8:45 PM

City Clerk

Mayor Manny Fernandez

Note: A mechanical recording has been made of the foregoing procedures of which these minutes are a part, and is on files in the office of the City Clerk.