

MINUTES OF REGULAR COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 260
ORANGE TREE DRIVE ATLANTIS, FL. April 18, 2007, 7:30 PM

Mayor Manny Fernandez called the meeting to order at 7:30.

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

Councilmember Michael Dahlgren moved to approve the minutes of the Organizational Meeting and the Council Meeting held March 21, 2007. The motion was seconded by Vice Mayor Fred Furtado. Motion carried 5-0.

Mayor Fernandez asked for comments from the public.

Pat Thorne of 540 Woodland Circle, expressed concern about the shrubs encroaching and blocking the right of ways on S. Country Club and the children riding and operating golf carts. Keller Lanahan of 256 N. Country Club Drive was concerned about the appearance of the planters at the gatehouses. The Mayor agreed that there were other options. The City Manager and Police Chief will look into this and report back to Council. William Mitchell of 261 N. Country Club Drive reported that the guards at the gates do not seem to be doing the job properly. Mayor Fernandez reported that he met with the City Manager and Police Chief and the problems are being corrected. Pat Matulis of 165 Palm Circle asked for information regarding the recent airport meetings. This will be addressed by the Mayor later in the meeting.

City Attorney Davis read by title only for second and final reading, Ordinance No. 395, an Ordinance Amending the City's Comprehensive Development Plan to Adopt Revised Evaluation and Appraisal Report (EAR). City Attorney Davis explained the need for a Settlement Agreement to clarify some verbiage and Councilmember Frank Austino made a motion to accept the Settlement Agreement which was seconded by Councilmember Michael Dahlgren. Motion carried 5-0. Vice Mayor Fred Furtado made a motion to accept the Ordinance, which was seconded by Councilmember Michael Dahlgren. Motion carried 5-0.

City Attorney Davis read by title only first reading, Ordinance No.396, an Ordinance Prohibiting Neon Window Signs in all Zoning Districts. Vice Mayor Fred Furtado made a motion to accept the Ordinance, which was seconded by Councilmember Michael Dahlgren. Motion carried 5-0.

City Attorney Davis read by title only Resolution No.07-17 – A Resolution Supporting and Endorsing HB 1363 Creating the Organized Crime Group Prevention Act of 2007 and SB 2704 Creating the Gang Resistance and Training Program. Mayor Pro Tem David Cantley made a motion to accept the Ordinance which was seconded by Vice Mayor Fred Furtado. Motion carried 5-0.

Miscellaneous Business:

Mayor Fernandez read and signed a Proclamation naming April as Water Conservation Month in Atlantis.

League of Cities Report, City Manager Thornton reported on the last meeting she attended and invited the Council to the Installation Banquet in June where she will be sworn in as Secretary Treasurer. City Manager Thornton has spoken with the owner of the Shoppes of Atlantis regarding security issues; landscaping and the lighting. She was assured that this matter would be taken care of in a timely manner. They also discussed enhanced security measures. The City agreed to cooperate in any way they could with the owner of the Shoppes. City Manager Thornton received a proposal from Miller Legg of \$18,385 for the JFK Drive Improvement Project This interlocal agreement will be on the County Commission Agenda soon. City Manager Thornton said that she was still receiving bids for the Club House Boulevard wall project but the prices are high. The lowest bid so far is from A.D. Saba Enterprises. It was suggested that perhaps the City look into other options for wall improvements. The City Manager received some news from Tallahassee

regarding taxes and presented a portrait to Council of different scenarios if certain proposals are passed. The House passed their proposal to roll back the taxes to the 2001 figures, which would represent a loss of \$300,000 in property taxes to the City. There is a bill in the House to increase the sales tax 2 ½% and we are not sure what impact this will ultimately have on our City. The Senate is considering doubling the homestead exemption, which could represent a loss of \$123,000. We cannot quantify portability; property assessments are being worked on; tangible personal property tax might not have much of an impact on our City; renters relief and affordable housing does not impact Atlantis nor does work on waterfront. Council agreed that they would have some workshop and council discussions on the tax issue as we move through budgeting this summer. A possibility might be to raise the telecommunications tax.

Report of Officers: Mayor Pro Tem David Cantley read a memo from him to Council, regarding the Organizational Meeting of March 21, 2007, and requested it be made a part of the record. This memo is attached and included as part of the minutes. Councilmember Michael Dahlgren stated his concern about the tax situation and what is going to happen down the road if the taxes are cut and if the sales tax situation will mean anything to the City. We are at the half year mark in the budget, expenditures are within range, and the utilities look fine. There may be some issues that we will have to look at and the possibility of an increase in the utility rates and Council will have to work out the capital items. Councilmember Frank Austino was going to ask about the landscaping and lighting at the Shoppes but City Manager Thornton already addressed that issue. He did attend the airport meeting, but Mayor Fernandez will speak about that in his remarks. Vice Mayor Fred Furtado said that he felt that Greenacres was doing a good job and their response time was on the mark. City Attorney Keith Davis discussed the status of the FRIMA case, It is now in its third foreclosure. There is a hearing for a Final Judgment on April 26, 2007. As of today the fine amounts to \$218,284.03, with a \$500 per day fine accruing. After the Final Judgment, the Court will schedule a sale date. The Council discussed the appraisal report for 554 S. Country Club Drive. A copy will be provided to Council members and they will give their feed back to the City Manager.

Police Chief Mangold reported on the crimes for the month. There was another robbery at the Bank of America, but thanks to the excellent police work done by Officer Michele Ferrara, Officer Bill Amason and Detective Jenne, they have identified a suspect. The Chief stated that he had been in Atlantis for many years and had worked with the Palm Beach County Fire Rescue, the Lantana Fire Rescue and now Greenacres. He agreed that the kinks had been worked out, and for the most part, Greenacres was doing their part to insure a rapid response. The Chief is working on rectifying the situation with the guards at the gates.

Mayor Manuel Fernandez commended the professionalism and investigative work performed by Sgt. Jack Allen, Detective Marvin Jenne and Officer Michael Dombeck regarding his personal experience with two burglaries. The Mayor stated that the strategic plan which was put together a few years ago based on a survey of the residents is the driving force for the Council and they are close to "polishing off" 4 or 5 of the top 7-8 concerns of the residents. The first two being safety/security and beautification. He spoke about a task force meeting that he had attended with Police Chief Mangold regarding gangs in Palm Beach Country and it was an awakening. The Mayor commented on the recent airport meetings that he had attended and he was happy to report that the draft master plan was being scratched and there will be more reaching out to the community with regard to future improvements, etc. to the PBIA and Lantana airports. There is a meeting on April 25th, 6:30 pm, at 559 Military Trail, Exhibit Halls A & B, regarding the expansion of PBIA. The mayor, media, legislatures from the state and local governments and concerned residents will be attending.

There being no further business, the meeting was adjourned at 8:55 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.