

MINUTES OF REGULAR COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 260
ORANGE TREE DRIVE ATLANTIS, FL. May 16, 2007, 7:22 PM

Mayor Manny Fernandez called the meeting to order at 7:22.

Present: Mayor Manuel Fernandez; Vice Mayor Fred Furtado, , 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. Mayor Pro Tem David Cantley was absent.

Councilmember Frank Austino moved to approve the minutes of the Council Meeting held April 18, 2007. The motion was seconded by Vice Mayor Fred Furtado. Motion carried 4-0.

Councilmember Frank Austino made a motion to re-sort the Agenda and hear comments from the public later since the Council meeting started before 7:30 following the LPA. This motion was seconded by Councilmember Mike Dahlgren.

City Attorney Davis read by title only for second and final reading, Ordinance No. 396, An Ordinance Prohibiting Neon Window Signs in All Zoning Districts. Councilmember Austino made a motion to accept the Ordinance, which passed at the LPA meeting previously. This was seconded by Councilmember Michael Dahlgren. Motion carried 4-0.

City Attorney Davis read by title only Resolution No.07-18 – A Resolution Authorizing the Mayor to sign a Consultant Services Authorization for Engineering Services for JFK Drive. Councilmember Michael Dahlgren made a motion to accept the Resolution, which was seconded by Vice Mayor Fred Furtado. Motion carried 4-0.

City Attorney Davis read by title only Resolution No. 07-19 – A Resolution in Opposition to HB #529. Councilmember Frank Austino made a motion to accept the Resolution, which was seconded by Councilmember Michael Dahlgren. Motion carried 4-0

Council had voted on the Ordinance and Resolutions, but the time was not yet 7:30. Mayor Fernandez asked if City Manager Thornton could deliver her report to Council at this time and asked for a motion to hear comments from the public between 7:30-8. Councilman Frank Austino made said Motion, which was seconded by Vice Mayor Fred Furtado. Motion carried 4-0.

Miscellaneous Business: City Manger Mo Thornton delivered a report regarding the League of Cities and the last meeting. She informed Council that work on the 2007-2008 budget has commenced. The camera project is on track and the additional camera for the west entrance has been ordered. The wall project is out for bid again. City Manager Thornton discussed the options for the wall with Council and they will be discussed further when the bids are received. Ms Thornton mentioned the letter she was given from The Spivey Group regarding the Congress Avenue widening project and how it might impact Atlantis. The letter mentions Parcel 312 and outlines the taking of a temporary construction easement along the west side of Congress, which would involve a chain link fence with screening, landscaping, and a concrete wall. This would be our Club House Boulevard entrance. After a lengthy discussion, it was decided to get the bids in for the walls, but before we spend any money on a final design, we want to determine what impact the widening of Congress Avenue will have on the Club House Boulevard entrance. In the meantime, we will move forward on the JFK Drive widening project. Michael Dahlgren made a motion to move forward with the paving project as recommended, which was seconded by Fred Furtado. Motion carried 4-0. City Manager Thornton advised Council that there was sufficient

money in the 2007 budget for the paving of Woodland Circle and Forestview Drive. In the 2008 budget we will have sufficient money to pave Pine Villa Drive and Pine Tree Court. It was the suggestion of the City Manager to put all the paving projects out to bid so that we can do them at the same time and save money. The fountain project is a bit behind schedule. The landscape will be in the middle of next week, the lights will go in after that, and in a couple weeks, the water will be flowing.

Mayor Fernandez then asked for comments from the public. Joy Decicco of 601 Cypress Key Drive inquired about the source of the funding of the fountain, the cost and will recycled water be used. Also, do we know what the plans are for the site of the former Atlantis Inn. Dr. Karl Lozier of 334 Villa Drive South commented on the Congress Avenue widening; the airport's role in the widening project; the condition of the plantings along Congress Avenue and water restrictions. Jennifer Kelly of 374 Glenbrook Drive said she heard negative comments on the fountain; asked about the cameras and the plants at the entrances. William Mitchell of 261 North Country Club Drive requested residents be patient and wait for the entrance to be completed before making judgments. He suggested painting the walls to compliment the brick might be the way to go. Nancy Wolfe of 465 Pine Tree Court asked for clarification of water restrictions. This matter will be researched with the SFWMD and up to date information given to residents. Richard Brown of 109 Westwood Court advised that the residents will be in awe when they see the finished results of the fountain and entrance.

Report of Officers: Councilmember Frank Austino asked if Atlantis could be featured in the *Palm Beach Post* newspaper section of "Florida Homes". He commented on the JFK Hospital newspaper article regarding a deal made with The Fountains. City Manager Mo Thornton has a call into Madeline at JFK and the Mayor has been looking into the matter as well. He asked about the lights in the Shoppes of Atlantis and was advised that a Code Enforcement action would be instigated. Vice Mayor Fred Furtado explained the camera feature and how it works to the members of the public. He stated that the hedge along Congress was filled in the best the City could with the materials available after the hurricane. Councilmember Dahlgren said the budget was looking good seven months into the year. We are getting sales tax and the other revenue from the state, and we are keeping a close eye on expenditures. Councilmember Frank Austino asked about the Splash Pad – not operating since the water restrictions. The next grant deadline is September and we will attempt to apply for a FRDAP grant to cover the costs for a re-circulation water system. Mayor Fernandez will be attending a gang violence symposium at FAU and an Airport Noise meeting within the near future. The Airport Committee has stopped all plans at this time since the surrounding communities have expressed opposition. The Mayor is part of a subcommittee that will give voice to municipalities and will meet May 23, 2007, 12-2 PM in our City Hall Chambers. This meeting is open to the public. The Mayor met with Frank Guzman from Congressman Klein's Office and mentioned our concerns regarding funding initiatives. Mr. Guzman was open to suggestions and willing to listen. Under consideration are modifications to the Kintz Park building. The Mayor suggested patience in regard to the look of the entrance. Police Chief Mangold reported on the active crime month, however only one incident occurred within the residential area of the City. Attorney Keith Davis brought Council up to date on the FRIMA case. The final default judgment is \$226,017.12 with a sale date of May 31, 2007. However a new attorney for the owners in California has filed a Motion to Vacate the Judgment and this matter is set for hearing on May 30, 2007. The FRIMA fines were \$20,875.00 in 2004; and \$84,486.00 in 2005-2006. If the Order is vacated, Mr. Davis will be asking the Court to continue the fine of \$500.00 per day.

There being no further business, the meeting was adjourned at 8:40 PM

City Clerk

Mayor Fred Furtado

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.