

November 15, 2023

## Village Council Meeting

### Attendance:

Mayor Nelson  
Mr. Miron  
Mr. Fulmer  
Mr. Volkert  
Mr. Tomlinson

### Also:

D. J. Doody  
Sean Swartz  
Douglas Hodgson  
Christopher Weber  
Starr Paton

The roll was called, and a quorum was determined.

Mayor Nelson asked the council for a motion to amend the agenda to address new business first. Motion made by Mr. Miron and seconded by Mr. Volker to amend the agenda. Motion passed unanimously.

Motion made by Mr. Miron and seconded by Mr. Volkert to appoint Christopher Weber to replace Mrs. Bryan on the council. Mr. Doody read resolution 2023-16 by title only appointing Christopher Weber to the Village Council. The roll was called the motion and resolution passed unanimously. Mr. Weber signed his oath of office.

Mayor Nelson stated Mr. Neal resigned from the council. Motion made by Mr. Miron and Mr. Volkert to appoint Douglas Hodgson to replace Mr. Neal on the council. Mr. Doody read resolution 2023-17 by title only appointing Doug Hodson to the Village Council. The roll was called, and the motion and resolution passed unanimously. Mr. Hodgson signed his oath of office.

Motion made by Mr. Miron and seconded by Mr. Volkert to appoint Mr. Tomlinson as president of the Village Council. The roll was called, and the motion passed unanimously.

Mr. Doody stated he was attending the meeting as the Village Council attorney not as a resident to discuss municipal charter changes that might be in the best interest of the village. Changes to the Florida State Statutes now mandate that all municipal elected officials will be required to complete Form 6 Financial Disclosures which require officials to disclose and report assets and liabilities over \$1000. This may have an adverse impact on the availability of candidates to serve on the village council. Mr. Doody stated the charter is the constitution of the Village. It

was founded in 1958 and amended in 1987. It is the legal source to govern the Mayor and Council. Tonight, we are discussing adopting ordinances revising the charter on first reading tonight and second reading at the December meeting so that these changes can be presented to the Broward Supervisor of Elections by January 2, 2024, for referendum voting in March. We will be discussing changes to the number of council members and the power of the mayor. This needs to be addressed to maintain the independence of the Village.

Mr. Doody asked the council to consider Ordinance 2023-05 which serves to reduce the number of council members from seven to five. The council may also consider reducing the number of council members to three as well as other resignations are possibly imminent. The mayor's position could then be appointed within the council as one of the five and not a separate non-voting member of the council. Most municipalities now have councils of five members. The council discussed issues relating to the Form 6 and number of council members. Mr. Hodgson made a motion to amend the ordinance to reduce the number of council members from five to three. The council discussed the advantages and disadvantages of each. Mr. Doody stated the council could create an advisory board that is not elected that might deal with site plans, landscape plans etc. but the budget needs to be approved by the council members. Mr. Miron seconded the motion. Mr. Doody read Ordinance 2023-05 by title only, discussing all aspects of the ordinance with council members. Motion made by Mr. Hodgson and seconded by Mr. Miron to approve the amended ordinance reducing number of council members from five to three. The roll was called. Mr. Miron, Mr. Hodgson, and Mr. Weber voted to approve the amended ordinance; Mr. Fulmer, Mrs. Bruener, and Mr. Volkert voted against the amended ordinance. Motion failed 4-3. Motion made by Mr. Hodgson and seconded by Mr. Volkert to approve Ordinance 2023-05 as presented. The roll was called, and the motion passed unanimously.

Mr. Doody asked the council to consider Ordinance 2023-06 which addresses the duties of the mayor. Mr. Doody read the ordinance by title only. This ordinance removes the separate role of the mayor. Public comments were opened. Mr. Phegley asked a question regarding form 6. Public comments were closed. This ordinance is intended to make the mayor a member of the council and would be selected by the council members. Motion made by Mr. Tomlinson and seconded by Mr. Hodgson to approve ordinance 2023-06. The roll was called, and the motion passed unanimously.

Mr. Doody asked the council to consider Ordinance 2023-07 which addresses an affirmative vote of a majority of the members of the village council present at a meeting where a quorum is established to enact any resolution or ordinance of the village. This ordinance provides for notice of advertisement of the referendum election to be published in accordance with state election code and this ordinance, when adopted, shall be submitted to the qualified electors of the village on the March 2024 municipal election ballot. Motion made by Mr. Miron and seconded by Mr. Volkert to approve ordinance 2023-07. The roll was called, and the motion passed unanimously.

Mr. Doody asked the council to consider Ordinance 2023-08 which addresses the qualifications of potential village officers, potentially allowing non-residents to run for council positions, to expand the pool of potential candidates. The council discussed this at length. Motion made by Mr. Miron and seconded by Mr. Volkert to deny consideration of ordinance 2023-08. The roll was called and the motion to deny passed unanimously.

The council discussed the possibility of a workshop to invite discussion with residents to better communicate these issues. It would require proper notice, quorum, and agenda.

Mayor Nelson discussed the lease with the Beach Club and proposed revisions to the proposed changes by the Beach Club. Gross rent would be \$6,200 per month subject to a 2% annual increase with a 10-year term, adding details regarding police and employee parking. The council discussed payment in full for the irrigation wells rather than including this as part of the lease. Mr. Tomlinson felt we needed to work them and should give the mayor the authority to negotiate and execute the lease on behalf of the council. Mr. Miron motioned to approve resolution 2023-15 with terms agreed upon by the council and giving the mayor authority to negotiate and execute the lease. Motion was seconded by Mr. Volkert. The roll was called, and the motion passed unanimously.

Mayor Nelson asked the council to review the minutes of the October 18, 2023, council meeting and October 25, 2023, council workshop. Motion made by Mr. Weber and seconded by Mr. Volker to approve the minutes. Motion passed unanimously.

Mr. Tomlinson reviewed the accounts payable for November. All the bills were ordinary and reasonable. Motion made by Mr. Miron and seconded by Mr. Volker to approve the accounts payable for November. Motion passed unanimously.

Mr. Tomlinson reviewed the October 31, 2023, financial statement. The cash balance at the end of October was \$1,978,670. This is the first month of our fiscal year. Last year interest earned was \$6,200. Expenses were in line, and we should be receiving our first ad valorem receipts in late November once tax payments have been received. Motion made by Mr. Hodgson and seconded by Mr. Miron to approve the October financial statement. Motion passed unanimously.

#### Police Report:

Chief O'Brien stated we have two of our officers out on medical issues. We are looking for additional part-time officers. One of our senior residents was the victim of a financial scam. Due to one of our officers' diligent and quick efforts, 85% of her losses have been returned with the help of the postal authorities. We will be purchasing a radar sign that can be mounted to the back of a vehicle which will help reduce speed and enforce traffic safety. The Beach Club cameras are back online currently.

Code Compliance Report:

Mayor Nelson stated our new code officer submitted a report this month. Victor will attend the December meeting in person.

Beach Club Liaison Report:

Mrs. Bruener stated the gatehouse roof bids were discussed. The lake quality has improved, and the membership fee was discussed further. The by-laws committee is continuing to work on reviewing the rules.

Mayor Nelson thanked Mrs. Bryan and Mr. Neal for their contributions and service to the Village Council

The council discussed the possibility of the workshop and decided a letter will be sent to all residents to explain the charter amendments and effect of the Form 6 financial disclosure changes.

The December council meeting will be held on Tuesday, December 5, 2023, at 5:00 p.m.

Adjourn.