

September 11, 2024

Village Council Meeting
Final Budget Hearing

Attendance:

Mayor Yardley

Mr. Tomlinson

Mr. Borshchukov

Mr. Robichaux

Mr. Hodgson (via telephone)

Mr. Weber (via telephone)

Also:

Mr. D. J. Doody

Starr Paton

The roll was called, and a quorum was determined.

The minutes from the July 10, 2024, village council meeting and September 4, 2024, special council meeting/first budget hearing were reviewed. Motion made by Mr. Tomlinson and seconded by Mr. Borshchukov to approve the minutes. Motion passed unanimously.

Mayor Yardley opened the final budget hearing. Mr. Tomlinson reviewed the final budget. The police salaries, usage and time increased at the end of this fiscal year due to an increase in the cost of surveillance due to incidents in the village. The increased cost of surveillance and the annual increase outlined in the PBA contract was the largest increase in the budget. Mr. Tomlinson discussed the annual increases in our fire contract with Pompano Beach and Waste Management. Mayor Yardley stated a new exit gate will be installed which will be controlled by gate personnel in overnight hours. Chief O'Brien stated most likely the hours will be 11 p.m. to 6 a.m. but that can vary depending on activity and events.

Mayor Yardley opened the public hearing for the final millage rate. There were no comments. The public hearing was closed. Motion made by Mr. Tomlinson and seconded by Mr. Borshchukov to set the final millage rate at 6.50 mills. Mr. Doody read the resolution to set the final millage rate by title only adopting a final millage rate of 6.50 mills for the general operation fund for fiscal year October 1, 2024, and ending September 30, 2025. The roll was called, and the motion passed unanimously.

Mayor Yardley opened the public hearing for adopting the final budget. There were no comments. The public hearing was closed. Motion made by Mr. Borshchukov and seconded by Mr. Tomlinson to adopt the final budget. Mr. Doody read the resolution to

adopt the final budget for the fiscal year beginning October 1, 2024, and ending September 30, 2025. The roll was called, and the motion passed unanimously.

Mayor Yardley stated the village owes a debt of gratitude to Mr. Tomlinson for his excellent handling of the village finances and budget.

Mr. Tomlinson reviewed the August and September account payables. All the bills were ordinary and necessary. The Tree Team trimmed all the trees along the A1A wall and discussed the billing from Calvin Giordano. Most of that bill will be reimbursed by the resident for landscape plan review fees. Motion made by Mr. Tomlinson and seconded by Mr. Borshchukov to approve the accounts payable for August and September. The motion passed unanimously.

Mr. Tomlinson reviewed the July financial statement. The August statement was not completed as of the meeting date. Cash balance was \$2,568,473. Mr. Tomlinson discussed the investment accounts with Florida Prime and Florida Municipal Investment Trust. For the remainder of the calendar year will be running on a deficit of about \$100,000 per month as we will not be receiving our ad valorem taxes until late November/early December. We were actually \$6,400 over budget on the ad valorem funds this year. All revenues were in good shape. The police budget was over budget for the first time due to the costs of the increased patrols and addition of an extra officer. Mayor Yardley stated for the last month we have not had any other incidents, hopefully due to added patrols and lane reductions at the gate. The chief stated they are making some progress in the investigation. Motion made by Mr. Tomlinson and seconded by Mr. Borshchukov to approve the July financial statement. Motion passed unanimously.

Police Report:

Chief O'Brien stated the department is updating their storm preparedness procedures if mandatory evacuation is necessary. The officers are patrolling construction sites for parking issues, and we are asking for advance notice of heavy equipment deliveries to better prepare for parking and traffic issues.

Code Compliance:

The code compliance report was given to council members in their packets. Mayor Yardley stated we have had an issue with Calvin Giordano not assigning a permanent compliance officer to us. Once we get a regular officer they will report to the council. Bernard Pita had placed door hangers on several residences for property maintenance issues. Mr. Robichaux stated he'd like to assure that this is not revenue generated but compliance generated and only obvious egregious issues are addressed. Mayor Yardley stated we are working towards that end. Mrs. Debbie Barker stated she would like to ask the council to address the number of workers on a construction site at any given time. The Chief stated we are looking into a better solution, perhaps parking additional cars at the Beach Club. The construction site at 3 Saranac Road is also an issue as it can be an enforcement challenge due to location on the curve. Mrs. Barker also discussed the project at 24 Winnebago Road and asked for fencing and screening to be placed on the property. The building official will

follow up upon his return from vacation next week. The council discussed revisiting the screening ordinance to screen the sites and work vehicles from view.

Beach Club Liaison:

Mrs. Debbie Barker spoke on behalf of the Beach Club Board. The new directories are finished and can be picked up. The directory binders included contact information plus Beach Club by-laws and rules and has photos of employees and police officers. The village message board is getting replaced with an electric message board which will give us the ability to get alerts as well as notices for meetings, etc. Additional drainage work is being done on Seneca which should alleviate some of the water issues and increase flow from lakes to intracoastal. The Beach Club is also getting a website to better communicate information to residents. A couple of additional cameras are also being installed which will capture more of the parking area.

Public Comments:

Mr. Kiko Franco of 38 Cayuga Rd. wanted to comment on the variance request for 1 Winona – chose to speak during the public hearing for that item.

Mrs. Beccy Hunter-Reay of 23 Saranac Rd. spoke regarding a violation she received for the height of her hedges. She stated many hedges in the village, including the one between the gate and 10 Winnebago, are over the 8-foot maximum hedge height. She asked the council to review the ordinance, asking to increase the allowable height of the hedges within the village. Mrs. Hunter-Reay stated the complaint was from her neighbor and she is being selectively enforced to comply. Mayor Yardley stated this can be brought before the council at the October meeting for discussion to enforce current ordinance or change. Mr. Franco asked that the council also address hedges in the swale area as the Beach Club has a right of way for the first 5 feet off of the street. He asked that the Village coordinate with the Beach Club on this.

New Business:

Mayor Yardley asked the council to consider the landscape plan for 41 Seneca Rd. Calvin Giordano has reviewed the plan, and it is now in compliance and approved. Motion made by Mr. Tomlinson and seconded by Mr. Borshchukov to approve the landscape plan for 41 Seneca Rd. Motion passed unanimously.

Mayor Yardley asked the council to consider the variance request for setback encroachment at 1 Winona Lane. Mr. Michael Dayhoff of 1 Winona Lane, Mr. Jay Lefka and Mr. James Cruz of Bomar Builders and Ms. Evelyn Alejo Gabilondo, AIA of Tropical Architecture were sworn in to testify regarding the variance request. Mr. Lefka stated the existing plans that were originally submitted were from an existing plan of the home. All measurements during construction appeared correct during subsequent surveys. Upon submission of the final survey and elevation certificate for certificate of occupancy the encroachment into the setback was found. The encroachment is 3.8 feet into the west

setback of the property. Adjacent property owners were notified. No objections were submitted.

Public comments were opened. Mr. Kiko Franco of 38 Cayuga Rd., who is an architect, stated variances are for hardships only and cannot be granted for self-inflicted creations. This is not the first time. Mr. Franco stated a survey based on the slab and form board should have been taken and submitted prior to allowing building to continue. This should be part of the code and will prevent this from happening again. He is not opposed to the variance but going forward would require any project to submit a survey not more than 6 months old. Mr. Franco discussed the process of the architectural review committee and stated they did not review this project. Mr. Borshchukov stated the council will take up Mr. Franco's recommendations and review the code so this does not happen again at a future meeting.

Public comments closed.

Mr. Tomlinson asked Mr. Lefka what the cost would be to tear down or alter the structure to correct the setback issue. There are pilings and the main services of the home are in place now. This would change the whole use of the structure. Mr. Lefka stated everything was inspected all the way through. The structure was not located correctly on the plan. They are requesting a variance of 3.8 feet on the side setback.

Mayor Yardley asked the council for a motion to approve the request for variance of 3.8 feet into the west side setback of 1 Winona Lane. Motion made by Mr. Borshchukov and seconded by Mr. Robichaux to approve the variance. The roll was called, and the motion passed unanimously. Mr. Hodgson and Mr. Weber could not vote as they were not physically present. Mr. Robichaux stated we need to address the spot survey issue in the code at the next meeting.

The October council meeting will be held on Thursday, October 17th at 5:00 p.m.

Adjourn.