

**VILLAGE OF PALMETTO BAY**  
**Minutes of the Special Council Meeting of December 19, 2011**  
**Village Hall Chambers**  
**9705 East Hibiscus Street**

**1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE**

Mayor Shelley Stanczyk  
Vice Mayor Brian W. Pariser  
Council Member Patrick Fiore  
Council Member Howard Tendrich  
Council Member Joan Lindsay

Staff present:

Village Manager Ron E. Williams  
Village Attorney Eve A. Boutsis  
Village Clerk Meighan J. Alexander  
Director of Planning & Zoning Darby DelSalle  
Miami-Dade County Policing Unit Commander Gregory Truitt

Mayor Stanczyk called the meeting to order at 7:05 p.m. Mayor Stanczyk led the pledge of allegiance.

**2. ORDINANCES:**

- A. AN EMERGENCY ORDINANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ELIMINATING RULE 20-63 FROM THE VILLAGE'S PARK RULES; PURSUANT TO SECTION 4.1(A) AND 4.4 OF THE VILLAGE CHARTER THIS REPEAL IS TO ENSURE THE SAFETY, LIFE, PROPERTY, PUBLIC PEACE AND GENERAL WELFARE OF THE VILLAGE AND ITS RESIDENTS BY ELIMINATING RULE 20-63 PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. **(Public Hearing required.)**

Councilman Tendrich moved this item forward. Seconded by Vice Mayor Pariser.

Attorney Boutsis explained that under the Charter, emergency ordinances terminate after 60 days and if the proposed Ordinance is adopted, the matter will return to second reading in January. She advised that while the County attorney can administratively repeal an ordinance, she cannot and this matter concerns the recent state law banning laws that prohibit firearms.

Following brief comment, Mayor Stanczyk asked if it were necessary to remove both provisions or only the section concerning firearms.

Attorney Boutsis explained that to be cautious, she is recommending repealing all provisions concerning weaponry.

Mayor Stanczyk asked if the Village is mirroring the County ordinance. Attorney Boutsis advised that the section of the county ordinance is similar.

Mayor Stanczyk opened the public hearing. Peter England, 7620 SW 171 Street, spoke in opposition to the proposed ordinance.

Mayor Stanczyk explained that this matter is required by State law; and, the law is written wherein public officials may be held personally liable. She stated that she will have the Village's lobbyists address this issue.

Councilman Tendrich concurred that the matter should be on the Village's legislative agenda.

Vice Mayor Pariser agreed, adding that punitive measures placed upon individual council persons is incorrect.

Councilman Fiore asked the repercussions.

Attorney Boutsis advised that the Council people would be held personally liable and claims for damages could be filed against the Village also.

Mayor Stanczyk called the question. All voted in favor. The Emergency Ordinance was adopted unanimously (5-0.)

- B. AN ORDINANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ELIMINATING RULE 20-63 FROM THE VILLAGE'S PARK RULES; PURSUANT TO SECTION 4.1(A) AND 4.4 OF THE VILLAGE CHARTER THIS REPEAL IS TO ENSURE THE SAFETY, LIFE, PROPERTY, PUBLIC PEACE AND GENERAL WELFARE OF THE VILLAGE AND ITS RESIDENTS BY ELIMINATING RULE 20-63 PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

Councilman Tendrich moved this item. Seconded by Vice Mayor Pariser.

Attorney Boutsis reported that the previous ordinance is repealed in 60 days and this proposed Ordinance may be adopted following second reading/public hearing at the January 9<sup>th</sup> Council meeting.

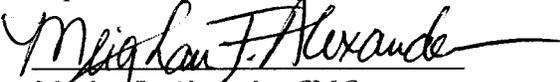
Councilman Tendrich asked if line 32 was accurate. Attorney Boutsis responded that it was accurate, there are two sub-categories.

Mayor Stanczyk called the question. All voted in favor. The Ordinance passed unanimously on first reading and will be scheduled for second reading/public hearing on January 9<sup>th</sup>, 2012 (5-0.)

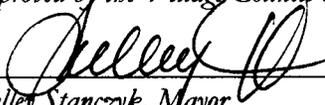
### 3. NEXT MEETING AND ADJOURNMENT

The Meeting was officially adjourned at 7:20 pm.

*Prepared and submitted by:*

  
Meghan J. Alexander, CMC  
Village Clerk

*Approved by the Village Council on this 9<sup>th</sup> day of January, 2012.*

  
Shelley Stanczyk, Mayor

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