



## VILLAGE OF PALMETTO BAY

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

Village Manager Ron E. Williams  
Village Attorney Eve A. Boutsis  
Village Clerk Meighan J. Alexander

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter, or hearing impaired to participate in this proceeding should contact the Village Clerk at (305) 259-1234 for assistance no later than four days prior to the meeting.

### VILLAGE COUNCIL MEETING AGENDA

Monday, May 7, 2012 - 7:00 P.M

Village Hall Chambers

9705 E. Hibiscus Street

(305) 259-1234

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

#### 2. **PROCLAMATIONS, AWARDS, PRESENTATIONS**

- A. Recognition of Troop 457 Eagle Scouts
- B. Mayor MacDougall – P.A.C.E. Update
- C. Legislative Update – Book & Levy

#### 3. **APPROVAL OF MINUTES**

- A. Minutes of the Local Planning Agency Meeting of April 2, 2012
- B. Minutes of the Regular Council Meeting of April 2, 2012

#### 4. **CONSENT AGENDA**

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO SPECIAL EVENTS; EXPRESSING SUPPORT FOR THE 2012 RELAY FOR LIFE EVENT HELD IN PALMETTO BAY THROUGH DONATION OF TWO LIGHT TOWERS; PROVIDING AN EFFECTIVE DATE. (Sponsored by Mayor Shelley Stanczyk)
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ATTORNEYS' FEES; APPROVING ATTORNEYS' FEES AND COSTS FOR FIGUEREDO &

Village of Palmetto Bay

Agenda of the Regular Council Meeting of May 7, 2012

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BOUTSIS, P.A. IN THE AMOUNT OF \$22,183.39; PROVIDING AN EFFECTIVE DATE.

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ATTORNEYS' FEES; APPROVING ATTORNEYS' FEES AND COSTS FOR WHITE & CASE IN THE AMOUNT OF \$14,888.56; PROVIDING AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; AMENDING RESOLUTION 2011-79; RE-SCHEDULING THE BUDGET WORKSHOP TO JUNE 6, 2012 (PREVIOUSLY SCHEDULED FOR MAY 14, 2012); PROVIDING AN EFFECTIVE DATE.
- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT WITH GAMETIME C/O DOMINICA RECREATION PRODUCTS, INC. FOR THE PURCHASE, DELIVERY AND INSTALLATION OF OUTDOOR FITNESS EQUIPMENT AND SURFACING AT PALMETTO BAY PARK; PIGGYBACKING WITH U.S. COMMUNITIES CONTRACT No. #110179; AND AUTHORIZING THE VILLAGE MANAGER TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$38,299.47; AND PROVIDING AN EFFECTIVE DATE.

**5. REQUESTS, PETITIONS AND PUBLIC COMMENTS**

**6. VILLAGE MANAGER'S REPORT**

- A. Village Police Commander Update
- B. Recognizing National Public Works Week
- C. Second Quarter Budget to Actuals

**7. VILLAGE ATTORNEY'S REPORT**

- A. May, 2012 Update

**8. BOARD AND COMMITTEE REPORTS**

**9. RESOLUTIONS**

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BOARDS AND AGENCIES; ACCEPTING THE JOINT REPORT OF THE BUILDING AND PERMITTING ADVISORY COMMITTEES; PREPARED BY THE RESIDENTIAL PERMITTING SUBCOMMITTEE AND COMMERCIAL

PERMITTING SUBCOMMITTEE; AND PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, DIRECTING STAFF TO TELEVISION AND PROVIDE LIVE STREAMING VIDEO OF THE 2012 AND FUTURE CHARTER REVISION COMMISSION MEETINGS; PROVIDING AN EFFECTIVE DATE. (Sponsored by Councilman Howard Tendrich.)
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GENERAL ELECTION OF NOVEMBER, 2012, DIRECTING STAFF TO POST CAMPAIGN TREASURER REPORTS AND REPORT SUMMARY SHEETS FOR THE 2012 CAMPAIGN; PROVIDING AN EFFECTIVE DATE. (Sponsored by Councilman Howard Tendrich.)
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ADVISORY BOARDS; CREATING RULES AND REGULATIONS FOR ALL ADVISORY BOARDS; PROVIDING AN EFFECTIVE DATE. (Sponsored by Councilman Howard Tendrich.)
- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AD HOC ADVISORY BOARDS; APPOINTING MEMBERS TO THE EDUCATIONAL COMPACT ADVISORY COMMITTEE; PROVIDING AN EFFECTIVE DATE.
- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THALATTA ESTATE; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BERMELLO, AJAMIL & PARTNERS (AS ESTABLISHED BY RESOLUTION NO. 2010-36) TO PROVIDE ARCHITECTURAL SERVICES, AND FOR ARCHITECT TO PREPARE BID DOCUMENTS AND SEALED ENGINEERED DRAWINGS FOR THE REHABILITATION OF THE THALATTA ESTATE MAIN HOUSE AND OTHER RELATED IMPROVEMENTS FOR THE AMOUNT OF \$55,978; AND PROVIDING AN EFFECTIVE DATE.
- G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BOARDS AND AGENCIES; ESTABLISHING THE ZONING ADVISORY COMMITTEE; AUTHORIZING A FINAL REPORT BY SAID ADVISORY COMMITTEE; PROVIDING FOR A SUNSET OF THE COMMITTEE AFTER ISSUANCE OF THE FINAL REPORT AND/OR A SIX MONTH PERIOD, WHICHEVER OCCURS EARLIER; AND PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].

- H. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING IN PROGRESS PURSUANT TO SECTION 30-30.10; TO CREATE AN ORDINANCE IMPOSING A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS BY THE EARLIER OF FOUR MONTHS OR THE FINAL ADOPTION OF THE VILLAGE'S REVISIONS TO THE LAND DEVELOPMENT CODE TO CREATE NEIGHBORHOOD PRESERVATION AND COMPATIBILITY REGULATIONS; THIS ZONING IN PROGRESS RESOLUTION SHALL RESULT IN THE DRAFTING OF A MORATORIUM ORDINANCE IN ORDER TO COMPLETE THE NEW NEIGHBORHOOD PRESERVATION AND COMPATIBILITY REGULATIONS; PROVIDING FOR ORDINANCES IN CONFLICT; CODIFICATION; SEVERABILITY; AND AN EFFECTIVE DATE. [Sponsored by Council Person Joan Lindsay].

**10. RESOLUTIONS REQUIRING PUBLIC HEARING**

**11. ORDINANCES FOR FIRST READING**

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; AMENDING ORDINANCE NO. 09-04 TO MODIFY PARK FEES RELATING TO THE EDWARD AND ARLENE FELLER COMMUNITY ROOM AT LUDOVICI PARK; PROVIDING FOR AN ADMINISTRATIVE WAIVER FOR ALL NONPROFITS OR COMMUNITY GROUPS TO THE USE OF THE EDWARD AND ARLENE FELLER COMMUNITY ROOM, WITHOUT FEE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Council Person Patrick Fiore].
- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL, OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING DIVISION 30-150, ENTITLED "HISTORIC PRESERVATION," OF THE VILLAGE'S LAND DEVELOPMENT CODE, TO BE CONSISTENT WITH SECTION 16A, ENTITLED "HISTORIC PRESERVATION," OF THE MIAMI-DADE CODE OF ORDINANCES, WITH REGARDS TO AUTHORITY, RESPONSIBILITIES AND CRITERIA; PROVIDING FOR A LEGISLATIVE REVIEW CLAUSE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

**12. ORDINANCES FOR SECOND READING AND PUBLIC HEARING**

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO DEVELOPING A PROCESS FOR AMENDING THE VILLAGE CHARTER AS REQUIRED BY CHARTER SECTION 6.1(A); PROVIDING FOR A PROCESS TO REVIEW A PETITION, COORDINATE A PETITION COMMITTEE, A

PROCESS FOR REVIEW BY THE VILLAGE CLERK, VILLAGE ATTORNEY, AND A DETERMINATION BY THE MIAMI-DADE COUNTY ELECTIONS DEPARTMENT AS TO THE SUFFICIENCY OF SIGNATURES; PROVIDING FOR COUNCIL APPROVAL FOR BALLOT; PROVIDING FOR TIME PERIOD TO HOLD ELECTION ON CHARTER AMENDMENT BALLOT QUESTION; CREATING PROCESS FOR AMENDING THE VILLAGE CHARTER; CREATING SECTION 10-13 ENTITLED "PROCEDURES AS TO CHARTER AMENDMENTS"; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Council Person Joan Lindsay].

**13. OTHER BUSINESS**

**14. COUNCIL COMMENTS**

**15. NEXT MEETING AND ADJOURNMENT**

PURSUANT TO FLORIDA STATUTES 286.0105, THE VILLAGE HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.