



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, November 5, 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 Spring/Summer League – 10 year old & under tennis team
 - B. Presentation of donation to local public schools in honor of the 10-Year Anniversary
 - C. Expression of Gratitude to Mr. and Mrs. Theodore Nicholeris, J.B. Cash Foundation, Inc.
3. **APPROVAL OF MINUTES**
 - A. Minutes of the Local Planning Agency Meeting of October 1, 2012
 - B. Minutes of the Regular Council Meeting of October 1, 2012
4. **CONSENT AGENDA**
 - A. 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 & BOUTSIS, P.A. IN THE AMOUNT OF \$23,549.29; PROVIDING AN EFFECTIVE DATE.

- 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 WHITE & CASE IN THE AMOUNT OF \$10,508.72; PROVIDING AN EFFECTIVE DATE.
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AN EXISTING AGREEMENT WITH SUNCOAST NURSERY & TIKI HUTS, INC. FOR TREE PLANTING SERVICES WITHIN THE VILLAGE OF PALMETTO BAY; FURTHER AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$50,000.00 TO PROVIDE VILLAGE-WIDE LANDSCAPING SERVICES IN THE PUBLIC RIGHT-OF-WAY IN FY 2012-13; AND PROVIDING FOR AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE OF PALMETTO BAY'S STORMWATER MASTER PLAN UPDATE; APPROVING THE SELECTION OF KIMLEY-HORN AND ASSOCIATES, INC., TO PROVIDE CIVIL ENGINEERING SERVICES TO THE VILLAGE; FURTHER AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER AND APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$79,800.00; AND PROVIDING FOR AN EFFECTIVE DATE.
- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; AUTHORIZING THE VILLAGE MANAGER TO ACCEPT THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, CONTRACT AWARD FY 2013 IN THE AMOUNT OF \$3,711 FOR THE PURPOSE OF SUPPORTING THE SCHOOL RESOURCE OFFICER PROJECT RAD/KID IN THE VILLAGE OF PALMETTO BAY; AND PROVIDING AN EFFECTIVE DATE.

5. REQUESTS, PETITIONS AND PUBLIC COMMENTS

6. VILLAGE MANAGER'S REPORT

- A. 4th Quarter Fiscal Year 12 – Budget to Actuals
- B. Village Police Commander Update – recognition of Office Peter Judge

7. VILLAGE ATTORNEY'S REPORT

- A. November, 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 ELECTIONS; CREATING THE VILLAGE CANVASSING BOARD FOR THE PURPOSE OF CANVASSING ELECTION RETURNS FOR A POSSIBLE NOVEMBER 20, 2012 RUN-OFF ELECTION FOR THE VICE MAYOR SEAT AND DISTRICT 2 COUNCIL SEAT; PROVIDING AN EFFECTIVE DATE.
- B. 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 MUSCO LIGHTING FOR THE PURCHASE, DELIVERY AND INSTALLATION OF TENNIS COURT LIGHTING SYSTEM AT CORAL REEF PARK; PIGGYBACKING WITH CLAY COUNTY RFP/CONTRACT NO. 08/09-3; AND AUTHORIZING THE VILLAGE MANAGER TO APPROVE AN EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$249,500; AND PROVIDING AN EFFECTIVE DATE
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AN EXISTING AGREEMENT WITH H&J ASPHALT, INC. FOR ROADWAY RESURFACING AND STRIPING OF PUBLIC ROADWAYS WITHIN THE VILLAGE OF PALMETTO BAY; FURTHER AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$287,650.00 TO CONTINUE RESURFACING AND STRIPING VILLAGE ROADWAYS IN FY 2012-13; AND PROVIDING FOR AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE ART-IN-PUBLIC PLACES (AIPP) PROGRAM, ACCEPTING THE RECOMMENDATIONS OF THE AIPP ADVISORY BOARD TO APPROVE THE KINETIC SCUPLTURAL ART INSTALLATION ENTITLED "RIPPLES" AS DESIGNED BY JEFFREY LAUDENSLAGER AND THE MOSAIC TILE INSTALLATION AT BASE OF PEDESTAL BY NORA CERVINO, TO MEET THE AIPP ORDINANCE REQUIREMENTS FOR WESTMINSTER CHRISTIAN PRIVATE ELEMENTARY SCHOOL ADDITION LOCATED AT 15000 LUDLAM ROAD; PROVIDING FOR SEVERABILITY; AND, AN EFFECTIVE DATE.

10. RESOLUTIONS REQUIRING PUBLIC HEARING

11. ORDINANCES FOR FIRST READING

- A. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE COUNCIL; REVISING ORDER OF BUSINESS; 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 SPONSORSHIP PROGRAM; CREATED ARTICLE VIII, SECTION 2-300 RELATING TO SAME; PROVIDING FOR TERMS, CONDITIONS, EXEMPTIONS RELATING TO ACCEPTING DONATIONS, SPONSORSHIP AND PARTICIPATION IN EVENTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE'S GREEN INCENTIVE PROGRAM; MODIFYING SECTION 5-54 ENTITLED "SCOPE OF GREEN PROGRAM"; TO INCLUDE USES OF PUBLIC ASSEMBLAGE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
- C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO REMOVAL OF DUPLICATE PROVISION RELATING TO CHARTER SCHOOLS; REMOVING CHAPTER 9 PROVISIONS AND RESERVING THE CHAPTER AS CHARTER SCHOOLS ARE REGULATED UNDER 30-120 OF THE VILLAGE'S LAND DEVELOPMENT CODE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
- D. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; MODIFYING SECTION 30-30.2 RELATING TO DEVELOPMENT APPROVAL PROCEDURES; MODIFYING SECTION 30-30.2(q) RELATING TO FINES TO BE CONSISTENT WITH CHAPTER 162, FLORIDA STATUTE; MODIFYING DIVISION 30-50 ENTITLED "ZONING DISTRICTS"; MODIFYING PERMITTED AND CONDITIONAL LIST OF USES WITHIN THE ZONING DISTRICTS;

CONSOLIDATING SECTION 30-60.15 INTO DIVISION 30-110 RELATING TO RELIGIOUS FACILITIES, PRIVATE SCHOOLS, CHILD CARE FACILITIES, AND OTHER NON-GOVERNMENTAL PUBLIC ASSEMBLY USES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

- E. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; MODIFYING DIVISION 30-60, ENTITLED "GENERAL REGULATIONS"; REVISING SECTION 30-60.6 RELATING TO LIGHTING; PROVIDING HEIGHT LIMITATIONS FOR RESIDENTIAL DISTRICTS OF LIGHT POLES TO 15 FEET; AND PROVIDING FURTHER CLARIFICATION OF STANDARDS FOR RESIDENTIAL DISTRICTS, AND GENERAL REGULATIONS RELATING TO LIGHTING; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
- F. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; MODIFYING DIVISION 30-60, ENTITLED "GENERAL REGULATIONS"; REVISING SECTION 30-60.11 RELATING TO PRE-CONSTRUCTION AND CONSTRUCTION STANDARDS TO PROVIDE ADDITIONAL DETAILED REQUIREMENTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
- G. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; MODIFYING DIVISION 30-60 ENTITLED "GENERAL REGULATIONS"; REVISING SECTION 30-60.29 RELATING TO NOISE STANDARDS; REVISING HOURS OF OPERATION OF TEMPORARY PUBLIC ADDRESS SYSTEMS; DELETING NOISE ORDINANCE FROM CHAPTER 15 OF THE CODE OF ORDINANCES AS IT IS A DUPLICATE PROVISION OF 30-~~30~~60.29; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
- H. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; MODIFYING DIVISION 30-70 ENTITLED "PARKING REGULATIONS"; REVISING SECTION 30-70.4 TO PROVIDE FURTHER CLARITY IN THE REQUIREMENTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
- I. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING;

MODIFYING DIVISION 30-100 ENTITLED "ENVIRONMENTAL REGULATIONS"; REVISING SECTION 30-100.3 RELATING TO LANDSCAPING BUFFER AND MAINTENANCE STANDARDS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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.