

VILLAGE OF PALMETTO BAY
Minutes of the Special Council Meeting of Monday, August 10, 2009
Deering Estate Visitor's Center
16701 SW 72 Avenue

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

Mayor Eugene P. Flinn, Jr.
Vice Mayor Brian W. Pariser
Council Member Ed Feller
Council Member Howard Tendrich
Council Member Shelley Stanczyk

Staff present:
Village Manager Ron E. Williams
Village Attorney Eve A. Boutsis
Village Clerk Meighan J. Rader

Mayor Flinn called the meeting to order at 9:15 p.m. Mayor Flinn led the pledge of allegiance

2. ORDINANCES FOR FIRST READING (PUBLIC HEARING)

A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE LOCAL PLANNING AGENCY, RELATING TO SUPPLEMENTING THE PROPOSED JULY 20, 2009 AMENDMENTS TO THE COMPREHENSIVE PLAN TO INCLUDE TWO ADDITIONAL PROPOSED MODIFICATIONS TO THE FUTURE LAND USE MAP (FLUM), TO CHANGE THE ESTATE DENSITY DESIGNATIONS TO LOW DENSITY DESIGNATIONS; PROVIDING FOR TRANSMITTAL OF THE ENTIRE COMPREHENSIVE PLAN AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, TO OTHER UNITS OF LOCAL GOVERNMENT AND TO OTHER REVIEW AGENCIES AS REQUIRED BY LAW; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Councilwoman Stanczyk moved to incorporate the record, staff report, and all public comments made during the Local Planning Agency Meeting of August 10, 2009, into this proceeding. Seconded by Councilman Feller.

Mayor Flinn opened the public hearing. No one wished to be heard.

All voted in favor of the Ordinance on first reading (5-0.)

3. ORDINANCES FOR SECOND READING (PUBLIC HEARING)

- A. AN ORDINANCE RELATING TO CHAPTER 30 CREATING DIVISION 50 ENTITLED "ZONING DISTRICTS" OF THE VILLAGE'S LAND DEVELOPMENT CODE; REZONING THE DESIGNATED AREAS TO THE DELINEATED ZONING DISTRICTS UNDER THE FOLLOWING CATEGORIES: RESIDENTIAL SINGLE-FAMILY, ESTATE, AND TWO-FAMILY DISTRICTS; MULTI-FAMILY DISTRICTS; HOTEL DISTRICTS; BUSINESS DISTRICTS; AND OFFICE DISTRICTS; INCORPORATING THE VMU AND FT&I DISTRICTS INTO 30-50; PROVIDING FOR DEFINITIONS, USES, CHANGES IN USE, GENERAL BUILDING REQUIREMENTS (DENSITY, HEIGHT, PARKING), AND PROCEDURES FOR ADMINISTRATIVE SITE PLAN REVIEW.
- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE LOCAL PLANNING AGENCY, AND AS THE VILLAGE COUNCIL RELATING TO THE VILLAGE'S CODE OF ORDINANCES, CHAPTER 30 ENTITLED "ZONING" CREATING DIVISION 10, ENTITLED "PURPOSE AND APPLICABILITY"; WHICH DIVISION SHALL BE PART OF THE VILLAGE'S LAND DEVELOPMENT CODE; CREATING AND ADOPTING THE VILLAGE'S ZONING MAP FOR ALL PROPERTIES WITHIN THE VILLAGE FROM SW 136TH STREET TO THE NORTH, SW 184TH STREET TO THE SOUTH, US 1 TO THE WEST, AND BISCAYNE BAY TO THE EAST; PROVIDING FOR ADOPTION OF ALL RESIDENTIAL, SINGLE AND MULTIFAMILY ZONING DISTRICTS, HOTEL/MOTEL, AND BUSINESS DISTRICTS; INCORPORATING BY REFERENCE THE VMU AND FT&I ZONING DISTRICTS; PROVIDING FOR ORDINANCES IN CONFLICT; CODIFICATION; SEVERABILITY; AND AN EFFECTIVE DATE.

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

Councilwoman Stanczyk moved to incorporate the record, staff report, and all public comments made during the Local Planning Agency Meeting of August 10, 2009, into this proceeding. Seconded by Councilman Feller.

Mayor Flinn opened the public hearing. No one wished to be heard.

All voted in favor of the Ordinance on first reading (5-0.)

4. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO VITA-COURSE IMPROVEMENTS AT CORAL REEF PARK; AUTHORIZING THE VILLAGE MANAGER TO PIGGYBACK WITH CITY OF JACKSONVILLE, FLORIDA'S CONTRACT NO. SC-0511-06 AND ENTER INTO CONTRACT WITH PLAYMORE RECREATIONAL PRODUCTS AND SERVICES, INC. FOR THE PURCHASE, DELIVERY AND INSTALLATION OF A STANDARD SIX

STATION LIFETRAIL IN AN AMOUNT NOT TO EXCEED \$36,916.95; AND ENTER INTO A CONTRACT WITH REP SERVICES, INC., FOR THE PURCHASE, DELIVERY AND INSTALLATION OF A TEN STATION HEALTHBEAT OUTDOOR FITNESS SYSTEM IN AN AMOUNT NOT TO EXCEED \$41,089.57; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilman Feller moved this item forward. Seconded by Councilman Tendrich.

Mayor Flinn asked when a similar amenity will be installed in Palmetto Bay Park.

Councilman Feller moved to instruct Manager Williams to consider including a similar vita path next year's capital budget for Palmetto Bay Park. Seconded by Councilwoman Stanczyk. All in favor.

Vice Mayor Pariser asked if funds would be available for Palmetto Bay Park.

Manager Williams stated that he would be prepared to provide the amount in next year's budget.

All voted in favor of approving the Resolution (5-0).

- 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 FBM LAW OFFICES IN THE AMOUNT OF \$42,862.35; PROVIDING AN EFFECTIVE DATE.

Councilman Stanczyk moved this matter forward. Seconded by Councilman Tendrich.

Vice Mayor Pariser called the question. All voted in favor (5-0).

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO EMERGENCY PURCHASES; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT FOR EMERGENCY REPAIR SERVICES CONSISTENT WITH THE VILLAGE'S PROCUREMENT CODE FOR AN AMOUNT NOT TO EXCEED \$120,000; APPROVING A CONTRACT WITH PORTLAND CONSTRUCTION, INC. FOR THE SUBSTANTIAL REPAIR OF THE CURVED PEDESTRIAN BRIDGE AT CORAL REEF PARK; PROVIDING AN EFFECTIVE DATE.

Councilman Tendrich moved this matter forward. Seconded by Councilwoman Stanczyk.

Manager Williams provided staff report, noting that staff will draft a proposal consistent with procurement code and that these repairs are much needed to address safety concerns.

Mayor Flinn asked if the bridge would be repaired or replaced.

Manager Williams advised that some portions would be replaced, while others would be repaired. He stated that the undercarriage of the bridge from the water side must also be addressed, as well as the long term signature status.

Vice Mayor Pariser asked the cost to replace the bridge. Manager Williams stated that full replacement with façade may cost over \$150,000. He added that the bridge is in serious disrepair.

Following brief discussion, Councilman Tendrich asked why the permit fees would be \$10,000.

Attorney Boutsis replied that a South Florida Water Management District permit must be obtained.

Vice Mayor Pariser asked about land erosion along the canal. Manager Williams noted that SFWMD has been working on the matter.

All voted in favor of the proposed Resolution. The Resolution passed (5-0).

- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO LEGISLATIVE SERVICES; AMENDING RESOLUTION 09-56; APPROVING THE SELECTION OF CARDENAS PARTNERS, LLC, TO PROVIDE LEGISLATIVE SERVICES AT THE FEDERAL LEVEL PURSUANT TO REQUEST FOR QUALIFICATIONS NO 2009-01; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE A CONTRACT WITH SAID FIRM FOR A ONE YEAR PERIOD; AND PROVIDING EFFECTIVE DATE.

Councilwoman Stanczyk moved this item forward. Seconded by Councilman Feller.

Manager Williams provided staff report. He stated that this was suggested by our Village Attorney to insure that the contract is consistent with the company's name.

All voted in favor. The Resolution was approved (5-0).

5. NEXT MEETING AND ADJOURNMENT

The Meeting was officially adjourned at 9:45 pm.

