

VILLAGE OF PALMETTO BAY  
Minutes of the Special Council Meeting of Monday, December 21, 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  
Director of Planning and Zoning Julian Perez

Mayor Flinn called the meeting to order at 7:35 p.m. Mayor Flinn led the pledge of allegiance.

**2. ORDINANCES FOR FIRST READING**

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE ESTABLISHMENT OF A LINE-OF-CREDIT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A FINANCE AGREEMENT WITH SUNSTATE BANK; PROVIDING FOR A THREE MILLION DOLLAR TAXABLE LINE-OF-CREDIT, PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Manager Williams provided staff report. He advised that during the Council's deliberation and adoption of the budget, a debt service level was authorized in the budget to provide funding to support debt service for the future village hall project. He noted that while the Village anticipates joining with the Florida League of Cities on the next bond issue, which should be raised in March or April, a line of credit assure that funds will be available to the Village until the bond is issued. He advised that this request is not a request to borrow funds; rather, the request is to insure that this line of credit could be activated if needed to insure sufficient cash flow. Manager Williams assured the Council that they would be advised when the line of credit was needed.

Mayor Flinn reiterated that the line of credit is not authority to borrow funds, rather, simply to establish a line of credit. Manager Williams concurred. Mayor Flinn asked if a public meeting would be required in order for Manager Williams to utilize the line of credit.

Manager Williams advised that a public meeting would not be required and that staff is of the opinion that the line of credit will not have to be used, as the bond is anticipated to go forward.

Councilman Feller expressed that he was pleased with staff for being conservative and insuring that funds would be available, if necessary. He asked if Manager Williams would have to come before the Council prior to utilizing the line of credit.

Manager Williams replied that the ordinance will allow staff to utilize the line of credit; however, he would report such use to Council. He added that this is not an addition to the budget.

Councilman Feller suggested that Council approval may be necessary in order to keep expenditures within their realm.

Councilwoman Stanczyk stated that informing the Council seems appropriate; rather than having a meeting in order to receive Council approval.

Manager Williams noted that should the bond come forward in the Spring, the line of credit would be terminated.

Councilman Feller suggested that Council have some monetary level of a control. Manager Williams remarked that perhaps use over \$500,000 would require approval.

Attorney Boutsis offered the following language: "any expenditure over \$500,000 shall return to the Council for approval."

Vice Mayor Pariser asked the length of the bond.

Manager Williams stated that it would be a term mortgage with other participants, normally 30 years; however, the terms of the bond are being discussed.

Director of Finance Desmond Chin noted that the bonds are generally 30 years; however, the Village can recommend anywhere between 25 to 35 years.

Vice Mayor Pariser asked if the Village receives grant dollars, would it be possible to borrow less; and, if not, would it be possible to pre-pay the bond.

Councilwoman Stanczyk added that the "lock box" funded for village hall would also be able to assist with the future village hall funding.

Attorney Boutsis stated that pre-payment is complicated under bond issues, as arbitrage and penalties normally come into place.

Manager Williams noted that the Village would not borrow any more funds than are needed.

Mayor Flinn asked for the amount of grants that the Village has received. Clerk Rader reported that approximately \$18,000,000 has been received since inception.

Following Council discussion, Attorney Boutsis suggested that Councilman Feller's concern could be addressed by amending Section 4, as follows:

The three million dollar line of credit from SunState Bank will be used for interim financing for the Municipal Center Construction project should it be deemed necessary. Any expenditures out of the line of credit shall be reported montly to the Mayor and Village Council, and any proposed expenditure over \$500,000 of the 3,000,000 shall go the Village Council for approval.

Councilman Feller moved to amend the proposed Ordinance on first reading, as stated. Seconded by Councilwoman Stanczyk. All voted in favor. The motion passed unanimously (5-0.)

Mayor Flinn called the question. The proposed Ordinance was approved, as amended, on first reading unanimously (5-0.) The matter shall be scheduled for second reading/public hearing.

### **3. ORDINANCES FOR SECOND READING (PUBLIC HEARING)**

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING AS THE LAND PLANNING AGENCY, RELATING TO ZONING; EXTENDING THE EXISTING MORATORIUM BY TWO MONTHS ON THE ISSUANCE OF BUILDING PERMITS FOR DEVELOPMENTS OF MORE THAN FIVE CONTIGUOUS ACRES SO THAT THE VILLAGE CAN ADOPT THE FINAL PORTIONS OF THE VILLAGE'S LAND DEVELOPMENT CODE, INCLUDING BUT NOT LIMITED TO ZONING PROCEDURES, TELECOMMUNICATIONS AND GREEN/LEED DESIGN CRITERIA; SUCH TEMPORARY MORATORIUM TO APPLY TO ALL PROPERTIES OVER FIVE ACRES IN CONTIGUOUS SIZE LOCATED WITHIN THE VILLAGE OF PALMETTO BAY; EXEMPTING PUBLIC FACILITIES DEVELOPED FOR THE PUBLIC HEALTH, SAFETY, AND WELFARE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Vice Mayor Pariser moved the item forward. Seconded by Councilwoman Stanczyk.

Councilman Feller moved to incorporate the record, staff report, and all public comments made at the Local Planning Agency meeting of December 21, 2009, into this proceeding for both items. Seconded by Councilman Tendrich. All voted in favor. The Motion carried.

Attorney Boutsis and Director Perez noted that staff's report was complete.

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

Mayor Flinn called the question. The proposed Ordinance was adopted (5-0.)

- 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, RELATING TO THE COMPREHENSIVE PLAN AMENDMENTS AND PROPOSED MODIFICATIONS TO THE FUTURE LAND USE MAP (FLUM); 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 FOR ADOPTION; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Attorney Boutsis and Director Perez noted that there were no additions to staff's report.

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

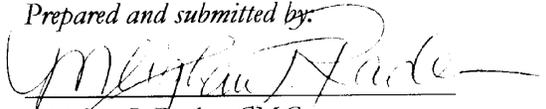
Mayor Flinn called the question. The proposed Ordinance was adopted (5-0.)

#### 4. **NEXT MEETING AND ADJOURNMENT**

Manager Williams thanked all who participated in the Village's holiday food drive. He noted that tomorrow morning will be the last opportunity to give, as staff will be bringing the food to the distribution centers tomorrow.

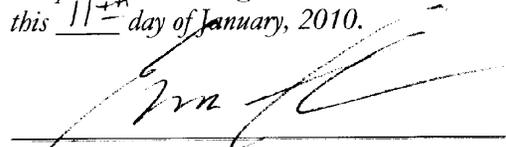
The Meeting was officially adjourned at 7:50 pm.

Prepared and submitted by:



Meighan J. Rader, CMC  
Village Clerk

Adopted by the Village Council on  
this 11<sup>th</sup> day of ~~January~~, 2010.



Eugene P. Flinn, Jr., Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, 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. WHILE THE FLORIDA STATUTES DO NOT REQUIRE TAPE RECORDINGS, TO THE EXTENT THAT TAPE RECORDINGS ARE MADE, THE TAPES MAY BE REQUESTED FROM THE VILLAGE CLERK FOR REVIEW AND/OR COPYING. THE VILLAGE OF PALMETTO BAY CAN NOT GUARANTEE THE QUALITY OF ANY RECORDING.