

**VILLAGE OF PALMETTO BAY  
MINUTES OF THE MONDAY, APRIL 9, 2007  
SPECIAL MEETING OF THE VILLAGE COUNCIL**

DEERING ESTATE VISITOR'S CENTER  
16701 SOUTHWEST 72 AVENUE  
PALMETTO BAY, FLORIDA

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

Mayor Flinn called the meeting to order at 7:00 p.m. The following members of the Village Council were present:

Mayor Eugene P. Flinn, Jr.  
Vice Mayor Linda Robinson  
Councilman Ed Feller, MD  
Councilman Paul Neidhart  
Councilwoman Shelley Stanczyk

The following staff members were present:  
Village Manager Charles D. Scurr  
Village Attorney Eve A. Boutsis  
Village Clerk Meighan J. Rader

Mayor Flinn led the pledge of allegiance.

**II. PROCLAMATIONS, AWARDS, PRESENTATIONS:** None at this time.

**III. APPROVAL OF MINUTES**

- A. Minutes of the Regular Council Meeting of March 5, 2007
- B. Minutes of the Special Council Meeting of March 19, 2007

Vice Mayor Robinson moved to approve. Seconded by Councilwoman Stanczyk. All voted in favor. The Motion carried (5-0).

**IV. VILLAGE MANAGER'S REPORT**

- A. Bonding CITT funds for Village's signage program: Mr. Scurr said he would be discussing this matter at the next Committee of the Whole meeting.
- B. Mitigation Update: Mr. Scurr noted that the County has suggested a three-year phasing out period for mitigation. He noted that staff will be meeting with the County tomorrow. He advised that Representative Robaina will be bringing the matter forward to the State Legislature on Wednesday.
- C. Village Hall Status Report: Mr. Scurr noted that with regard to Village Hall, the Council may wish to consider acquiring land, as the negotiations with Mr. Haas did not go well.

Mr. Scurr introduced Ed Silva, the Village's new Building Official. He stated that staff is trying to find space for the Building Department. He also provided the initial brochure for the Art in Public Places program. He mentioned that Council is considered

expanding the charrette area from 168 Street north to 136 Street and that if the Council is interested, staff could include cost information for next year's budget.

Commander Scott Dennis provided a public safety update. He noted that the next Commander's Night Out will be held on April 30<sup>th</sup>.

Ms. Fanny Carmona, Acting Community Services Director, provided an update regarding Community Services Activities.

Mrs. Olga Cadaval, Chief of Staff, provided a report concerning the Library. She noted that a full tree survey has been requested by DERM and the Village cannot receive septic tank approval until that report has been provided.

Councilwoman Stanczyk asked for the cost per square foot.

Mrs. Cadaval Olga advised that staff will be meeting with the architects and contractor this week and will have that information following their meeting.

Mr. Desmond Chin, Finance Director, advised that the audit has been completed; the first draft of the audit report appears "clean".

Mr. Ron Williams, Director of Public Works, advised that work is continuing on the traffic circle at SW 160 Street and SW 82 Avenue. He stated that the circle is not open to traffic, but may be opened on May 12<sup>th</sup> if all goes well.

Ms. Arleen Weintraub, Director of Community Development, stated that continues to have weekly meetings concerning the Land Development Code. She stated that she hopes that Council will be ready to appoint members to the Art in Public Places Board at the next meeting.

Councilwoman Stanczyk asked if the funds received through the Art in Public Places could be spent in the Franjo Triangle area.

Ms. Weintraub responded affirmatively, adding that the Board will have important responsibility to identify and tie into that area. She noted that there is not a zoning meeting in April; however, there will be a special council meeting on May 14<sup>th</sup> to discuss the items in the Land Development Code.

Mr. Scurr announced his resignation. He thanked the Council and staff for the opportunity of working to grow the Village. He noted that Attorney Boutsis would be meeting with Council members separately to discuss the next steps.

V. **VILLAGE ATTORNEY'S REPORT:** Attorney Boutsis provided an update with regard to 17205 SW 77 Avenue. She advised that code officers were able to serve the property owner and the owners have contacted Community Development in order to come into compliance. She stated that she will be having the matter scheduled for an injunction hearing.

VI. **BOARD AND COMMITTEE REPORTS:** **Old Cutler Bike Path:** Councilwoman Stanczyk provided a summary of the field trip along Old Cutler. She noted that the Board's conclusion is that the County has neglected its responsibility for maintaining the road. She stated that they will meet again on April 19<sup>th</sup>.

## VII. CONSENT AGENDA

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH MIAMI-DADE COUNTY DEPARTMENT OF HUMAN SERVICES ACCEPTING A GRANT IN THE AMOUNT OF \$3,000 FOR THE PURPOSE OF SUPPORTING SERVICES FOR THE DOMESTIC VIOLENCE PROJECT OF THE VILLAGE OF PALMETTO BAY'S POLICING UNIT; AND PROVIDING AN EFFECTIVE DATE.
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH MIAMI-DADE COUNTY DEPARTMENT OF HUMAN SERVICES ACCEPTING A GRANT IN THE AMOUNT OF \$1,308 FOR THE PURPOSE OF SUPPORTING SERVICES FOR THE CRIMINAL JUSTICE RECORD IMPROVEMENT PROJECT OF THE VILLAGE OF PALMETTO BAY'S POLICING UNIT; AND PROVIDING AN EFFECTIVE DATE.
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; APPOINTING MR. RICHARD L. DOODY, ESQ. TO SERVE AS A SPECIAL MASTER FOR CODE COMPLIANCE FOR THE VILLAGE FOR A PERIOD OF TWO (2) YEARS WITH TWO ADDITIONAL ONE (1) YEAR OPTIONS TO EXTEND; ESTABLISHING THE RATE OF PAY FOR SUCH POSITION; AND PROVIDING AN EFFECTIVE DATE.
- D. 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 NAGIN GALLOP FIGUEREDO, P.A. IN THE AMOUNT OF \$24,742.62; 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; APPROVING THE INSTALLATION OF 2 BEACH VOLLEYBALL COURTS AT CORAL REEF PARK AND AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER TO AGILE COURTS CONSTRUCTION CO. IN THE AMOUNT OF \$18,000.00, FOR THE CONSTRUCTION OF TWO BEACH VOLLEYBALL COURTS, INCLUDING THE POST SYSTEMS AND NETS; AND PROVIDING FOR AN EFFECTIVE DATE.
- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION; APPROVING FOR THE REMOVAL OF FOUR

EXISTING BASKETBALL POST SYSTEMS, AND THE PURCHASE & INSTALLATION OF FOUR NEW POST SYSTEMS FOR THE BASKETBALL COURTS AT PALMETTO BAY PARK; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER TO AGILE COURTS CONSTRUCTION CO., IN THE AMOUNT OF \$22,000; AND PROVIDING FOR AN EFFECTIVE DATE.

- G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE BUILDING & PERMITTING SELECTION COMMITTEE TO SELECT CAP GOVERNMENT, INC. TO PROVIDE THE VILLAGE WITH BUILDING & PERMITTING SERVICES IN RESPONSE TO RFQ #07-CD-01; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE A CONTRACT WITH CAP GOVERNMENT, INC. FOR SAID SERVICES BASED UPON ITS PROPOSAL SUBMITTED FEBRUARY 23<sup>RD</sup>, 2007; DIRECTING THE VILLAGE MANAGER TO PRESENT THE NEGOTIATED CONTRACT TO THE VILLAGE COUNCIL FOR ITS CONSIDERATION AND APPROVAL; AUTHORIZING AN EXTENSION TO THE EXISTING CSA SOUTHEAST, INC. CONTRACT FOR BUILDING AND PERMITTING SERVICES TO THE DATE OF APPROVAL OF A CONTRACT WITH CAP GOVERNMENT, INC.; AND PROVIDING AN EFFECTIVE DATE.
- H. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AGREEMENTS; APPROVING A CONTRACT AGREEMENT WITH GORIN COMMUNICATIONS, INC. TO PROVIDE CERTAIN PUBLIC INFORMATION SERVICES TO THE VILLAGE OF PALMETTO BAY; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE VILLAGE; AND PROVIDING AN EFFECTIVE DATE.

Clerk Rader reported that the following items had been pulled for discussion: Item A, B, E, G, and H.

Councilman Feller moved to approve Items VII C, D, and F. Seconded by Councilman Neidhart. All voted in favor. The Resolutions were adopted unanimously (5-0).

## VIII. RESOLUTIONS

Councilman Feller moved to hear the item concerning Volleyball Courts as the next item. Seconded by Councilman Neidhart. All voted in favor. The Motion carried (5-0).

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION; APPROVING THE INSTALLATION OF 2 BEACH VOLLEYBALL COURTS AT CORAL REEF PARK AND AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER TO AGILE COURTS CONSTRUCTION CO. IN THE AMOUNT OF \$18,000.00, FOR THE CONSTRUCTION OF TWO BEACH VOLLEYBALL COURTS,

**INCLUDING THE POST SYSTEMS AND NETS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Councilman Neidhart moved the item forward. Seconded by Councilman Feller.

Mr. Scurr provided staff report. He noted that the courts would be installed on a passive area east of the canal with little or no impact to the neighbors.

Vice Mayor Robinson opined that the area is a buffer zone, as was the green area in front of the tennis courts. She expressed her objection.

Councilman Feller remarked that the area is lightly used being surrounded by a canal on one side and a parking lot on the other side. Councilman Neidhart concurred.

Councilwoman Stanczyk expressed her opposition, as many neighbors expressed their concern with further activity at Coral Reef Park. She concluded that she, too, believes the area is a good area for the activity were it not for the neighbors' concern.

Discussion ensued.

Councilman Feller asked how the sand will stay in the Courts.

Mr. Scurr advised that a liner is installed.

Mayor Flinn opined that the Village is simply building a place to play volleyball, not creating a league

Councilman Neidhart called the question. The Resolution passed 4-1, Vice Mayor Robinson being the sole opposition.

**IX. RESOLUTIONS REQUIRING PUBLIC HEARING**

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SELECTING A NEW NAME FOR SW. 90 AVENUE BETWEEN SOUTHWEST 164 STREET AND SOUTHWEST 168 STREET; PROVIDING FOR INSTALLATION OF APPROPRIATE SIGNAGE; PROVIDING AN EFFECTIVE DATE.

Mayor Flinn asked that this item be taken out of order. Vice Mayor Robinson moved to hear the matter as the next item. Seconded by Councilman Neidhart. All voted in favor.

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

Mayor Flinn advised that he had been in contact with the American Legion and believes naming the roadway as "American Legion Way" is a well-deserved honor.

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

Councilman Feller moved that the item clearly state "co-designation" and include "American Legion Way". Councilwoman Stanczyk seconded. All voted in favor of the correction (5-0).

Councilman Feller moved to approve the Resolution. Seconded by Councilman Neidhart. All voted in favor. The Motion carried unanimously (5-0).

**X. RESOLUTIONS (Continued)**

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BOARDS AND AGENCIES; APPOINTING \_\_\_\_\_ TO SERVE AS LIAISON TO THE MIAMI-DADE COUNTY SCHOOL BOARD FOR A TWO YEAR PERIOD; PROVIDING AN EFFECTIVE DATE.

Vice Mayor Robinson moved this item forward. Seconded by Councilwoman Stanczyk.

Mayor Flinn asked the Council to consider Tracy Kealey as the appointment for a two-year term.

Councilman Feller moved to approve the Resolution. Seconded by Councilman Neidhart. All voted in favor. The Resolution passed unanimously (5-0).

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO HISTORIC RECORDS PRESERVATION, APPOINTING THE MEMBERS OF THE HISTORIC RECORDS PRESERVATION AND ARCHIVE ADVISORY COMMITTEE; PROVIDING AN EFFECTIVE DATE.

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

Mr. Scurr provided staff report.

Clerk Rader noted that Howard Kleinberg and Jorge Zamanillo had been suggested.

Vice Mayor Robinson suggested Dottie Barton. Councilman Feller stated that he would like to provide his nomination at a later date. Councilwoman Stanczyk suggested Stuart Guthrie.

Mayor Flinn asked Councilman Neidhart to act as Council liaison.

Mayor Flinn suggested Jack Fell. Councilman Neidhart suggested Howard Tendrich. Following brief discussion, it was decided to nominate a "designee from the Deering Estate Foundation". It was noted that Councilman Feller would provide a designee at a later date.

The foregoing resolution, with the nominees included, was passed unanimously (5-0).

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH MIAMI-DADE COUNTY DEPARTMENT OF

HUMAN SERVICES ACCEPTING A GRANT IN THE AMOUNT OF \$3,000 FOR THE PURPOSE OF SUPPORTING SERVICES FOR THE DOMESTIC VIOLENCE PROJECT OF THE VILLAGE OF PALMETTO BAY'S POLICING UNIT; AND PROVIDING AN EFFECTIVE DATE.

Councilman Neidhart moved the item forward. Seconded by Vice Mayor Robinson.

Commander Dennis provided staff report.

Mayor Flinn asked if there would be a reduction of officers in the street while training on the equipment occurred. Commander Dennis stated that there would not be a reduction in officers.

Councilman Feller asked for clarification regarding letter "I" of the contract that states that if the County reduces its funding, the Village pays more.

Mr. Scurr advised that the grant is "low level" fiscally and doesn't require commission approval. Councilman Feller asked that staff insure that we don't expend the funds until we get the money from the grant.

Commander Dennis advised that Finance Director Chin noted that the grant is a "reimbursement" grant. The Village incurs the expense, and then receives reimbursement.

Mayor Flinn wondered why the equipment was not included in last year's funding, since it is a small amount and is considered "essential" by the police.

Mr. Scurr replied that the Village is fortunate to be receiving this grant.

Councilman Feller asked that Director Chin notifies the council if the county does not reimburse the Village so we can consider that in the future.

A roll call vote was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: yes. The Resolution was adopted unanimously (5-0).

- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH MIAMI-DADE COUNTY DEPARTMENT OF HUMAN SERVICES ACCEPTING A GRANT IN THE AMOUNT OF \$1,308 FOR THE PURPOSE OF SUPPORTING SERVICES FOR THE CRIMINAL JUSTICE RECORD IMPROVEMENT PROJECT OF THE VILLAGE OF PALMETTO BAY'S POLICING UNIT; AND PROVIDING AN EFFECTIVE DATE.

Councilman Neidhart moved the item forward. Seconded by Councilman Feller.

Commander Dennis provided staff report.

Mayor Flinn asked if there would be a reduction of officers in the street while training on the equipment occurred. Commander Dennis stated that there would not be a reduction in officers.

Mayor Flinn asked if the Village had anticipated purchasing this equipment prior to being aware of the grant.

Commander Dennis stated that the equipment would have been purchased regardless.

A roll call vote was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: yes. The Resolution was adopted unanimously (5-0).

- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE BUILDING & PERMITTING SELECTION COMMITTEE TO SELECT CAP GOVERNMENT, INC. TO PROVIDE THE VILLAGE WITH BUILDING & PERMITTING SERVICES IN RESPONSE TO RFQ #07-CD-01; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE A CONTRACT WITH CAP GOVERNMENT, INC. FOR SAID SERVICES BASED UPON ITS PROPOSAL SUBMITTED FEBRUARY 23<sup>RD</sup>, 2007; DIRECTING THE VILLAGE MANAGER TO PRESENT THE NEGOTIATED CONTRACT TO THE VILLAGE COUNCIL FOR ITS CONSIDERATION AND APPROVAL; AUTHORIZING AN EXTENSION TO THE EXISTING CSA SOUTHEAST, INC. CONTRACT FOR BUILDING AND PERMITTING SERVICES TO THE DATE OF APPROVAL OF A CONTRACT WITH CAP GOVERNMENT, INC.; AND PROVIDING AN EFFECTIVE DATE.

Vice Mayor Robinson moved the item forward. Seconded by Councilman Feller.

Councilwoman Stanczyk remarked that the matter should be discussed at a Committee of the Whole Meeting. She stated that she would like explanation regarding the entire process, why a potential bidder withdrew and why there is only one response.

Director Weintraub explained that the committee met and discussed the issues and provided a report to the Council, which was accepted. She explained that 10 firms requested documents and only two responded. She believes the lack of response comes from the fact that the smaller firms can not provide sufficient personnel to meet the requirements of the Village.

Councilwoman Stanczyk moved to defer. Mayor Flinn passed the gavel to the Vice Mayor in order to second the motion.

Mr. Scurr noted that if the Village defers, staff would need authorization to continue CAP.

Councilman Neidhart called the question. The Motion failed 2-3, with Vice Mayor Robinson, Councilman Feller and Councilman Neidhart being opposed.

Councilwoman Stanczyk expressed her concerns, as she has heard that many citizens and contractors have been mistreated by the Building Department and that the process seemed to eliminate the competition.

Councilman Neidhart replied that he is hopeful that mistreatment would not re-occur, as we have our own Building Official now. Vice Mayor Robinson added that the Village has authority to correct any problems.

Councilman Neidhart called the question. A roll call vote was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: no. The Resolution was adopted (4-1)

- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AGREEMENTS; APPROVING A CONTRACT AGREEMENT WITH GORIN COMMUNICATIONS, INC. TO PROVIDE CERTAIN PUBLIC INFORMATION SERVICES TO THE VILLAGE OF PALMETTO BAY; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE VILLAGE; AND PROVIDING AN EFFECTIVE DATE

Vice Mayor Robinson moved this item forward. Seconded by Councilwoman Stanczyk.

Mayor Flinn stated that he noted the contract has a thirty day termination clause, which is the current arrangement. He asked if there were additional provisions in the contract.

Mr. Scurr stated that the contract was drafted to more clearly define Mr. Gorin's duties. He noted that the compensation is the same. Attorney Boutsis added that the insurance provisions were included to protect the Village, i.e., if Mr. Gorin was driving someplace for Village business, he would be covered under his own policy.

Mr. Gorin objected to the insurance provisions.

Councilman Neidhart called the question. A roll call vote was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: yes. The Resolution was adopted (5-0)

#### XI. ORDINANCES FOR FIRST READING AND EMERGENCY ORDINANCES

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO TAXES; AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES, ENTITLED "PUBLIC SERVICE TAX", TO CLEARLY DELINEATE THAT BOTTLED GAS AND COAL ARE AMONGST THE UTILITIES TO BE TAXED UNDER THE PUBLIC SERVICE TAX; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Councilman Neidhart moved the item forward. Seconded by Vice Mayor Robinson.

Director Chin reported that there were certain utilities that the village was missing; therefore, he reviewed the previous ordinance and found that it should be clarified.

Vice Mayor Robinson called the question. A roll call vote was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: yes. The ordinance passed on first reading (5-0)

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO A MID-YEAR BUDGET ADJUSTMENT AS TO FUNDED POSITIONS WITHIN DEPARTMENTS; PROVIDING FOR IMPLEMENTATION OF THE VILLAGE'S DESIRE TO FUND CERTAIN POSITIONS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Mr. Scurr provided staff report.

A roll call vote was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: yes. The ordinance passed on first reading.

XI. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING CHAPTER 6, ARTICLE III OF THE CODE OF ORDINANCES RELATING OCCUPATIONAL LICENSE TAX; RENAMING THE ARTICLE "LOCAL BUSINESS TAX" PURSUANT TO HOUSE BILL 1269 ENACTED BY THE 2006 FLORIDA LEGISLATURE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR INCLUSION IN THE CODE; AND; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Attorney Boutsis advised that the matter was a "scrivener's" change by the Florida Legislature.

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

A roll call vote was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: yes. The Ordinance was adopted (5-0)

- B. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE COUNCIL; AMENDING CODE SECTION 2-47(d) ENTITLED AGENDA CLOSING DATES PROCEDURES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Councilman Feller moved the item forward. Seconded by Councilman Neidhart.

Clerk Rader provided staff report.

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

A roll call vote was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: yes. The Ordinance was adopted (5-0)

- C. AN ORDINANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING THE CODE OF ORDINANCES BY ADOPTING A NEW CHAPTER ENTITLED "PARKS AND RECREATION DEPARTMENT RULES AND REGULATIONS"; PROVIDING FOR CIVIL CITATION FINES; ENFORCEMENT PROCEDURES; REPEALING CHAPTER 26 OF THE CODE OF MIAMI-DADE COUNTY ENTITLED "PARK AND RECREATION DEPARTMENT RULES AND REGULATIONS"; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. **(Request deferral to Council Meeting of May 7, 2007)**

Councilman Feller moved to defer to May 7, 2007. Seconded by Vice Mayor Robinson.

Mayor Flinn suggested that the matter be heard at the next Committee of the Whole meeting. All voted in favor of the previous motion. The matter is deferred to May 7, 2007.

- D. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; ESTABLISHING THE REGISTRATION AND FEE SCHEDULE FOR THE 2007 SUMMER CAMP PROGRAM; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Vice Mayor Robinson moved this matter forward. Seconded by Councilwoman Stanczyk.

Mr. Scurr and Ms. Carmona provided staff report.

Mayor Flinn asked if the cost of \$110 per week is sufficient for the program to be revenue neutral.

Ms. Carmona replied that it was sufficient.

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

A roll call vote was taken, as follows: Mayor Flinn: yes; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: yes. The Ordinance was adopted (5-0)

**XII. REQUESTS, PETITIONS AND PUBLIC COMMENTS:** The following individuals addressed the Council: Eric Tullberg, 7884 SW 179 Terrace; Chuck Latshaw, 8825 SW 154 Terrace; Richard Allen, 14320 SW 78 Avenue; and, Donna Latshaw.

**XIII. MAYOR AND COUNCIL COMMENTS**

A. Councilman Feller moved to reconsider the street naming of US-1 within the Village limits. Seconded by Councilman Neidhart. All voted in favor.

Councilman Feller stated that he prefers the name of Palmetto Bay Highway. Councilwoman Stanczyk suggested Palmetto Bay Parkway.

Mayor Flinn suggested waiting until the following year when the Village may not have so many important, pressing issues in Tallahassee.

Councilman Feller moved to substitute "Boulevard" for the name "Highway". Seconded by Vice Mayor Robinson. The Motion carried 4-1, Mayor Flinn being opposed.

B. Mayor Flinn asked staff to prepare the resolution that he had previously mentioned concerning the fire station. He also asked staff to investigate the possible issues concerning items of archeological interest at the library site.

C. Vice Mayor Robinson stated that the Special Events Committee may wish to provide a report at the next Council meeting.

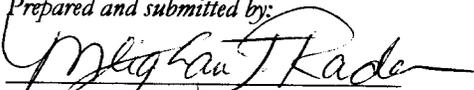
D. Councilman Feller thanked Mayor Flinn for his leadership and hard work on all the pressing issues that the Village has pending in Tallahassee. The rest of the Council concurred.

**XIV. OTHER BUSINESS:** None at this time.

**XV. NEXT MEETING AND ADJOURNMENT**

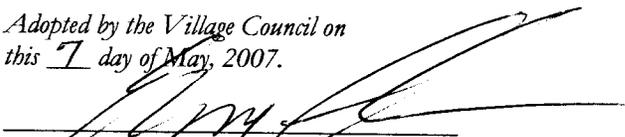
The meeting adjourned at 9:56 p.m.

*Prepared and submitted by:*



*Meighan J. Rader, CMC  
Village Clerk*

*Adopted by the Village Council on  
this 7 day of May, 2007.*

  
*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 QUALITY OF ANY RECORDING.