

VILLAGE OF PALMETTO BAY
MINUTES OF THE JULY 23, 2007
SPECIAL MEETING OF THE VILLAGE COUNCIL
Economic Development Council/Chamber South Offices
900 Perrine Avenue
Palmetto Bay, FL 33157

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

Mayor Flinn called the meeting to order at 6:05 p.m. The following individuals were present:

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

Staff present:
Village Manager Ron E. Williams
Village Attorney Luis Figueredo
Village Clerk Meighan J. Rader

Mayor Flinn led the pledge of allegiance.

II. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO AD VALOREM TAXES; DETERMINING THE PROPOSED MAXIMUM MILLAGE RATE AND SETTING THE DATES, TIME AND LOCATION FOR THE FIRST AND SECOND BUDGET HEARINGS FOR FY 2007-08; DIRECTING THE VILLAGE CLERK TO FILE SAID RESOLUTION WITH THE MIAMI-DADE COUNTY PROPERTY APPRAISER; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Manager Williams explained the process. He noted that the roll back rate is 2.1443, which is the rate by which the Village will collect the same amount of revenue as the current amount, taking into consideration the increase in ad valorem revenue.

Mayor Flinn remarked that the current rate is 2.3736.

Councilman Feller moved to amend the maximum rate to be 2.3736. Following Council discussion, Vice Mayor Robinson seconded. All voted in favor.

The Council then voted on the revised resolution that set the date, time, location and millage. All voted in favor. The Resolution was approved.

Councilman Feller moved to take the item concerning library construction as the next item. Seconded by Vice Mayor Robinson.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ALLOCATING ADDITIONAL FUNDS NOT TO EXCEED \$300,000 FOR CONSTRUCTION OF THE LIBRARY AND COMMUNITY ROOM PROJECT; AUTHORIZING THE VILLAGE MANAGER TO INCORPORATE THE FUNDING ALLOCATION AS PART OF THE CONSTRUCTION BUDGET; PROVIDING FOR AN EFFECTIVE DATE.

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

Manager Williams advised that Mr. Paul Abbott of Skyline Management, Al Rivas of A2 Group, and Aris Garcia of Wolfberg Alvarez were present. He stated that the Village is ready to finalize the permitting process and is at a critical stage for the funding process. He stated that if the Council authorizes the additional funding, all companies will have to be innovative and creative in order to get this exciting project moving forward. The funds requested shall be taken from the unallocated fund balance from the previous year.

Mayor Flinn remarked that he is not supportive of the funding request. He remarked that this is an exciting project, as there is a partnership with the library for an environmentally-oriented library branch/park. He stated that it was presumed that the construction cost would be \$200/square foot for a 7,500 – 10,000 square foot facility for both the building and the park area. Mayor Flinn asserted that the bonding funds in the amount of \$1,250,000 were intended to cover design and construction costs. He noted that the project at that time was 5,000 square feet. He stated that in June of last year, a budget was discussed and the grand total was \$3,649,110, including all construction grants. He opined that he was disappointed that as of February, the Village spent almost \$200,000 without any construction being performed. Mayor Flinn reiterated that he is not in favor of providing an additional \$300,000 without knowing why \$3.6M is not sufficient.

Councilman Feller remarked that the building is approximately 15,000 square feet and the cost comes to approximately \$300/square foot. He noted that as there was no budget for this building initially, the Village attempted to get a low bid from the contractor; and if there are no overruns unless there is a change order; the Village will split (50/50) what it does not spend with the contractor. He remarked that the 8% variance is due to the rising cost of construction materials. He stated that the Village was not culpable in the delay; rather Miami-Dade County library insisted they approve all construction plans, which caused a

significant amount of delay. Councilman Feller noted that staff has been meeting with the contractors/designers for over three years.

Vice Mayor Robinson thanked the Feller's for their hard work. She remarked that she doesn't support allocating \$300K; staff may wish to consider waiting to complete the community room. She stated that she believes there is a way to save more money on this project and bring it to fruition.

Councilwoman Stanczyk remarked that she is also grateful to the Feller's and staff for their work; however, she wanted to be clear that the funds discussed were the budgeted funds. She reiterated that the project must stay within the current budget.

Councilman Neidhart noted that he attended each meeting with the architects and staff and expressed his frustration with the apparent delays due to the architect firm and the library director. He asserted that initially the whole building was elevated, and then the Village had to re-design. He remarked that the costs are rising and no one is tracking the costs and that the budget should have been firm from the beginning. Councilman Neidhart thanked Paul Abbott for his assistance; however, he wants A2 Group to complete the project on budget.

Councilwoman Stanczyk called the question, in favor of the proposed resolution.

Clerk Rader noted a correction on Page 1 of 2, line 33, should read "this", not "last".

A roll call vote was taken as follows: Vice Mayor Robinson: no; Councilman Feller: yes; Councilman Neidhart: no; Councilwoman Stanczyk: no; and Mayor Flinn: no. The Resolution failed 4-1.

Vice Mayor Robinson asked that the Contractor and Skyline Management be permitted to speak.

Mr. Rivas stated for the last two and one-half years, the price has been \$300 per square foot, excluding the soft costs of approximately \$500-600K. He stated that 11,000 square feet at \$300 per is \$3.3 million, unless significant re-design is done.

Mr. Abbott remarked that extenuating circumstances, such as the sanitary disposal system being deemed to be inadequate, the condition of the water pressure available, the addition of a fire pump to the project, and the County demanding that the six inch water main be extended along the project resulting in an increase of approximately \$50,000 to the project. He stated that the construction has been reduced after significant changes. Mr. Abbott concluded that there is a permissible set of drawings with \$3.58 million being the hard cost (that is, construction cost alone).

Mr. Rivas remarked that he was never under the impression that \$3.5 million was inclusive of soft/hard cost.

Vice Mayor Robinson moved to reconsider. Seconded by Councilman Feller.

Mr. Garcia stated that Wolfberg Alvarez was not responsible for any scheduling delays on the projects, as several agencies had to review the plans. He stated that a great deal of time was lost when the Miami-Dade County Library Director changed his mind. He remarked that his firm did everything they were obligated to do.

Councilwoman Stanczyk called the question. The reconsideration failed 3 to 2 (Mayor Flinn, Councilman Neidhart and Councilwoman Stanczyk remaining opposed).

Following discussion, Mayor Flinn asked staff to return to Council on August 6 with a contract for approval. He asked Manager Williams if there were funds for construction of a Village Hall.

Mr. Williams responded that there were not.

A recess was taken at 7:13 p.m. The meeting resumed as 7:25 p.m.

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PERMANENT TRAFFIC CALMING DEVICES IN THE AREA OF SW 144TH STREET FROM SW 87TH AVENUE TO SW 74TH AVENUE IN THE VILLAGE OF PALMETTO BAY; APPROVING THE SELECTION OF _____ TO PROVIDE CONSTRUCTION SERVICES FOR PERMANENT TRAFFIC CALMING DEVICES; AUTHORIZING THE VILLAGE MANAGER TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT UP TO \$_____ ON A PROJECT THAT WILL SUBSTANTIALLY IMPROVE THE FLOW OF TRAFFIC; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilman Feller moved to defer. Seconded by Councilman Neidhart. The Motion carried 4-1 (Councilwoman Stanczyk being the sole opposition).

- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO AN ADDENDUM TO DRAINAGE IMPROVEMENTS AT VARIOUS LOCATIONS IN THE VILLAGE OF PALMETTO BAY; ADDING CORAL REEF PARK DRAINAGE IMPROVEMENTS AND APPROVING THE SELECTION OF MIGUEL LOPEZ JR., INC TO PROVIDE CONSTRUCTION SERVICES FOR DRAINAGE IMPROVEMENTS AT CORAL REEF PARK; AUTHORIZING THE VILLAGE MANAGER TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT UP TO \$40,000; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Manager Williams provided staff report. He stated that the firm selected was one of the rotating consulting firms and staff is attempting to reduce the cost, as staff believes the engineering estimate may be high.

Councilman Feller asked if there would be a contract.

Manager Williams replied that the firm is under contract to provide work in four other areas.

Mayor Flinn stated that there should be approval of negotiation and then staff should return with a contract. He asked who would be supervising the contract.

Manager Williams stated that the engineering consulting firm C3TS will be responsible for inspection and oversight.

Mayor Flinn asked if the firm's service is included in the estimate.

Manager Williams responded affirmatively.

Councilman Feller asked that a contract be provided.

Mayor Flinn suggested amending the resolution to authorize the Manager to negotiate a contract and return.

Attorney Figueredo concurred.

Councilman Feller moved to amend the Resolution. Seconded by Vice Mayor Robinson. A roll call vote was taken as follows: Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; Councilwoman Stanczyk: yes; and Mayor Flinn: yes. The Resolution passed 5-0.

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARK BEAUTIFICATION; ALLOCATING FUNDS NOT TO EXCEED \$18,000.00 FOR THE PLANNING, PURCHASE AND INSTALLATION OF LANDSCAPING AND LANDSCAPE MATERIALS TO COMPLEMENT THE MEDITATION GAZEBO AREA AT CORAL REEF PARK.

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

Manager Williams provided staff report.

Mayor Flinn asked if there were a site plan.

Manager Williams replied that staff is receiving ideas from Vice Mayor Robinson and landscaping professionals.

Vice Mayor Robinson stated that she is hopeful the project would be completed for under \$18,000.

Mayor Flinn stated that a site plan was provided with beach volleyball and there should be one for this project.

Councilman Neidhart moved to amend the Resolution to authorize the amount and direct staff to return with a site plan prior to expenditure of the funds. Councilman Feller concurred, stating that the Manager could use discretionary funds in order to have a site plan prepared, after discussing the plans with Vice Mayor Robinson.

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

- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION AND USERS AT CORAL REEF PARK; ESTABLISHING A UNIFORM POLICY FOR FEES, USAGE AND OTHER GUIDELINES; AND PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY MAYOR EUGENE P. FLINN, JR.)

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

Councilman Feller moved to amend to include "and all other village parks and facilities". Seconded by Mayor Flinn. All voted in favor.

Manager Williams stated that the Village needs to be aggressive with regard to insuring that our facilities have an attached use fee. If approved, staff will return with a fee schedule for all facilities. He noted that the Village would inform various present and future users that we are coming forward with a fee schedule.

Mayor Flinn remarked that his intent was not to increase fees, rather to be fair and equitable and make sure that all are paying an appropriate amount for their organized uses.

Discussion ensued. Councilman Feller stated that the fees should start with the next athletic season. Councilman Neidhart asked why the fees would not start with the next registration.

Councilman Feller suggested that we exempt those who have already signed up for the Fall athletic season. He moved to begin charging fees at the next athletic season.

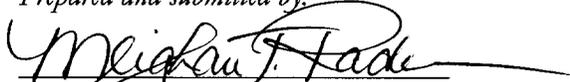
Discussion ensued regarding concession stands.

Councilman Feller moved to exempt those groups that are already using the field and are planning on using the parks for this Fall season. There was no second.

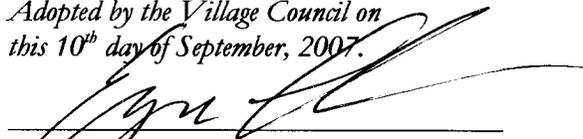
A roll call vote was taken as follows: Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; Councilwoman Stanczyk: yes; and Mayor Flinn: yes. The Resolution passed 5-0.

III. NEXT MEETING AND ADJOURNMENT: The meeting adjourned at 8:00 p.m.

Prepared and submitted by:


Meighan J. Rader, CMC
Village Clerk

*Adopted by the Village Council on
this 10th day of September, 2007.*


Eugene P. Flinn, Jr., Mayor

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