

**VILLAGE OF PALMETTO BAY, FLORIDA
MINUTES OF THE MONDAY, DECEMBER 16, 2002
MEETING OF THE VILLAGE COUNCIL**

DEERING ESTATE VISITOR 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 7:10 p.m. The following members of the Village Council were present:

Mayor Eugene P. Flinn, Jr.
Vice Mayor Linda Robinson
Councilmember John Breder
Councilmember Ed Feller
Councilmember Paul Neidhart

The following staff members were present:
Interim Village Manager Joe I. Rasco
Assisting Village Manager Charles D. Scurr
Village Attorney Earl G. Gallop
Acting Village Clerk Meighan Pier

At the Mayor's request, Mr. Howard Tendrich led the pledge of allegiance.

II. PROCLAMATIONS, AWARDS, PRESENTATIONS

- A. Proclamation honoring Kenneth H. Robinson: Mayor Flinn read the Proclamation. He recognized Mr. Robinson for his efforts to the community, noting that Mr. Robinson has made a lasting impression and helped form this Village. Mayor Flinn thanked Mr. Robinson's family.

Vice Mayor Linda Robinson and her son, David Robinson, expressed their appreciation.

III. APPROVAL OF MINUTES

- A. Council Meeting of November 25, 2002

A Motion to bring the item to the floor was made by Councilmember Feller. Seconded by Councilmember Breder.

Councilmember Breder noted that on Page 1, fourth paragraph, the gentlemen's last name is "Gorin". He added that on Page 2, first line, the title should read "Mr.". He also stated that on Page 6, paragraphs one and two, both figures should be "\$15,500".

Mayor Flinn stated that Page 3, paragraph five, should be corrected to insert that Mayor Flinn "had been informed" that the Vice Mayor would not be attending.

A Motion to approve the Minutes as corrected was made by Councilmember Feller. Seconded by Vice Mayor Robinson. All members of Council voted in favor.

B. Council Meeting of December 2, 2002

Mayor Flinn asked that the fourth paragraph from the bottom of Page 5 be deleted.

A Motion to approve the Minutes as corrected was made by Councilmember Feller. Seconded by Vice Mayor Robinson. All members of Council voted in favor.

IV. VILLAGE MANAGER'S REPORT

A. Web site arrangement with Perrine Cutler Ridge Council (PCRC)

Mr. Rasco advised that PCRC has offered to post announcements and minutes on their web site (www.pcrc.com) until such time as the Village establishes its own.

B. Purchase of computers under State contract

Mr. Rasco thanked Mr. Scurr for his assistance in purchasing computers under the State contract through the City of South Miami's purchasing department. He advised that the Village would be receiving three computers in the near future.

C. One-half of One-Percent Transportation Transit System Surtax meeting with Miami-Dade County

Mr. Rasco advised that on December 13th, he and Councilmember Neidhart attended a meeting regarding the transit system surtax. He reported that the Village is eligible to receive funds in excess of \$650,000 and that the funds would be used for transportation related expenditures.

Councilmember Neidhart remarked that the Village is fortunate to be able to receive its share of the surtax. He advised that one of the local universities has offered its assistance in drawing a transportation plan.

- D. Mr. Rasco recognized Karen Simon, Aide to Senator Gwen Margolis. He advised that the Village has met with the Senator's office regarding expediting legislative items of interest to the Village. Mayor Flinn thanked Ms. Simon and asked her to thank the Senator for her invaluable assistance.
- E. Mr. Rasco announced the schedule of future advisory committee meetings.
- F. Mr. Scurr reported that the Village should present a list of future needs for the coming legislative session. He thanked the public and the members of the advisory committees for their assistance.
- G. Captain Michael Mourning of the Cutler Ridge District Police Station was recognized. Captain Mourning advised that the Village and the Police Department have been working together to insure a smooth transition. He reported that he will contact Mayor Flinn when issues arise that affect public safety and generate interest among the residents. He encouraged homeowner associations and neighborhood crime watch groups to contact him for input. He provided an explanation of the services performed at the Hibiscus Street office.

V. VILLAGE ATTORNEY'S REPORT

- A. Attorney Gallop provided a brief explanation regarding the ordinances that would be presented this evening. He advised that Robert Meyers from the Miami-Dade Commission on Ethics would be conducting a workshop to assist the Advisory Committees. He suggested that the workshop could be scheduled for January 6th. Brief discussion ensued.

VI. BOARD AND COMMITTEE REPORTS

- A. Building and Permitting Advisory Committee – Chairperson Gabriel Bifano: Mr. Bifano thanked the Council and staff for their assistance. He provided a copy of the Minutes of the last Committee meeting. Mr. Bifano advised that their next meeting is scheduled for December 30th and the Committee would be hearing presentations from different municipalities.
- B. Community Service and Public Works Advisory Committee – Chairperson Dennis Carter: Mr. Carter thanked the Council for appointing well-trained members to the Committee. He provided a brief summary of the December 12th meeting and advised that they would be meeting again on January 7th and would have a representative from the County present. He advised that the Committee is seeking the status of pending County Public Works projects.

- C. Planning, Zoning and Code Enforcement Advisory Committee – Chairperson Paula Palm: Mrs. Palm advised that the Committee had met and discussed several issues, remaining open-minded to outsourcing. She asked the Council for direction as to how members’ absences from meetings would be treated.

Mr. Scurr advised that usually three consecutive absences would constitute dismissal from the Committee.

Mayor Flinn asked that Committee members advise the Clerk or the Manager if they are unable to attend a meeting.

Following brief discussion, Mrs. Palm concluded her report.

- D. Public Information and Community Awareness Advisory Committee – Chairperson Courtney Collier: Mr. Henry Clifford, Secretary, spoke on behalf of the Chairperson. He provided a summary of the Committee’s recent meeting of December 11th. Mr. Clifford surveyed the audience regarding how the public receives community information.

- E. Public Safety Advisory Committee – Chairperson John Breder: Councilmember Breder advised that the Committee has had strong attendance and has established an aggressive schedule, meeting each week through January 9th. He reported that the Committee would be hearing from various municipalities’ police representatives. He invited all members of the public to attend the meetings.

- F. Village Manager Advisory Committee – Chairperson Ron Williams: Mr. Williams advised that the Committee has established an aggressive schedule, determined to insure that the “historic” process of appointing the first village manager is successful. He reported that the Committee would be meeting on December 18th to review resumes received to date. He noted that the deadline for receiving applications is January 17th, and the Committee would be meeting on January 20th to review all resumes. Mr. Williams advised that the Committee would conduct telephone interviews on January 25th. He stated that during the weekend of February 7th, the Village would hold a social gathering with the candidates and conduct final interviews.

Mr. Colin Baezinger, consultant, advised that he had received 15 resumes to date, with approximately one dozen from Florida.

Following brief discussion, Mr. Williams reported that the Committee plans to provide a list of finalists to the Council on January 29th.

Mr. Baenziger concluded that if the Council makes its decision in mid-February, a Manager could be seated by the first of April (assuming that the

candidate provides a customary 30-day notice to his/her current employer). He advised that he is providing the Village Clerk with copies of each resume received.

VII. CONSENT AGENDA: There were no Consent Agenda items considered by the Council.

VIII. RESOLUTIONS

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PUBLIC RISK SERVICES; AUTHORIZING THE INTERIM VILLAGE MANAGER TO APPLY FOR MUNICIPAL INSURANCE COVERAGE THROUGH THE FLORIDA LEAGUE OF CITIES, INC., FLORIDA MUNICIPAL INSURANCE TRUST; PROVIDING AN EFFECTIVE DATE.

A Motion to bring the item to the floor was made by Vice Mayor Robinson. Seconded by Councilmember Breder. All voted in favor.

Mr. Rasco briefly explained the matter. He provided staff's opinion that the Florida Municipal Insurance Trust be retained as provider, as more coverage is offered for less premium.

Attorney Gallop advised that he is familiar with the coverage offered by the Florida Municipal Insurance Trust and finds that same is readily extended and broad.

Mr. Rasco provided a comparison of the coverage offered by the Florida Municipal Insurance Trust and Preferred Governmental Insurance Trust.

Mr. Jeff Schwitzer, representative of Morris & Reynolds Insurance Agency, provided the Council with a brief explanation of the coverage offered and company background. He advised that the Preferred Governmental Insurance is re-insured by Travelers Insurance.

Brief discussion ensued.

Mr. Chuck Wilde, representing the Florida Municipal Insurance Trust, provided an explanation with regard to the coverage offered and company background.

Following discussion, a Motion to adopt the proposed Resolution was made by Councilmember Feller. Seconded by Councilmember Breder.

Resolution 02-30 was adopted by unanimous roll call vote. The vote was as follows: Councilmember Feller, Councilmember Neidhart, Councilmember Breder, Vice Mayor Robinson, and Mayor Flinn voting in the affirmative.

IX. RESOLUTIONS REQUIRING PUBLIC HEARING: There were no resolutions requiring a public hearing considered by the Council.

X. ORDINANCES FOR FIRST READING AND EMERGENCY ORDINANCES

A. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO HEARINGS; CREATING CHAPTER 5 OF THE CODE OF ORDINANCES, ENTITLED "QUASI-JUDICIAL HEARING PROCEDURES"; DEFINING *EX-PARTE* COMMUNICATIONS AND DISCLOSURE PROCEDURES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

A Motion to bring the item to the floor was made by Vice Mayor Robinson. Seconded by Councilmember Breder. All voted in favor.

Attorney Gallop provided a brief explanation of the proposed Ordinance.

Following brief discussion, a Motion to approve on first reading was made by Councilmember Feller. Seconded by Councilmember Breder. All voted in favor. The Motion passed unanimously (5-0).

B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO TAXES; CREATING CHAPTER 6 OF THE CODE OF ORDINANCES, ENTITLED "PUBLIC SERVICE TAX", PROVIDING FOR LEVYING AND COLLECTING PUBLIC SERVICE TAXES AUTHORIZED BY FLORIDA STATUTE SECTION 166.231, ET. SEQ., UPON THE PURCHASE OF ELECTRICITY, WATER SERVICE, METERED NATURAL GAS, LIQUEFIED PETROLEUM GAS EITHER METERED OR BOTTLED, AND FUEL OIL WITHIN VILLAGE LIMITS; PROVIDING FOR ASSESSMENT OF INTEREST AND PENALTIES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

A Motion to bring the item to the floor was made by Vice Mayor Robinson. Seconded by Councilmember Feller. All voted in favor.

Attorney Gallop provided a brief explanation of the proposed Ordinance.

Following brief discussion, a Motion to approve on first reading was made by Councilmember Feller. Seconded by Councilmember Neidhart. All voted in favor. The Motion passed unanimously (5-0).

XI. ORDINANCES FOR SECOND READING AND PUBLIC HEARING: There were no ordinances on second reading considered by the Council.

XII. PUBLIC COMMENTS

- A. Ms. Bev Gerald, 14271 S.W. 74 Court, thanked the Council for adopting the support resolution concerning North Dade. She announced that on January 28, 2003, North Dade residents will be able to vote regarding incorporation.
- B. Mr. Henry Clifford, 8875 S.W. 171 Street, remarked that he had heard there were problems with the transfer of Coral Reef Park. Mayor Flinn replied that he is not aware of any problems.
- C. Mr. Stanley Kowlessar, 8360 S.W. 148 Drive, remarked that while he understands the urgency for selecting a Village Manager, the Village should allow adequate time in order to find the best candidate possible.
- D. John Pettit, 15395 S.W. 69 Court, wondered if the County is currently operating Coral Reef Park. Mayor Flinn advised that the County is providing services until other arrangements are made.

XIII. OTHER BUSINESS

- A. Mayor Flinn confirmed with John Pettit that Mary Pettit is withdrawing from the Parks and Recreation Advisory Committee. Mayor Flinn suggested that Rob Arone be appointed to the vacancy. A Motion to appoint Rob Arone to the Parks and Recreation Advisory Committee was made by Councilmember Neidhart. Seconded by Councilmember Breder. All voted in favor.

XIV. COUNCIL COMMENTS

- A. Mayor Flinn remarked that the advisory committees may need to be expanded to insure sufficient support and involvement so that no one individual is unduly burdened.
- B. Councilmember Breder reported on the continued success of the Susan May project, 9601 S.W. 182 Street, thanking several individuals for their assistance in this community-based effort. Councilmember Neidhart thanked Councilmember Breder for initiating the project.
- C. Vice Mayor Robinson thanked the Council, staff and the public for supporting her through her husband's illness.

XV. NEXT MEETING AND ADJOURNMENT: The next meeting of the Council shall be held on January 6, 2003 beginning at 7:00 p.m. in the Visitor's Center at the Deering Estate. The meeting adjourned at 10:05 p.m.

Prepared and submitted by:

*Meighan J. Pier
Acting Village Clerk*

*Adopted by the Village Council on
this ____ day of _____, 2003.*

Eugene P. Flinn, Jr., Mayor