

**VILLAGE OF PALMETTO BAY, FLORIDA
MINUTES OF THE MONDAY, DECEMBER 2, 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 7:05 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, Ms. Bev Gerald led the pledge of allegiance.

- II. PROCLAMATIONS, AWARDS, PRESENTATIONS:** There were no proclamations, awards, nor presentations at this time.

III. APPROVAL OF MINUTES

Minutes of the Meeting of November 18, 2002

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

IV. VILLAGE MANAGER'S REPORT

Mr. Scurr advised that staff and Mayor Flinn had met with the County and district Miami-Dade Police Department officials. He reported that the meetings were productive and they would be continuing negotiations. He advised that he would be receiving all budgetary information in the near future.

Mr. Rasco reported that the Village Manager Advisory Committee would be meeting on Wednesday, December 4, 2002 at 7:00 p.m. at the temporary Village Hall, 900 Perrine Avenue.

V. VILLAGE ATTORNEY'S REPORT

Attorney Gallop reported that staff had met with the County regarding zoning and building permit issues. He briefly explained the resolution to be considered regarding this matter.

Attorney Gallop provided his opinion with regard to advisory committees and conflict of interest.

VI. BOARD AND COMMITTEE REPORTS: There were no Board and Committee Reports considered by the Council.

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 BOARDS AND AGENCIES; APPOINTING MEMBERS TO THE FINANCE AND BUDGET ADVISORY COMMITTEE.

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

Mr. Scurr briefly explained the purpose of the committee and the reason behind having the committee formed as a committee of the whole. Brief discussion ensued.

Attorney Gallop suggested that if members of the Council wish to include additional members, a motion stated as follows would be appropriate: "Resolution 02-13 is hereby amended to increase the number of members to the Finance and Budget Advisory Committee to authorize 10 members."; and, include Section 3, "This resolution supercedes any resolutions in conflict herewith."

A Motion to amend the Resolution as stated was made by Councilmember Feller. Seconded by Vice Mayor Robinson. All members of the Council voted in favor of the amendment.

Members of the Finance and Budget Advisory Committee were appointed as follows:

Councilmember Feller – Larry Elmer
Councilmember Neidhart – Michael Brown
Councilmember Breder - Jorge Dominicis
Vice Mayor Robinson -Warren Lovely
Mayor Flinn – David Palm

Resolution 02-21 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.

B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BOARDS AND AGENCIES; APPOINTING MEMBERS TO THE PARKS AND RECREATION ADVISORY COMMITTEE.

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

Mr. Scurr described the purpose of the committee.

Mayor Flinn asked Councilmember Feller if he would be willing to serve as liaison. Councilmember Feller agreed.

Members of the Parks and Recreation Advisory Committee were appointed as follows:

Mayor Flinn – Mary Pettit and Shari Olvham
Vice Mayor Robinson –Maria Lopez
Councilmember Feller – Peter Kerwin
Councilmember Neidhart – Peter England
Councilmember Breder – Howard Tendrich
Staff – Maria Stout-Tate

Mr. John Pettit – 15395 S.W. 89 Court, suggested appointing Frank Gowin, as he is very active with Coral Reef Park.

Following discussion regarding the number of members that each committee should or may have, Mayor Flinn appointed Frank Gowin.

A Motion to adopt Resolution 02-22 was made by Councilmember Breder. Seconded by Councilmember Neidhart. Resolution 02-22 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.

C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BOARDS AND AGENCIES; APPOINTING MEMBERS TO THE LONG TERM PLANNING ADVISORY COMMITTEE.

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

Mr. Scurr described the purpose of the Committee.

Mayor Flinn urged members of this committee to seek information from various organizations that are interested in the future of Palmetto Bay.

Members of the Long Term Planning Advisory Committee were appointed as follows:

Councilmember Breder – Carlton Decker
Councilmember Neidhart – Betty Noe
Councilmember Feller – Chuck Latshaw
Vice Mayor Robinson – Brian Pariser
Mayor Flinn – Marsha Matson and Jack Fell
Staff – Kevin Asher

Mayor Flinn asked Councilmember Feller if he would be willing to serve as liaison. Councilmember Feller agreed.

Resolution 02-23 was adopted by majority (4-1) roll call vote. The vote was as follows: Councilmember Feller, Councilmember Neidhart, Vice Mayor Robinson, and Mayor Flinn voting in the affirmative. Councilmember Breder voting against same.

D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BOARDS AND AGENCIES; APPOINTING MEMBERS TO THE PLANNING, ZONING AND CODE ENFORCEMENT ADVISORY COMMITTEE.

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

Mr. Scurr described the purpose of the Committee.

Members of the Planning, Zoning and Code Enforcement Advisory Committee were appointed as follows:

Mayor Flinn - Anna Ordonez and Marti Greenberg
Vice Mayor Robinson - Paula Palm
Councilmember Feller - Dee Quintero

Councilmember Neidhart - Jim Mulholland
Councilmember Breder – John Pettit

Mayor Flinn asked Vice Mayor Robinson if she would be willing to serve as liaison. Vice Mayor Robinson agreed.

Resolution 02-24 was adopted by majority (4-1) roll call vote. The vote was as follows: Councilmember Feller, Councilmember Neidhart, Vice Mayor Robinson, and Mayor Flinn voting in the affirmative. Councilmember Breder voting against same.

- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BOARDS AND AGENCIES; APPOINTING MEMBERS TO THE BUILDING AND PERMITTING ADVISORY COMMITTEE.

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

Mr. Scurr described the purpose of the Committee.

Members of the Building and Permitting Advisory Committee were appointed as follows:

Councilmember Breder – James Piersol
Councilmember Neidhart – Gabe Bifano
Councilmember Feller – Steve Kreisher
Vice Mayor Robinson – Thomas Ringel
Mayor Flinn – Manny Gulino and Ginger Cates

Mayor Flinn asked Councilmember Breder if he would be willing to serve as liaison. Councilmember Breder agreed.

Resolution 02-25 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.

- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BOARDS AND AGENCIES; APPOINTING MEMBERS TO THE COMMUNITY SERVICES AND PUBLIC WORKS ADVISORY COMMITTEE.

A Motion to bring the item to the floor was made by Councilmember Neidhart. Seconded by Vice Mayor Robinson.

Mr. Scurr described the purpose of the Committee.

Members of the Community Services and Public Works Advisory Committee were appointed as follows:

Staff - Dennis Carter
Mayor Flinn – Ben Schoneck and Dean Radeloff
Vice Mayor Robinson – Julie LaVoie
Councilmember Feller – Ronnie Williams
Councilmember Neidhart – Michael Kesti
Councilmember Breder – Bill Dunn

Mayor Flinn asked Councilmember Neidhart if he would be willing to serve as liaison. Councilmember Neidhart agreed.

Mr. Phillip Cuffe, 8840 SW 153 Terrace, offered his services to the Committee, as he is retired from the County Public Works Department.

Mayor Flinn thanked him and invited any members of the public to attend and participate at any advisory committee meeting.

Resolution 02-26 was adopted by majority (4-1) roll call vote. The vote was as follows: Councilmember Feller, Councilmember Neidhart, Vice Mayor Robinson, and Councilmember Breder voting in the affirmative. Mayor Flinn voting against same.

- G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BOARDS AND AGENCIES; APPOINTING MEMBERS TO THE PUBLIC INFORMATION AND COMMUNITY AWARENESS ADVISORY COMMITTEE.

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

Mr. Scurr described the purpose of the Committee.

Members of the Public Information and Community Awareness Advisory Committee were appointed as follows:

Councilmember Neidhart - Courtney Collier
Councilmember Feller – Martin Olson
Councilmember Breder – Rene Nunez
Vice Mayor Robinson - Ronnie Heller
Staff - Jacquie Sosa
Mayor Flinn – Henry Clifford and Donna Coughlin

Mayor Flinn asked Vice Mayor Robinson if she would be willing to serve as liaison. Vice Mayor Robinson agreed.

Resolution 02-27 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.

- H. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING AND PERMITTING; APPROVING A MEMORANDUM OF AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE VILLAGE; AUTHORIZING THE COUNTY TO PROVIDE COMPREHENSIVE PLANNING, ZONING, BUILDING PERMIT AND OTHER DEVELOPMENT REVIEW SERVICES TO THE VILLAGE ON AN INTERIM BASIS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Attorney Gallop reported that there currently is a hearing date for items in the Palmetto Bay area scheduled for January 28, 2003, which is the date the matters were originally scheduled before the County's community council. He advised that while the Village should adopt an ordinance that would make the Village the governing body, the Village also should enter into an agreement with the County to process, review and provide administrative services. He stated that the memorandum of agreement is similar to that which was approved by the Village of Pinecrest.

Mr. Rasco advised that the County is currently performing these services for its community council. He stated that the zoning meetings would most likely take place at Southwood Middle School. He concluded that the County would provide its services and the plans would be available for review at the Village's temporary office.

Following brief discussion and public input, Resolution 02-28 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.

- I. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA URGING APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA FOR THE PROPOSED NEW

CITY OF NORTH DADE, FLORIDA TO SCHEDULE AN ELECTION FOR MUNICIPAL INCORPORATION.

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

Attorney Gallop advised that he had reviewed this add-on item and found same to be legally sufficient.

Ms. Bev Gerald provided a brief history of the community of North Dade's efforts to incorporate.

Resolution 02-29 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 EMERGENCY ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; ADOPTING CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES, ENTITLED "ZONING"; ASSUMING JURISDICTION BY THE VILLAGE COUNCIL OVER PLANNING AND ZONING DECISIONS; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.

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

Attorney Gallop provided an explanation of this matter.

Ordinance 02-02 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.

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

XII. PUBLIC COMMENTS: There were no public comments at this time.

XIII. COUNCIL COMMENTS

A. Vice Mayor Robinson suggested that the Village consider appointing a liaison between the Village and the School Board with regard to education. She stated that the liaison would keep in contact with the School Board and keep the public abreast of activities concerning the local schools.

Mayor Flinn suggested that she contact the Village Attorney to draft a resolution.

XIV. OTHER BUSINESS: There was no other business to come before the Council.

XV. NEXT MEETING AND ADJOURNMENT: The next meeting of the Council shall be held on December 16 beginning at 7:00 p.m. in the Visitor's Center at the Deering Estate. The meeting adjourned at 8:50 p.m.

Prepared and submitted by:

Meighan J. Pier
Acting Village Clerk

Adopted by the Village Council on
this ____ day of _____, 2002.

Eugene P. Flinn, Jr., Mayor