

**VILLAGE OF PALMETTO BAY, FLORIDA
MINUTES OF THE MONDAY, AUGUST 4, 2003
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 7:00 p.m. The following members of the Village Council were present:

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

The following staff members were present:
Village Manager Charles D. Scurr
Assisting Village Attorney Eve Boutsis
Village Clerk Meighan Pier

Mayor Flinn asked Al LaVoie to lead the pledge of allegiance.

II. PROCLAMATIONS, AWARDS, PRESENTATIONS

- A. Presentation by Janet Hupp, Principal of Palmetto Senior High School re: Palmetto High Baseball Team

Principal Janet Hupp, Palmetto Senior High School, thanked the Council. She asked the Village to support Palmetto Senior High Baseball by allowing the School to utilize the Village's field for their games. She introduced several individuals who have been assisting her in this effort.

Mr. Scurr advised that the concept would not require new construction of the fields; rather the School would utilize the field closest to the tennis courts. He noted that the School would raise funds to provide necessary improvements (removable outfield fence, for example). He stated if the Council directs, staff would draft an interlocal agreement with the School.

Councilmember Feller suggested that a community meeting be held wherein school representatives and neighbors of Coral Reef Park can be heard.

Principal Hupp concurred. In response to several questions, she advised that 20 baseball players are on each team, with practice being held every day from 3:00 to 5:30 p.m. She stated that the School would arrange the schedule in order to insure that traffic is not negatively impacted.

III. APPROVAL OF MINUTES

- A. Council Meeting of July 7, 2003: A Motion to approve the Minutes of the July 7, 2003 Council Meeting was made by Vice Mayor Robinson. Seconded by Councilman Neidhart. All voted in favor (5-0).
- B. Special Council Meeting of July 14, 2003: A Motion to approve the Minutes of the July 14, 2003 Special Council Meeting was made by Councilman Feller. Seconded by Vice Mayor Robinson. All voted in favor (5-0).

IV. VILLAGE MANAGER'S REPORT

Mr. Scurr provided an update with regard to the County negotiations. He advised that the County had approved the Interlocal Agreement with the Village. He noted that the Parks Agreement, which was subject to the completion of an environmental assessment, should be placed on the County Agenda in September. Mr. Scurr advised that the Village intends to assume responsibility for the parks on October 1st.

Commander Mouring provided an update with regard to Village public safety matters.

Mr. Scurr reported that the Village's Building and Permitting Department is operational and thanked Mr. Joe Rasco and Mr. Gabriel Bifano. He advised that Mr. Ron Williams, Director of Public Works, has been negotiating a series of contracts, particularly with regard to parks. He noted that the Village and the Public Works and Code Enforcement Advisory Committee have heard presentations with regard to the Code Enforcement efforts. He stated that staff has been working on the Public Information Officer contracts and would provide the information in the near future.

Mr. Scurr announced the August 13th Budget Workshop, the September 11th Tentative Budget Hearing and the September 22nd Final Budget Hearing. He thanked Mr. Alfredo Acin, Finance Director, and Ms. Olga Cadaval, Assistant to the Village Manager, for their efforts. He provided brief information with regard to the Budget, noting that the Council had voted to not exceed the maximum millage rate of 2.447. He advised that adequate reserves are included in the budget.

V. VILLAGE ATTORNEY'S REPORT

Attorney Boutsis reported that her office has been working with staff regarding several Requests for Proposals, the Finance Director Interlocal, and the revised Ordinance with regarding to meeting procedures. She advised that her office is continuing drafting an ordinance with regard to lobbyists.

VI. BOARD AND COMMITTEE REPORTS: None at this time.

VII. CONSENT AGENDA

- A. 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 \$8,428.89; PROVIDING AN EFFECTIVE DATE.
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO OFFICE EQUIPMENT; RATIFYING THE 36-MONTH LEASE AGREEMENT WITH IOS CAPITAL FOR A PHOTOCOPIER FROM IKON OFFICE SOLUTIONS, INC. THROUGH STATE CONTRACT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A STANDBY CONTRACT WITH ASHBRIIT, INC. FOR DEBRIS REMOVAL AND PROVISION OF OTHER DISASTER RELATED SERVICES.
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACKNOWLEDGING THE EFFORTS OF CHARLES SCURR, VILLAGE MANAGER; AUTHORIZING THE PAYMENT OF A LUMP SUM BONUS AS DEFINED BY EMPLOYMENT CONTRACT; PROVIDING AN EFFECTIVE DATE.

Councilman Feller moved to adopt the items listed under "Consent Agenda". Seconded by Vice Mayor Robinson. All voted in favor. The Motion carried (5-0).

VIII. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO

EXECUTION OF AN INTERLOCAL AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE INTERLOCAL AGREEMENT BETWEEN THE VILLAGE OF PALMETTO BAY AND THE TOWN OF MIAMI LAKES FOR SHARED SERVICES OF A FINANCE DIRECTOR; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Mr. Scurr explained the item.

Attorney Boutsis advised that she had reviewed the Interlocal Agreement, noting that the Finance Director would be an employee of the Town of Miami Lakes.

Following several questions from the public, Mr. Scurr advised that the Village would share the cost of the Finance Director with the Town of Miami Lakes, noting that Mr. Alfredo Acin would be working at the Village on a part-time basis.

Mr. Acin stated that he would be at the Village on Mondays and Thursdays, and Wednesday afternoons. He noted that he could be reached by phone at Miami Lakes on the days that he would not be in Palmetto Bay. He advised that all financial reports will be performed by him.

A Motion to adopt the Resolution was made by Vice Mayor Robinson. Seconded by Councilman Neidhart. The vote was as follows: Councilmember Feller, Councilmember Neidhart, Councilmember Breder, Vice Mayor Robinson, and Mayor Flinn voting in the affirmative. The Motion carried (5-0).

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; APPROVING THE SELECTION OF A FIRM TO PROVIDE PROFESSIONAL AUDITING SERVICES OF THE VILLAGE AND OTHER RELATED DUTIES; PROVIDING AN EFFECTIVE DATE.

Mr. Scurr explained the item.

Attorney Boutsis advised that if Rachlin is chosen, her office would draft the agreement.

In response to questions, Mr. Scurr reported that the fee charged by the auditor would be based on performing the audit with three years anticipated.

A Motion to adopt the proposed Resolution was made by Councilman Feller. Seconded by Councilman Breder. The vote was as follows: Councilmember Feller, Councilmember Neidhart, Councilmember Breder, Vice Mayor Robinson, and Mayor Flinn voting in the affirmative. The Motion carried (5-0).

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; APPROVING THE SELECTION OF A FIRM TO PROVIDE PARKS AND RECREATION SERVICES TO THE VILLAGE; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT NEGOTIATIONS WITH THE YMCA OF SOUTH DADE AND THE DAVE AND MARY ALPER JCC; AND PROVIDING AN EFFECTIVE DATE.

Mr. Scurr explained the item.

Attorney Boutsis advised that she would be drafting a contract to return to Council.

A Motion to adopt the proposed Resolution was made by Vice Mayor Robinson. Seconded by Councilman Feller. The vote was as follows: Councilmember Feller, Councilmember Neidhart, Councilmember Breder, Vice Mayor Robinson, and Mayor Flinn voting in the affirmative. The Motion carried (5-0).

IX. RESOLUTIONS REQUIRING PUBLIC HEARING: None at this time.

X. 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 THE VILLAGE COUNCIL; ESTABLISHING COUNCIL MEETING AND AGENDA PROCEDURES; RULES OF ORDER, ORDER OF BUSINESS, MINUTES OF MEETINGS; AND PROCESS FOR CREATION OF COMMITTEES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Attorney Boutsis explained the Ordinance. She noted that she addressed tie votes on Page 9, Section F and the reconsideration of votes. She further explained that re-hearings were addressed under Section H. Attorney Boutsis discussed the Agenda procedures, decorum of Council, Boards and audience and the need to keep respect.

A Motion to approve the proposed Ordinance on first reading was made by Councilmember Breder. Seconded by Vice Mayor Robinson. All voted in favor. The vote was as follows: Councilmember Feller, Councilmember Neidhart, Councilmember Breder, Vice Mayor Robinson, and Mayor Flinn voting in the affirmative. Motion carried (5-0).

XI. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

XII. PUBLIC COMMENTS

- A. Mr. Gabriel Bifano 7371 S.W. 156 Street, addressed the Council with regard to re-hearings.

XIII. MAYOR AND COUNCIL COMMENTS

- A. Councilman Neidhart advised that Ordinance should be decided upon the issue at hand, as certain conditions may not apply to all issues.
- B. Vice Mayor Robinson noted that Council is provided all information prior to each meeting and is fully informed.
- C. Councilman Breder noted that with regard to the recent zoning decision, he had recused himself due to his owning property adjacent

XIV. OTHER BUSINESS

XV. NEXT MEETING AND ADJOURNMENT

Vice Mayor Robinson moved to adjourn. Seconded by Councilmember Breder. All voted in favor. The meeting was adjourned at 8:26 p.m.

Prepared and submitted by:

*Meighan J. Pier
Village Clerk*

*Adopted by the Village Council on
this ___ day of September, 2003.*

Eugene P. Flinn, Jr., Mayor