

**VILLAGE OF PALMETTO BAY, FLORIDA
MINUTES OF THE MONDAY, SEPTEMBER 12, 2005
MEETING OF THE VILLAGE COUNCIL**

SOUTHWOOD MIDDLE SCHOOL
16301 SW 80 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 Flinn
Vice Mayor Linda Robinson
Councilman Ed Feller, MD
Councilman Paul Neidhart
Councilman John Breder

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

Mayor Flinn asked Alan Taylor to lead the pledge of allegiance.

II. PROCLAMATIONS, AWARDS, PRESENTATIONS

- A. Mayor Flinn asked the Council to join him in recognizing E. Alan Taylor, the chairperson of the first Steering Committee of Palmetto Bay. He presented Mr. Taylor with a ceremonial key to the Village.

Mr. Taylor expressed his thanks.

Councilman Feller and Vice Mayor Robinson thanked Mr. Taylor for his past efforts that resulted in the incorporation of Palmetto Bay.

- B. Mayor Flinn recognized Miami-Dade County Commissioner Carlos Gimenez who spoke concerning the loss of electrical power following Hurricane Katrina. He expressed that he is supportive of burying electrical utility lines and improving communications infrastructure.

Mayor Flinn remarked that he and staff are working on finalizing a line clearing ordinance. He commented that he is interested in working with FEMA to see how the flood zone maps could be corrected, as many residents experienced flooding when they were told they were not in a

flood zone area. He thanked FPL for their willingness to join the Village in a public workshop to discuss the vegetation clearing matter.

Councilman Feller thanked Commissioner Gimenez. He noted that the Village had passed a resolution a year ago supporting investigating the cost of commencing burying all utilities. He mentioned that if there is any named storm affecting Florida, any damage due to any storm regardless of whether it was caused by hurricane, is covered under windstorm. He stated that he would encourage all governmental entities in the County to pass a resolution that will urge this law to be changed.

Commissioner Gimenez stated that he will support changing that law. He remarked that the County Commission has passed a resolution urging FEMA to assist. He asked the Council to speak to their congressmen.

Vice Mayor Robinson stated that she is supportive of changing the law.

Councilman Neidhart remarked that he would like to see feeder electricity lines buried, but we need to engage FPL in tree trimming as a start and work toward burying lines.

Mayor Flinn commented that the Village Council is willing to work with Commissioner Gimenez on this matter.

Commissioner Gimenez stated that the municipalities who pay mitigation should be receiving reduction of mitigation payments from the date of the incorporation of Miami Gardens.

The Council thanked Commissioner Gimenez for his time.

III. APPROVAL OF MINUTES

- A. Minutes of the August 1, 2005 Council Meeting
- B. Minutes of the August 5, 2005 Special Council Meeting
- C. Minutes of the August 17, 2005 Special Council Meeting
- D. Minutes of the August 30, 2005 Special Council Meeting

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

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

V. CONSENT AGENDA

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

Village of Palmetto Bay
Minutes of the Council Meeting of September 12, 2005

ATTORNEYS' FEES; APPROVING ATTORNEYS' FEES AND COSTS FOR NAGIN GALLOP FIGUEREDO, P.A., IN THE AMOUNT OF \$28,425.85; PROVIDING AN EFFECTIVE DATE.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; AUTHORIZING THE VILLAGE MANAGER TO EXTEND THE ENGINEERING SERVICES CONTRACTS, PUBLIC INFORMATION SERVICES CONTRACT, PARKS MAINTENANCE CONTRACT, AND THE RIGHT-OF-WAYS MAINTENANCE CONTRACT FOR A PERIOD OF SIXTY CALENDAR DAYS EACH; AND PROVIDING AN EFFECTIVE DATE.

Councilman Neidhart moved to approve the Consent Agenda items. Seconded by Councilman Feller. All voted in favor. Resolutions 05-67 and 05-68 was adopted unanimously (5-0).

VI. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, APPROVING THE SELECTION OF RJ HEINSENBOTTLE ARCHITECTS TO PROVIDE ARCHITECTURE AND ENGINEERING SERVICES FOR THE PARK PROPERTY LOCATED AT 17301 OLD CUTLER ROAD; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE A CONTRACT WITH SAID FIRM; AND PROVIDING AN EFFECTIVE DATE.

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

Mr. Scurr provided staff report. He advised that Village staff will be seeking a \$2.7 million grant from the Florida Communities Trust this Thursday in Tallahassee. He noted that this is the first step of a two step process and staff will create scope of work and fees and return to Council.

Mayor Flinn welcomed a motion tabling this item until the scope of work has been developed following budget consideration.

Following brief discussion, it was confirmed that this Resolution selects the architect and the contract for the architect will return following the determination of phase I budget for this project.

All voted in favor of the previous Motion. Resolution 05-69 was adopted unanimously (5-0).

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO TREE PLANTING; AUTHORIZING THE VILLAGE MANAGER TO PURCHASE TREES FOR CANOPY REPLACEMENT THROUGHOUT THE VILLAGE FROM MELROSE NURSERY, INC., UNDER COUNTY BID #5066-2/03-2 IN THE AGGREGATE AMOUNT OF \$69,250; AND PROVIDING AN EFFECTIVE DATE.

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

Mr. Scurr provided staff report. He advised that following the recent storms, staff became acutely aware of the loss of canopy. He advised that staff is confirming with FPL as to which species they recommend under power lines.

Mayor Flinn suggested that additional trees be installed in Perrine Park for the buffer.

Councilman Feller stated that it is important to purchase trees quickly while the price is acceptable and trees are available. He stated that careful planning of the trees must be considered and staff should also budget funds to remove stumps prior to planting new trees.

Director Ana Garcia, Community Services, advised that staff personally visited the nursery and inspected and tagged each tree.

Councilman Breder thanked Ms. Garcia and asked for information concerning the inclusion of a variety of trees at Perrine Park and the proper spacing of the trees.

Director Garcia noted that staff is working under the recommendation of the consulting landscape architect and arborist.

Councilman Neidhart called the question. All voted in favor. Resolution 05-70 was adopted unanimously (5-0).

VII. VILLAGE MANAGER'S REPORT:

Mr. Scurr provided a report with regard to the recent storm. He noted that when the hurricane warning was declared, the emergency disaster protocols were followed, including elevating storm drain cleaning and maintenance and prepositioning supplies and equipment. He advised that the Village did not lose police emergency response during the storm, as the police were able to use Parks and Public Works vehicles. He thanked Lieutenant Glasel and Mayor Flinn for their efforts, including removing

individuals from a flooded vehicle during the storm. He advised that following the storm, the Village began clearing all major streets and working with contractors to repair damage to the parks. He noted that the parks remain in the process of recovery efforts. Mr. Scurr stated that the County has worked with the County-contracted solid waste crews with regard to debris removal. He noted that the County advised that there are a minimum of four crews canvassing the Village, with two to three unofficial rotations, and two-thirds of the Village has been cleared. He advised that all should understand that the primary focus of the County contractors are to pick up large pieces of debris and “race against time” to remove debris while still in hurricane season. Mr. Scurr explained FEMA reimbursement procedures. He advised that the Village has been soliciting donations for the Gulf Coast victims and he thanked administration staff for their efforts and particularly thanked Peacock Embroidery, Gator Industries, the Miami Heat family members, and others for their generous donations.

Mayor Flinn thanked the volunteers and the local school children who recently held a bake sale at Coral Reef park.

Councilman Feller suggested that staff consider buying satellite phones to avoid problems due to communications following storm-related utility outages.

VIII. VILLAGE ATTORNEY’S REPORT: Attorney Boutsis reported that she and Director Arleen Weintraub, Community Development, met with the South Florida Regional Planning Council concerning the Comprehensive Development Master Plan and received a favorable recommendation following the meeting. She advised that she has been working with code compliance staff concerning the property located at 7860 SW 173 Street. She advised that following an agreement with the property owner, staff has been advised that the property is scheduled to be sold by tax deed and there should be a new owner next month.

IX. PUBLIC COMMENTS: The following individuals addressed the Council concerning flooding issues: Mike Liotti, 8340 SW 164 Street; Len Chaff, a resident of Pinecrest; Mrs. Chapman, 8320 SW 164 Street; Lisa Chapman, 8320 SW 164 Street; Charles Lauder, 8280 SW 164 Terrace; Sam Hacid, 8205 SW 164 Terrace; Richard Greene, 16250 SW 89 Court; and Chris Moyer, 16255 SW 89 Court.

X. MAYOR AND COUNCIL COMMENTS

A. Councilman Neidhart remarked that the drainage project on SW 89th Court includes exfiltration trenches into the canal, and the project is a “well-planned” project.

- B. Mayor Flinn encouraged those neighbors to review the drainage project with Director Ron Williams, Public Works. He suggested that the Village should consider engaging another consultant to perform a village-wide review of flooding issues.
- C. Councilman Neidhart stated that he visited 8320 SW 164 Street this past Saturday and was surprised at the flooding that had occurred. He advised that he had spoken to Director Williams who had suggested Kimley Horn consider reviewing that area, as flooding there was not anticipated.
- D. Mr. Scurr noted that mayors from several cities are meeting next week with representatives from the South Florida Water Management District to determine what occurred as the canals were supposed to have been lowered.
- E. Vice Mayor Robinson encouraged the community to report their flooding problems.
- F. Councilman Feller stated that flooding occurs on the streets near his home, but, fortunately, the houses were constructed on elevated levels.
- G. Vice Mayor Robinson suggested that the Village seek funds from the County for replacement trees on the swale of County roadways throughout the Village. Mr. Scurr replied that the Village would not be likely to receive any funds and may not receive the trees that would be appropriate.

XI. NEXT MEETING AND ADJOURNMENT

The meeting was adjourned at 9:44 p.m.

Prepared and submitted by:

*Meighan J. Pier, CMC
Village Clerk*

*Adopted by the Village Council on
this ___ day of October, 2005*

Eugene P. Flinn, Jr., Mayor

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