

**VILLAGE OF PALMETTO BAY, FLORIDA  
MINUTES OF THE MONDAY, APRIL 3, 2006  
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  
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 Pier

The Eagle Scouts lead the pledge of allegiance.

**II. PROCLAMATIONS, AWARDS, PRESENTATIONS**

- A. Proclamation and presentation to Lee Huntley, CEO, Baptist Hospital  
Mayor Flinn presented a Proclamation and a Key to the Village to Mr. Huntley and thanked him for his years of service to the community. The Council joined Mayor Flinn in expressing their gratitude.
- B. Proclamations for Eagle Scouts  
Mayor Flinn thanked each of the Eagle Scouts for their projects and provided each a Proclamation. Director Ana Garcia, Community Services, gave a brief explanation as to the nature of the projects that the Eagle Scouts had performed.
- C. Certificates of Appreciation – Skateboard Park Team  
Mayor Flinn gave each member of the Skateboard Park Team a Certificate of Appreciation and a pin. The Team gave the Council a shirt and thanked them for listening to their input.

### III. APPROVAL OF MINUTES

- A. Minutes of the March 6, 2006 Council Meeting  
Vice Mayor Robinson moved to approved. Seconded by Councilman Feller. All voted in favor (5-0). The Motion carried unanimously.

Councilman Neidhart moved to hear the item concerning a proposed resolution for the Skate Pavilion at this time. Seconded by Councilman Feller. All voted in favor (5-0). The Motion carried unanimously.

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION; APPROVING A CONTRACT WITH PIAZZA, INC. FOR PHASE I AND II OF THE SKATE PAVILION AT PERRINE PARK IN THE AMOUNT OF \$123,832.80; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Councilmember Paul Neidhart)

Clerk Pier announced that she had been handed a petition opposing this item.

Mayor Flinn called for a recess at 7:35 pm. The meeting reconvened at 7:48 pm.

Director Garcia provided staff report, noting there was an enthusiastic response to skating facilities as a result of the community surveys performed during the parks master plan process. She advised that the manufacturer had provided a significant discount for beginning construction of both phases I and II.

Ms. Elsie Mathurin, 8844 SW 177 Terrace, was recognized as the individual who provided the petition in opposition to the skate park. She stated her objection to removal of the tennis courts.

Vice Mayor Robinson noted that the plans for the skate park were discussed in a public forum on several occasions, following being publicly advertised.

Councilman Breder asked if her opposition is against a skate park.

Ms. Mathurin stated that she does not oppose the concept of Skate Park; rather, she opposes removal of the tennis courts.

Councilman Breder urged staff to work with these residents to help them find a solution. Director Garcia indicated that she would assist.

Councilman Neidhart expressed his support of the skate park. He called the question, expressing approval of the proposed Resolution. All voted in favor (5-0). Resolution 06-31 was adopted unanimously.

#### **IV. VILLAGE MANAGER'S REPORT**

- A. Mr. Scurr provided his report. He advised that Police Department negotiations are ongoing, the Building and Permitting Review Committee will be meeting again on Wednesday at 4 pm, the Charter Review Commission will meet on Tuesday at 6 pm, and the Fire Committee will be meeting in the near future. He noted that the recent legislative trip was productive and staff had received "good news" on the historic preservation grant. He noted that staff will not hear feedback on the federal legislative initiatives until later in the year.

#### **V. VILLAGE ATTORNEY'S REPORT**

- A. Attorney Boutsis noted that she would provide report as items come forward.

#### **VI. BOARD AND COMMITTEE REPORTS**

- A. Report by Mayor Eugene P. Flinn, Jr.: Mayor Flinn stated that he would ask to provide his report prior to the "Public Comments".

#### **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 \$21,481.41; PROVIDING AN EFFECTIVE DATE.
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; CONTINUING THE APPOINTMENT OF MR. RICHARD L. DOODY, ESQ. TO SERVE AS THE CODE ENFORCEMENT SPECIAL MASTER FOR THE VILLAGE OF PALMETTO BAY; EXTENDING MR. DOODY'S CONTRACT; AND PROVIDING AN EFFECTIVE DATE.
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE VILLAGE AND THE OFFICE OF THE STATE ATTORNEY TO REIMBURSE THE STATE FOR THE COST OF PROSECUTION OF CERTAIN CRIMINAL VIOLATIONS OF THE PALMETTO BAY CODE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AN EXISTING AGREEMENT WITH H & R PAVING, INC. FOR RESURFACING AND STRIPING OF PUBLIC ROADWAYS WITHIN THE VILLAGE OF PALMETTO BAY; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$306,433.00; AND PROVIDING FOR AN EFFECTIVE DATE.
- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION AND COMMUNITY DEVELOPMENT; AUTHORIZING THE BUDGET REVISION PROVIDING FOR A PARKS MANAGER/SPECIAL PROJECTS COORDINATOR AND A ZONING ADMINISTRATOR; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilman Feller moved to approve. Seconded by Councilman Neidhart. All voted in favor. Resolution 06-32, 06-33, 06-34, 06-35, and 06-36.

## VIII. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, CO-DESIGNATING EAST HIBISCUS STREET BETWEEN THE SOUTHBOUND LANE OF SOUTH DIXIE HIGHWAY AND SW 97<sup>TH</sup> AVENUE AS "LINDA HERNANDEZ WAY"; PROVIDING AN EFFECTIVE DATE. (Sponsored by Councilman Breder)

Councilman Breder moved to hear this item taken out of order. Seconded by Vice Mayor Robinson. All voted in favor (5-0). The Motion carried.

Mayor Flinn noted that as this matter requires a public hearing, he will allow members of the audience to express their input following staff report.

Mr. Scurr provided a report concerning the loss of one of the areas finest fire fighters who lost her life in the line of duty several years ago while working out of the Palmetto Bay area station.

Councilman Breder concurred, adding that he had been contacted by Mrs. Hernandez' family and hopes that the co-designation of the roadway in honor of this fine public servant.

The daughter of Mrs. Hernandez, Alyse Hernandez, read a letter she had written expressing her feelings for her mother.

Mayor Flinn opened the public hearing. No one wished to be heard.

All voted in favor of adoption. Resolution 06-37 passed unanimously (5-0).

Mr. Scurr advised that he had been working closely on this matter with Stan Hills and Miami-Dade County Commissioner Katy Sorenson. He stated that once the matter is passed at the County Commission, the Village will coordinate a ceremony to install the signage.

Councilman Feller suggested a plaque be hung in Village Hall that tells the story of the designated street.

Mr. Scurr agreed, adding that he would also investigate installing a plaque on the street.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO SUPPORTING THE REQUEST OF COMMUNITY HEALTH OF SOUTH DADE, INC.'S REQUEST THAT THE COUNTY IMMEDIATELY DISTRIBUTE THE MIAMI-DADE COUNTY GENERAL OBLIGATION BOND FUNDING OF FIVE MILLION DOLLARS FOR COMMUNITY HEALTH OF SOUTH DADE, INC.; PROVIDING AN EFFECTIVE DATE. (Add-on Item) (Sponsored by Mayor Eugene Flinn)

Councilman Feller moved to add the item to the Agenda. Seconded by Councilman Neidhart. All voted in favor.

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

Mayor Flinn suggested including the words "at least" five million.

Michael Kesti of Community Health of South Dade, Inc., noted that with the line item of \$20,000,000 from the General Obligation Bond, Commissioner Moss had earmarked \$5,000,000.

Councilman Feller moved to amend the Resolution. Seconded by Councilman Neidhart. All voted in favor. Resolution 06-38 passed unanimously (5-0).

Mr. Kesti thanked the Council for their support.

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS; AMENDING AND EXTENDING THE JANE FORMAN TENNIS CENTER CONTRACT; PROVIDING FOR TENNIS AND RAQUETBALL COURT IMPROVEMENTS AND A 10 YEAR EXTENSION; PROVIDING AN EFFECTIVE DATE.

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

Attorney Boutsis provided staff report.

Mayor Flinn stated that the matter should be an Ordinance.

Following brief discussion, Attorney Boutsis asked Council to consider allowing the matter to be the first reading of an Ordinance and direct staff to advertise for second reading.

Councilman Feller moved to revise the caption to state that the matter is an Ordinance, allow this hearing to be considered first reading, and approve the matter on first reading and schedule for second reading/public hearing on May 1<sup>st</sup>. Seconded by Vice Mayor Robinson. A roll call vote was taken, as follows: Vice Mayor Robinson: Yes; Councilman Feller: Yes; Councilman Neidhart: Yes; Councilman Breder: Yes; Mayor Flinn: Yes. The Motion carried unanimously (5-0). The matter shall be scheduled for public hearing on May 1, 2006.

Councilman Breder suggested that with regard to the lighting of the Courts, language should be included to allow a "three time violation" where the Village would perhaps levy a fine if the lights are neglected to be turned off at the appropriate time. He added that under Paragraph 13, the tennis events should not be permitted to conflict with all current Village events, not just four listed events.

- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO NEGOTIATIONS WITH RECREATIONAL DESIGN & CONSTRUCTION, INC. (RDC) FOR A DESIGN/BUILD CONTRACT FOR PALMETTO BAY COMMONS AND PERRINE WAYSIDE PARK; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mr. Scurr provided staff report. He noted that staff had become aware that the City of Doral had excellent results with RDC and was able to piggy-back on the existing contract. He stated that staff will return with a contract to include all park elements.

Mayor Flinn stated that he was impressed with the concept for the design/build.

Director Garcia concurred, stating that she had visited Doral and was impressed with the quality of work.

All voted in favor. Resolution 06-39 passed unanimously (5-0).

- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AUTHORIZING MIAMI-DADE COUNTY TO CREATE AND ESTABLISH A SPECIAL TAXING DISTRICT WITHIN PALMETTO BAY, FLORIDA KNOWN AND DESCRIBED AS VICTORIA BAY ESTATES STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Director Ron Williams, Public Works, provided staff report.

Attorney Boutsis advised that the County has a process that will follow Palmetto Bay's action, including a public hearing.

Mayor Flinn asked the number of units in the development.

Director Williams stated that there would be 17 units; however, the project is not developed at this time.

Vice Mayor Robinson called the question. All voted in favor. Resolution 06-40 passed unanimously (5-0).

- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO DRAINAGE IMPROVEMENTS IN VARIOUS AREAS AFFECTED BY RECENT HURRICANES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES TO PROVIDE ENGINEERING SERVICES TO EVALUATE AFFECTED AREAS AND UPDATE THE PRESENT STORMWATER MASTER PLAN; FURTHER AUTHORIZING THE VILLAGE MANAGER TO APPROVE AN AGREEMENT FOR THESE SERVICES AND EXPENDITURE OF FUNDS UP TO \$60,000; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Director Williams provided staff report.

Mayor Flinn stated that the building of swales should be considered, as this may be contributing to flooding following hurricanes and/or heavy storms.

Director William concurred, stating that he would ask the consultant to review that possibility.

Mayor Flinn suggested that the matter should also be addressed through the Village's land development code in order to assure that the swales are protected.

Attorney Boutsis agreed.

Councilman Neidhart called the question. All voted in favor (5-0). Resolution 06-41 passed unanimously (5-0).

#### **IX. RESOLUTIONS REQUIRING PUBLIC HEARING**

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACCEPTING THE PALMETTO BAY RICHMOND DRIVE PLAT AS A TENTATIVE PLAT OF TRACT 1 OF REVISED PLAT OF LINDLEY PERRINE CENTER (PB-38. P-29) FOR PROPERTY LOCATED AS FOLLOWS: LYING AND BEING IN A PORTION OF: THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST, LESS ROADS CONTAINING APPROXIMATELY 1.05 ACRES MORE OR LESS, OTHERWISE KNOWN AS 9400 SW 168 STREET, PALMETTO BAY, FLORIDA, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; SETTING AN EFFECTIVE DATE. (Deferral has been requested)

Councilman Neidhart moved to defer to June meeting. Seconded by Councilman Breder. All voted in favor. The Motion carried.

#### **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 CREATING IN THE VILLAGE OF PALMETTO BAY'S CODE OF ORDINANCES, "STORMWATER MANAGEMENT" REGULATIONS; PROVIDING FOR THE ESTABLISHMENT OF THE VILLAGE'S STORMWATER UTILITY SYSTEM; PROVIDING FOR CUSTOMER BASE, UTILITY FEE CATEGORIES, AND FEE SCHEDULES; PROVIDING FOR EXEMPTIONS; ESTABLISHING AN ENTERPRISE FUND; PROVIDING

FOR ADJUSTMENTS, APPEALS, ENFORCEMENT, AND PENALTIES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Director Williams thanked Attorney Boutsis for her assistance. He provided staff report.

Mayor Flinn asked if the same rate is being proposed.

Director Williams replied that it was the same rate, collected quarterly.

All voted in favor of passing the proposed Ordinance on first reading and scheduling the matter for second reading/public hearing.

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ADOPTING AND ENACTING A NEW CODE FOR THE VILLAGE OF PALMETTO BAY, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Attorney Boutsis advised that this Ordinance is required by the publisher.

Mayor Flinn asked when the Code would be on the internet.

Clerk Pier advised that it would be on the internet once the Council approves the Ordinance following second reading/public hearing. She advised that she would also be sending a supplement to Municipal Code Corporation in order to bring the Code current.

All voted in favor of passing the proposed Ordinance on first reading and scheduling the matter for second reading/public hearing.

## **XI. ORDINANCES FOR SECOND READING AND PUBLIC HEARING**

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO NOISE;

AMENDING CHAPTER \_\_\_\_\_ OF THE CODE OF ORDINANCES ENTITLED "NOISES" AMENDING THE ACCEPTABLE AMBIENT NOISE LEVEL FOR EMERGENCY GENERATORS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Director Arleen Weintraub, Community Development, provided staff report.

Mayor Flinn opened the matter for public hearing.

Mr. Gabriel Bifano, 7371 S.W. 156 Street, and Mr. John Pettit, 15395 SW 89 Court, addressed the Council.

Councilman Feller called the question. A roll call vote was taken, as follows: Vice Mayor Robinson: Yes; Councilman Feller: Yes; Councilman Neidhart: Yes; Councilman Breder: Yes; Mayor Flinn: Yes. The Motion carried unanimously (5-0). Ordinance 06-05 was adopted.

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; PROVIDING FOR THE CREATION OF CHAPTER \_\_\_\_\_ OF THE CODE OF PALMETTO BAY (CODE); ENTITLED "FRANJO TRIANGLE & U.S. 1 ISLAND ZONING DISTRICT" (FT&I); PROVIDING FOR PERMITTED USES, CONDITIONAL USES AND PROHIBITED USES; DESIGN STANDARDS; AMENDING THE OFFICIAL ZONING MAP TO REFLECT THE CREATION OF THE FRANJO TRIANGLE & U.S. 1 ISLAND ZONING DISTRICT; REZONING THE DESIGNATED AREA TO THE "FT&I DISTRICT" AND ENCOMPASSING BOTH THE FRANJO ROAD TRIANGLE AND U.S. 1 COMMERCIAL ISLAND GENERALLY BOUNDED BY S.W. 94TH AVENUE ON THE EAST, S.W. 168TH STREET AND THE NORTHERN PORTION OF THE U.S.1 ISLAND TO THE POINT OF NORTHBOUND AND SOUTHBOUND LANES DIVISION ON THE NORTH, U.S. 1 SOUTHBOUND ON THE WEST (INCLUDING THE ISLAND AREA) AND S.W. 184TH STREET ON THE SOUTH; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Director Weintraub provided staff report.

Attorney Boutsis advised that this Ordinance would be enacted following third reading. She provided clarification of the definition of civic and institutional use.

Following discussion, the Council asked staff to provide a report at the next Committee of the Whole meeting.

Mayor Flinn opened the public hearing.

The following individuals addressed the Council: Eric Tullberg, 7884 SW 179 Terrace; Timothy McIver, 9785 SW 181 Terrace; Steve Kreisher, 18201 SW 98 Avenue; and Tony Parsons, 10250 SW 110 Street.

Feller-speak to Arleen before the COW.

Vice Mayor Robinson moved to approve the proposed Ordinance on second reading and schedule the matter for third and final reading at the May 1<sup>st</sup> Council Meeting. Seconded by Councilman Feller.

B. Report by Mayor Eugene P. Flinn, Jr.

Mayor Flinn provided a report to the Council concerning the recent developments surrounding the mitigation issue. He stated that Miami-Dade County Commissioner Natacha Seijas has proposed a Committee to review the mitigation matter and has asked that the Village appoint a representative to the Committee. He suggested Brian Pariser.

Mayor Flinn also reported that he would like staff to contact Miami-Dade County regarding the unattractive condition of Old Cutler Road.

Mr. Scurr provided a report concerning the new traffic speed counters and how the mobility of the device will greatly assist staff.

Vice Mayor Robinson moved to appoint Brian Pariser as the Village's representative. Seconded by Councilman Feller. All voted in favor.

Vice Mayor Robinson asked staff to consider alternatives to the "lollipops" on SW 152 Street at US-1.

Councilman Breder thanked staff for all that they do.

Councilman Feller concurred with Vice Mayor Robinson's comments concerning traffic conditions on SW 152 Street. He thanked staff for their assistance in Washington, DC.

**XII. REQUESTS, PETITIONS AND PUBLIC COMMENTS**

- A. Eric Tullberg, 7884 SW 179 Terrace, encouraged Palmetto Bay to work with Pinecrest and Cutler Bay regarding maintenance of the Old Cutler path.

**XIII. MAYOR AND COUNCIL COMMENTS**

**XIV. OTHER BUSINESS**

- A. Councilman Neidhart moved to authorize an expenditure of up to \$2,000 to support the Mitchell family historic event at the C-100 property.

Councilman Feller stated that while he supports the Village allowing the family to use the facility, he is not in favor of using tax payer's funds to assist this private event that he believes is a family function with some public participation.

Mr. Scurr advised that the request is not a cash payment, rather the logistical items, tents and chairs.

Following discussion, Councilman Feller offered an amendment that the contribution would be in kind services such as park set up, clean up and police services.

Councilman Neidhart concurred with the amendment. Vice Mayor Robinson seconded. The Motion carried (4-1, Mayor Flinn being the sole opposition.)

Councilman Feller called the question. The Motion carried (3-2, Mayor Flinn and Councilman Breder being in the opposition).

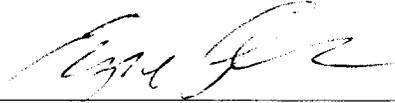
**XV. NEXT MEETING AND ADJOURNMENT**

The Meeting was officially adjourned at 10:30 pm.

*Prepared and submitted by:*

  
Meighan J. Pier, CMC  
Village Clerk

*Adopted by the Village Council on  
this 1st day of May, 2006.*



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*Eugene P. Flinn, Jr., Mayor*

PURSUANT TO FLORIDA STATUTES 286.0105, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW. WHILE THE FLORIDA STATUTES DO NOT REQUIRE TAPE RECORDINGS, TO THE EXTENT THAT TAPE RECORDINGS ARE MADE, THE TAPES MAY BE REQUESTED FROM THE VILLAGE CLERK FOR REVIEW AND/OR COPYING. THE VILLAGE OF PALMETTO BAY CAN NOT GUARANTEE QUALITY OF ANY RECORDING.