



## VILLAGE OF PALMETTO BAY

Mayor Shelley Stanczyk  
Vice Mayor John DuBois  
Council Member Patrick Fiore  
Council Member Tim Schaffer  
Council Member Joan Lindsay

Village Manager Ron E. Williams  
Village Attorney Eve A. Boutsis  
Village Clerk Meighan J. Alexander

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter, or hearing impaired to participate in this proceeding should contact the Village Clerk at (305) 259-1234 for assistance no later than four days prior to the meeting.

### VILLAGE COUNCIL MEETING AGENDA Monday, November 4, 2013 - 7:00 p.m. Village Hall Chambers, 9705 E. Hibiscus Street (305) 259-1234

1. **CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE**
2. **DECORUM STATEMENT**
3. **PROCLAMATIONS, AWARDS, PRESENTATIONS**
  - A. Recognition of Miami Falcons Tennis Challenge Regional Champions
  - B. Recognition of Hal Feldman, Crime Watch Citizen of the Year
  - C. Recognition of Crime Prevention Unit of the Year – Southeast Florida Crime Prevention Association and Florida Crime Prevention Association
4. **APPROVAL OF MINUTES**
  - A. Minutes of the Second Budget Hearing of September 18, 2013
  - B. Minutes of the Regular Council Meeting of October 7, 2013
5. **REQUESTS, PETITIONS AND PUBLIC COMMENTS**
6. **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 FIGUEREDO & BOUTSIS, P.A. IN THE AMOUNT OF \$18,062.14; PROVIDING AN EFFECTIVE DATE.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO APPOINTMENT OF AN INTERIM VILLAGE ATTORNEY; JOHN HERIN, OF GRAYROBINSON, P.A.; APPROVING AN INTERIM CONTRACT FOR SERVICES; PROVIDING AN EFFECTIVE DATE.
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; AUTHORIZING THE VILLAGE MANAGER TO ACCEPT THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, CONTRACT AWARD FY 2014 IN THE AMOUNT OF \$3,553 FOR THE PURPOSE OF SUPPORTING THE SCHOOL RESOURCE OFFICER PROJECT RAD/KID IN THE VILLAGE OF PALMETTO BAY; AND PROVIDING AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO TRAFFIC IMPACT ANALYSIS STUDY; AUTHORIZING THE VILLAGE MANAGER TO PROVIDE FUNDING FOR REQUIRED TRAFFIC IMPACT ANALYSIS STUDY PROVIDED BY MARLIN ENGINEERING AS IT RELATES TO THE DOWNTOWN REDEVELOPMENT TASK FORCE (DRTF) PRELIMINARY PROJECT AREA; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$39,725.00; AND PROVIDING FOR AN EFFECTIVE DATE.

**7. VILLAGE MANAGER'S REPORT**

- A. Village Police Commander Report

**8. VILLAGE ATTORNEY'S REPORT**

- A. November, 2013 Update

**9. BOARD AND COMMITTEE REPORTS**

**10. RESOLUTIONS**

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE HISTORIC PRESERVATION ADVISORY BOARD, APPOINTING ONE (1) MEMBER TO THE VILLAGE OF PALMETTO BAY HISTORIC

PRESERVATION ADVISORY BOARD; AND, PROVIDING AN EFFECTIVE DATE.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AN EXISTING AGREEMENT WITH WRANGLER CONSTRUCTION FOR VILLAGEWIDE LOCALIZED DRAINAGE IMPROVEMENTS PHASE V; FURTHER AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER AND APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$229,412.72 TO CONSTRUCT THE RESIDUAL FOUR (4) LOCALIZED DRAINAGE AREAS PRIORITIZED IN PHASE V DRAINAGE IMPROVEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AN EXISTING AGREEMENT WITH H & J ASPHALT, INC. FOR ROADWAY RESURFACING AND STRIPING OF PUBLIC ROADWAYS WITHIN THE VILLAGE OF PALMETTO BAY; FURTHER AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$210,000.00 TO CONTINUE RESURFACING AND STRIPING VILLAGE ROADWAYS IN FY 2013-14; AND PROVIDING FOR AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AD HOC ADVISORY BOARDS; CREATING THE EDUCATION ADVISORY COMMITTEE; PROVIDING FOR TRANSMITTAL; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk.]
- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO TRAFFIC; REQUESTING MIAMI-DADE COUNTY AND THE STATE OF FLORIDA TO WORK TOGETHER WITH THE VILLAGE AS TO THE TRAFFIC CONGESTION AT THE INTERSECTION OF US HIGHWAY 1 AND SW 152ND STREET; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk.]

**11. RESOLUTIONS REQUIRING PUBLIC HEARING**

**12. ORDINANCES FOR FIRST READING**

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING SECTION 30-50.16(B)(44) OF THE CODE OF ORDINANCES RELATING TO PET STORE USE WITHIN THE B-1 ZONING DISTRICT TO SPECIFICALLY

REFERENCE THE PROVISIONS OF 30-60.31; AND CREATING SECTION 30-60.31, ENTITLED "RETAIL SALE OF DOGS AND CATS;" TO PROVIDE CONDITIONS RELATING TO THE SALE OF DOGS AND CATS; PROVIDING FOR VIOLATIONS AND A \$250.00 FINE; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. [Sponsored by Vice Mayor John DuBois.]

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE LOCAL PLANNING AGENCY AND AS THE VILLAGE COUNCIL, RELATING TO A SMALL SCALE AMENDMENT OF THE FUTURE LAND USE MAP CONSISTENT WITH 163.3161, 163.3184 AND 163.3187, FLORIDA STATUTES; CHANGING 3.0973 ACRES (+/-) OF THE TOTAL 9.4678 ACREAGE FROM LOW DENSITY RESIDENTIAL TO PARKS AND RECREATION FOR A PORTION OF THE PROPERTY LOCATED AT 9271 SW 164 STREET BEARING FOLIO 33-5028-002-0070 AND A PORTION OF THE ADJACENT PROPERTY BEARING FOLIO 33-5028-002-0080, PALMETTO BAY, FLORIDA; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
- C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING THE OFFICIAL ZONING MAP TO REFLECT A DISTRICT BOUNDARY ZONE; CHANGING 3.0973 ACRES (+/-) OF THE TOTAL 9.4678 ACREAGE, FROM R-1 SINGLE FAMILY DISTRICT TO INTERIM ZONING DISTRICT; FOR A PORTION OF THE PROPERTY LOCATED AT 9271 SW 164 STREET BEARING FOLIO 33-5028-002-0070 AND A PORTION OF THE ADJACENT PROPERTY BEARING FOLIO 33-5028-002-0080, IN PALMETTO BAY, FLORIDA; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. [4/5 Vote].

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

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING DIVISION 30-50.6(d), "ZONING DISTRICTS"; MODIFYING SECTION 30-50.6(d), TO PERMIT 17% LOT COVERAGE FOR TWO-STORY CONSTRUCTION AND 22% LOT COVERAGE FOR SINGLE STORY CONSTRUCTION FOR PROPERTIES ZONED E-1; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Council Person Tim Schaffer].

**14. OTHER BUSINESS**

- A. Legal representation at meetings between the Alliance of Coral Reef Estates Homeowners Association, representatives of the US Postal Service, the property owner of 8950 SW 152 Street, and Village staff – Vice Mayor John DuBois

**15. COUNCIL COMMENTS**

**16. NEXT MEETING AND ADJOURNMENT**

PURSUANT TO FLORIDA STATUTES 286.0105, THE VILLAGE HEREBY ADVISES THE PUBLIC THAT 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.