



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, September 9, 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. **PROCLAMATIONS, AWARDS, PRESENTATIONS**
3. **DECORUM STATEMENT**
4. **APPROVAL OF MINUTES**
 - A. Local Planning Agency Meeting of July 11, 2013
 - B. Regular Council Meeting of July 11, 2013
 - C. Special Council Meeting of August 7, 2013
5. **CONSENT AGENDA**
 - A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; APPROVING THE VILLAGE MANAGER'S RECOMMENDATION OF FAST-DRY COURTS, INC., AS THE MOST RESPONSIVE BIDDER IN PROVIDING SPECIFIED SERVICES FOR THE CORAL REEF PARK TENNIS/RACQUETBALL COURT RESURFACING PROJECT; AND, FURTHER AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CONTRACT FOR SERVICES UNDER BID-2013-PR-005 WITH FAST-DRY COURTS, INC., FOR THE

CORAL REEF PARK TENNIS/RACQUETBALL COURT RESURFACING PROJECT AT A COST OF \$36,390.00; PROVIDING AN EFFECTIVE DATE.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; APPROVING THE VILLAGE MANAGER'S RECOMMENDATION OF TIP TOP ENTERPRISES INC. AS THE MOST RESPONSIVE BIDDER FOR THE LANDSCAPE/GROUNDS MAINTENANCE SERVICES; AND, FURTHER AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CONTRACT FOR SERVICES UNDER RFP-2013-PR-002 TO TIP TOP ENTERPRISES INC., FOR THE LANDSCAPE/GROUND MAINTENANCE SERVICES AT A COST OF \$71,250; PROVIDING AN EFFECTIVE DATE.
- C. 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 CONTRACT WITH REP SERVICES, INC. FOR THE PURCHASE, DELIVERY AND INSTALLATION OF A PICNIC PAVILION AT PALMETTO BAY PARK; PIGGYBACKING UNDER THE CLAY COUNTY CONTRACT NO. 08/09-03; AND AUTHORIZING THE VILLAGE MANAGER TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$ 51,835.00; AND PROVIDING FOR AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; APPROVING THE VILLAGE MANAGER'S RECOMMENDATION OF H&J ASPHALT INC. AS THE MOST RESPONSIVE BIDDER FOR THE CORAL REEF PARK PARKING LOT RENOVATIONS PROJECT; AND, FURTHER AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CONTRACT FOR SERVICES UNDER BID NO. 2013-PR-004 TO H&J ASPHALT INC., FOR THE CORAL REEF PARK PARKING LOT RENOVATIONS PROJECT AT A COST OF \$84,215.50; PROVIDING AN EFFECTIVE DATE.
- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AGREEMENTS; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR THE VILLAGE'S PARTICIPATION IN THE PARKING FINES REIMBURSEMENT PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE CLERK; CLARIFYING TERMS OF EMPLOYMENT WITH VILLAGE CLERK MEIGHAN ALEXANDER; PROVIDING AN EFFECTIVE DATE.
 - G. 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 \$29,878.49; PROVIDING AN EFFECTIVE DATE.
- 6. **REQUESTS, PETITIONS AND PUBLIC COMMENTS**
 - 7. **VILLAGE MANAGER'S REPORT**
 - A. Village Police Commander Report
 - 8. **VILLAGE ATTORNEY'S REPORT**
 - A. September, 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, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN EDUCATION COMPACT WITH THE MIAMI-DADE COUNTY SCHOOL BOARD; FURTHER SUNSETTING THE EDUCATIONAL COMPACT ADVISORY BOARD; PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Mayor Shelley Stanczyk)
 - B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; APPROVING THE VILLAGE MANAGER'S RECOMMENDATION OF GOLDEN FENCE CO., AS THE MOST RESPONSIVE BIDDER IN PROVIDING SPECIFIED SERVICES FOR THE CORAL REEF PARK AND PALMETTO BAY PARK BATTING CAGE(S) PROJECT; AND, FURTHER AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CONTRACT FOR SERVICES UNDER BID-2013-PR-006 WITH GOLDEN FENCE CO., FOR THE CORAL REEF PARK AND PALMETTO BAY PARK BATTING CAGE(S) PROJECT AT A COST OF \$195,508.35; PROVIDING AN EFFECTIVE DATE.

11. RESOLUTIONS REQUIRING PUBLIC HEARING

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AMENDING SUB-SECTION 5.1(C) AND (H) OF THE VILLAGE CHARTER; TO MODIFY THE ELECTION DATES TO HOLD ELECTIONS ON THE SAME DAY AS THE STATE PRIMARY ELECTIONS, AND RUN-OFF ELECTIONS ON THE FIRST TUESDAY OF NOVEMBER, WITH SWEARING IN ON THE FIRST MONDAY OF DECEMBER; AND REMOVING THE PROHIBITION ON HOLDING MEETINGS BETWEEN ELECTION AND SWEARING IN; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS OF THE PROPOSED AMENDMENTS TO THE VILLAGE CHARTER; PROVIDING FOR A SPECIAL MAIL-BALLOT ELECTION TO BE CONDUCTED ON JANUARY 28, 2014; PROVIDING FOR COPIES OF THE CHARTER AMENDMENTS BE AVAILABLE FOR PUBLIC INSPECTION; PROVIDING FOR THE VILLAGE CLERK TO UTILIZE THE SERVICES OF MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS TO PLACE THE CHARTER AMENDMENTS ON THE BALLOT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Council Person Patrick Fiore].

12. ORDINANCES FOR FIRST READING

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING DIVISION 30-160, "ART IN PUBLIC PLACES"; MODIFYING SECTION 30-160.7, TO EXEMPT ~~SINGLE FAMILY HOME~~ RESIDENTIAL REPAIRS AND OR CONSTRUCTION FROM THE PROGRAM; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Council Person Patrick Fiore].

13. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

- A. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PUBLIC COMMENTS DURING MEETINGS OF THE VILLAGE COUNCIL; REVISING SECTION 2.47 ENTITLED "ORDER OF BUSINESS" AND SECTION 2.50 ENTITLED "COUNCIL MEETING AGENDA ITEMS" TO ENSURE COMPLIANCE WITH SECTION 286.0114, FLORIDA STATUTES, WHICH PROVISION BECOMES EFFECTIVE ON OCTOBER 1, 2013; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PUBLIC COMMENTS; AMENDING ARTICLE VIII OF CHAPTER 2, ENTITLED "BOARDS AND COMMITTEES, GENERALLY"; REQUIRING ALL SCHEDULED BOARD AND COMMITTEE MEETING TO PROVIDE FOR PUBLIC COMMENT PERIOD AT THE BEGINNING OF EVERY MEETING CONSISTENT WITH SECTION 286.0114, FLORIDA STATUTES; 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 REPEAL THE LANGUAGE OF SECTION 27-89 OF THE VILLAGE'S CODE ENTITLED "PEDDLING PROHIBITED"; AND REPLACING IT WITH "NOTICE ON PREMISES THAT UNINVITED VENDORS, SOLICITORS, PEDDLERS, ETC. ARE NOT WANTED; AND PROVIDING PENALTIES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

14. OTHER BUSINESS

- A. Request for motion concerning settlement of litigation with Palmer Trinity School -- Vice Mayor John DuBois -- **PUBLIC HEARING ADVERTISED**
- B. Discussion concerning annual evaluations of Charter Officers -- Vice Mayor John DuBois
- C. Conditions for release of shade session transcripts -- Councilman Patrick Fiore

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.