

VILLAGE OF PALMETTO BAY
Minutes of the Special Council Meeting
Final Budget Hearing of September 18, 2013
Village Hall Chambers
9705 East Hibiscus Street

1. **CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE**

Mayor Shelley Stanczyk

Vice Mayor John DuBois (Clerk Alexander announced that the Vice Mayor would be arriving shortly.)

Council Member Patrick Fiore

Council Member Tim Schaffer

Council Member Joan Lindsay

Staff present:

Village Manager Ron E. Williams

Village Attorney Eve A. Boutsis

Village Clerk Meighan J. Alexander

Mayor Stanczyk called the meeting to order at 7:07 p.m.

2. **VILLAGE ATTORNEY'S REPORT:** Attorney Boutsis advised the Council concerning the proper procedures for the budget hearing.

3. **ORDINANCES FOR SECOND-FINAL READING / PUBLIC HEARINGS REQUIRED**

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, OF MIAMI-DADE FLORIDA, ADOPTING THE FINAL MILLAGE RATE OF THE VILLAGE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2013, THROUGH SEPTEMBER 30, 2014, PURSUANT TO SECTION 200.065, FLORIDA STATUTES; PROVIDING FOR NOTICE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilwoman Lindsay moved this item forward. Seconded by Councilman Schaffer.

Manager Williams provided staff report. He reported that the Village's budget is balanced, while holding the line on the millage rate of 2.447. He explained the status of the expenses, revenues, and surplus. He provided a brief history of the manner by which the Village came to have its reserve accounts. Manager Williams explained that the issue now is diversifying and broadening the tax base. He introduced Director of Building & Permitting Edward Silva.

Director Silva thanked members of the Downtown Redevelopment Task Force, and introduced the Planning Subcommittee Chairperson David Zisman. He explained the goal of the Task Force and that that he fully endorses Director Silva's recommendations with regard to this effort. Mr. Scott Silver and Mr. Peter England, members of Task Force also provided their support.

Director Silva presented a slide show that explained the project in greater detail, noting that landscaping, roadway improvements, and other significant infrastructure projects would be included. He explained the tax implications, local economic factors, and proposed financing structure.

Manager Williams thanked all of the Task Force volunteers. He explained that all capital projects will return to Council for final approval before expenditure of funds. He noted that the funds being budgeted would allow for an opportunity to have funds in place when it is appropriate to draw funds.

Mayor Stanczyk thanked the members of the Task Force and staff for their efforts.

Vice Mayor DuBois stated that specific, precise numbers were noted. He asked if the dollar amounts are specific because there is a specific plan in place; and, if so, which project is planned.

Manager Williams stated that funding has been allocated in anticipation of certain projects and is listed based upon a revenue level.

Vice Mayor DuBois asked if a TIF (Tax Incentive Financing) District was being considered.

Director Silva stated that the staff has not determined whether or not a TIF will be in place. He advised that staff has considered impact fees to refund the initial Village investment.

Manager Williams advised that any designation will return to Council.

Councilman Schaffer expressed his support for the project.

Councilman Fiore remarked that he would not willing to support the project without a list of deliverables and a clear explanation of the project, including the type of community outreach to be done.

Director Silva responded that staff's request is for a line item allocation; and each expenditure will return to Council for approval. He stated that the budgeted funds will show potential developers that the Village is willing to invest in the area.

Manager Williams stated that staff is seeking the funding; however, all expenditures will include all deliverables and appropriate time lines when the request for expenditure is returned to Council for approval.

Vice Mayor DuBois concurred with Councilman Fiore's concerns. He stated that he had previously asked for a report and would appreciate receiving detailed information about the project.

Manager Williams advised that specific procurement actions have not been initiated, as the funding has not been approved. He noted that staff is attempting to be "broad" in the Village's commitment for development of the downtown project. He reiterated that the Council will be approving of all expenditures at each point.

Vice Mayor agreed that the Village needs to show investors that the Village is serious about its commitment.

Councilwoman Lindsay thanked Messrs. Zisman, Silver, England, and Stanczyk for their service. She also expressed her thanks to the staff for taking the NPO into account in this project. She further thanked Manager Williams for his efforts in moving forward the vision of the Council in a responsible manner.

Councilman Schaffer echoed Manager Williams' statement. He noted that the Council may allocate the funds and there is no requirement to spend any of the budget dollars. Manager Williams concurred.

Mayor Stanczyk opened the public hearing. Mr. Eric Tullberg, 7884 SW 179 Terrace, addressed the Council.

Councilwoman Lindsay moved to table discussion on the millage. Seconded by Vice Mayor DuBois. All voted in favor. The Council addressed the Budget Ordinance.

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY OF MIAMI DADE COUNTY, FLORIDA, APPROVING AND ADOPTING THE FINAL BUDGET FOR THE VILLAGE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor DuBois moved this item forward. Seconded by Councilwoman Lindsay.

Councilman Schaffer began the discussion with a statement concerning his meetings with fellow Council members concerning the Budget. He noted that he had asked Clerk Alexander to reach out to all members of the Council and ask if they were willing to have Sunshine Meetings with him in order to have an

opportunity to speak with them regarding the budget. Vice Mayor DuBois and Councilman Fiore responded; he asked the Clerk to help coordinate the meetings. Councilman Schaffer advised that on August 29, he met with Vice Mayor DuBois; three members of the public attended (Mr. Jerry Templer, Mr. Chuck Latshaw, and Mr. David Singer), as did Finance Director Desmond Chin and Clerk Alexander. He stated that they discussed items within the budget and capital projects. He noted that neither decisions nor consensus on any matter was made. He stated that he met a second time with the Vice Mayor on September 12, as a continuation of the previous meeting. Several members of the public (Mr. Stanley Stanczyk, Ms. Bev Gerald, Mrs. Paula Palm, Ms. Carol Exposito, Mr. Gary Pastorella, Mr. Steve Kreisher, and an unidentified lady), Director Chin, and the Clerk attended. He stated that they discussed his concerns about funds coming out of certain areas to fund other expenses. He noted that, once again, decisions, no consensus was made. Councilman Schaffer noted that the final meeting was held on September 16 with Councilman Fiore, members of the public (Mr. Steve Kreisher and Mr. Stanley Stanczyk), Clerk Alexander, Director Chin and Officer Mike Valdez attended. He explained that the same type of discussion was held, discussing income and expenses, and no decisions were made; no consensus reached. He advised that in each meeting, although it was noticed to not permit public comments, they allowed the public to speak. He stated that the Clerk's notes from each meeting were presented for all to review.

Manager Williams asked the Council to incorporate the previous report into this discussion.

Vice Mayor DuBois moved to incorporate the earlier presentation made by the Village Manager and Director Silva into this discussion. Seconded by Councilman Fiore. All voted in favor.

Vice Mayor DuBois confirmed that no decisions were made, nor was consensus reached at any meeting he had with Councilman Schaffer.

Councilman Schaffer stated that he had struggled with the \$996,779 capital expense. However, he stated that the Village will operate this matter on a credit line type of scenario where the downtown redevelopment project is concerned. He stated that he will hold the Manager responsible for this.

Manager Williams replied that the Council sets the policy, staff has provided the tool.

Councilman Fiore remarked that consensus was not reached at the meeting he attended with Councilman Schaffer. He stated that he would like to budget \$700,000 for the Downtown Redevelopment effort and move \$300,000 into reserves.

Councilwoman Lindsay stated that the Council should budget the entire amount in order to avoid staff having to ask for additional funds in the future.

Director Chin noted that two meetings would have to be held to modify the budget. Attorney Boutsis added that an ordinance would have to be enacted.

Following brief comment, Vice Mayor DuBois remarked that the budget indicates \$14 million in expenditures from the first budget meeting; however, there is actually a 35% increase in operating expenditures that has nothing to do with capital expenses. He stated that the expenditures are closer to \$11.5 million. Director Chin stated that there is two weeks left in the year; however, that figure is accurate.

Vice Mayor DuBois remarked that with \$11.5 million for expenditures and budgeting for \$14 million, he wondered why the amount had to be budgeted at that level. He asked why the Village would not budget a 25% increase.

Director Chin stated that, based on the service level directed to the Manager, the budget contains full year estimates. He further explained that the two police officers will now be fully funded, in addition to a full year of field maintenance.

Vice Mayor DuBois expressed his concern with a \$3 million increase.

Manager Williams noted that the budget is full year projection. He stated that if the expenditure is not fully required, staff will not spend the funds and the surplus will continue to grow. He advised that the Council will have an opportunity to review the budget at the end of six months.

Councilman Schaffer stated that certain projected revenues would come into the Village until November or December.

Director Chin concurred, adding that the State of Florida is approximately three months behind.

Following brief comment, Councilman Schaffer asked for an explanation of the increase in expenses.

Manager Williams explained that approximately \$340,000 fully funds the police; however, he cautioned the Council not to confuse the adopted budget versus the proposed budget, as the adopted budget shows \$13.9 million and the proposed is approximately \$14.4 million, a little over \$400,000 difference.

Director Chin explained that the police department is not a Department wherein the Village can completely control expenditures. He noted that the pension funds affected this budget.

Major Gregory Truitt, Policing Unit Commander, stated that there is now a 17% contribution; it was 14% last year.

Mayor Stanczyk opened the public hearing. The following individuals addressed the Council: Warren Lovely, 15323 SW 74 Place; Eric Tullberg, 7884 SW 179 Terrace; Steve Kreisher, 18201 SW 90 Avenue; and, Bev Gerald, 14271 SW 74 Ct.

The Council took a ten minute break at 9:32 p.m. The meeting re-convened at 9:45 p.m.

Vice Mayor DuBois stated that he had received an email from resident Julie LaVoie concerning the upkeep of Old Cutler Road.

Vice Mayor DuBois remarked that it is difficult to budget for something that is not a problem. He stated that the problem is over-budgeting and having savings versus under-budgeting and then possibly having to go over the budget. He stated that he would want to represent the numbers closest to the actual expenses and revenues. He suggested that 15% over is more appropriate than 25% increase.

Councilman Schaffer noted that \$14.4 million represents those actual expenses for entire year. He stated that the largest budget increase occurred in the 2012-13 budget and this year the budget will be for a full-year cycle. He stated that the only way to reduce to the \$11 million budget from the past year would be to cut expenses significantly.

Vice Mayor DuBois remarked that he had given the Manager written suggestions for reductions.

Councilwoman Lindsay stated that the Council needs to have confidence in the administration and she is certain that staff will do exactly what is appropriate.

Mayor Stanczyk concurred. She stated that the Council needs to look at the budget in a holistic manner.

Councilman Fiore suggested moving \$400,000 back into reserves. Councilwoman Lindsay asked where those funds would be taken from. Councilman Fiore stated that the Manager can make that decision.

Mayor Stanczyk asked for an explanation regarding the special events.

Manager Williams stated that staff is working on several community projects. He asked the Council to consider authorizing this budget and, should the Council feel that the surplus level is not acceptable, then a mid-year budget review can be done at that point.

Mayor Stanczyk suggested a monthly report on the Task Force be given.

Councilman Fiore suggested removing \$400,000.

Manager Williams stated that \$480,000 represents parks capital projects. He asked Director Carmona-Gonzalez (Parks & Recreation) to explain.

Director Carmona-Gonzalez explained that \$130,000 would be for construction of a rain gutter, \$300,000 for Palmetto Bay Park, \$320,000 for repairs to the arch at Ludovici Park, and \$25,000 for a vehicle.

Vice Mayor DuBois stated that he remains interested in the operating budget, which is a 28% increase from last year.

Attorney Boutsis remarked that the Village Attorney budget is under-spent regularly.

Manager Williams noted that \$50,000 could be removed from the Clerk's office, as there would not be a need for that election expense.

Councilman Fiore stated that the \$1,000,000 for the downtown redevelopment project will not be spent within one year.

Mayor Stanczyk stated that she would want to make certain that the Task Force is not being held back.

Following brief comment, Councilwoman Lindsay moved to table the discussion on the Budget. Seconded by Councilman Schaffer. All voted in favor. The motion carried.

Councilwoman Lindsay moved to re-open discussion on the millage. Seconded by Councilman Schaffer.

Mayor Stanczyk called the question on the millage. The millage was adopted unanimously (5-0.)

Councilman Schaffer moved to re-open discussion on the budget. Seconded by Councilwoman Lindsay.

Councilman Fiore moved to reduce the Clerk's budget by \$50,000 and the Village Attorney's budget by \$100,000. He additionally moved to re-consider the budget in six months. Seconded by Councilman Schaffer. The motion carried (4-1, Councilman Fiore opposing.)

The Mayor called the question on the budget as amended. The motion passed, as follows: Vice Mayor DuBois: no; Mayor Stanczyk: yes; Councilman Fiore: yes; Councilman Schaffer: yes; and Councilwoman Lindsay: yes.

5. NEXT MEETING AND ADJOURNMENT

The Meeting adjourned at 10:45 am.

Prepared and submitted by:

*Meighan J. Alexander, CMC
Village Clerk*

Adopted by the Village Council on this ____ day of November, 2013.

Shelley Stanczyk, Mayor

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VILLAGE OF PALMETTO BAY
Minutes of the Regular Council Meeting of October 7, 2013
Village Hall Chambers
9705 East Hibiscus Street

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

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

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

Mayor Stanczyk called the meeting to order at 7:10 p.m. She led the pledge of allegiance.

- 2. DECORUM STATEMENT:** Clerk Alexander read the following decorum statement: Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Village of Palmetto Bay Council shall be barred from further audience at this meeting before the Village of Palmetto Bay Council by the presiding officer, unless permission to continue or again address the council be granted by the majority vote of the council members.

3. PROCLAMATIONS, AWARDS, PRESENTATIONS

- A. Recognition of CIT's: Mayor Stanczyk thanked the Counselors in Training for their summer camp assistance.
- B. Recognition of Coral Reef Tennis - 10 and under advanced tennis Team: Mayor Stanczyk and the Council recognized the Coral Reef Tennis team for their victories.
- C. Recognition of 25 Years of Service, Life Savings Award, and Employee Excellence Award – Commander Gregory Truitt: Commander Truitt recognized several police officers for their service.

4. APPROVAL OF MINUTES

- A. Regular Council Meeting of September 9, 2013
 B. First Budget Hearing of September 9, 2013
 C. Special Council Meeting of September 17, 2013 (Continuation of Regular Council Meeting)

D. Special Council Meeting of September 17, 2013

Councilman Schaffer moved this item forward. Seconded by Vice Mayor DuBois. All voted in favor. The minutes were approved unanimously (5-0.)

5. **REQUESTS, PETITIONS AND PUBLIC COMMENTS:** The following individuals addressed the Council: Chuck Latshaw, 8825 SW 154 Terrace; David Zisman, 14135 Farmer Road; Mary Pettit, 15315 SW 89 Court; Rex Lehman, 17300 SW 87 Court; Carol Vega, 8845 SW 178 Terrace; and, David Singer, 8360 SW 154 Terrace.

Mayor Stanczyk asserted that there is no ethics charge against council members nor the Village Attorney.

The following members of the public came forward: Gary Pastorella, 6940 SW 142 Terrace; Ruben Ricardo, 17531 SW 83 Avenue; and, Jerry Templar, 8120 SW 182 Street.

At the Vice Mayor's suggestion, Mayor Stanczyk requested a motion to hear Item 14A as the next item. Vice Mayor DuBois made the motion. Seconded by Councilman Fiore. All voted in favor.

14. **OTHER BUSINESS**

- A. Create a law prohibiting retail pet stores from selling dogs and cats within the Village -- Vice Mayor John DuBois

Commissioner Michelle Lazarow from Hallandale Beach came forward. She explained that "Puppy Mills" are a profit driven industry that has no concern for animals whatsoever. She described her experience. She noted that thousands of puppy mills sell to large retail outlets and 37 cities have joined in this effort to pass ordinance prohibiting same. She stated that while there are no stores of this type in Palmetto Bay currently, the law being proposed will stop it before it comes forward. She asked for support.

Attorney Boutsis advised that there has been no litigation as a result of the ordinance in Hallandale Beach.

Vice Mayor DuBois made a motion to allow resident Jana Sheeder to speak. Seconded by Councilman Fiore. All voted in favor.

Ms. Jana Sheeder, 15755 SW 86 Avenue, explained the over-population problem of pets in the county. She asked Council to support the effort and thanked Vice Mayor DuBois for bringing the matter forward.

Vice Mayor DuBois thanked the two ladies. He moved to direct the drafting of the proposed ordinance. Seconded by Councilman Fiore.

Councilman Schaffer remarked that prohibiting sales seems broad.

Vice Mayor DuBois explained the exemptions in the Hallandale Beach ordinance.

Vice Mayor DuBois made a motion to clarify that the Ordinance would contain the language consistent with Hallandale Beach Ordinance 2012-13. All voted in favor. The motion carried unanimously (5-0.)

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 \$25,993.39; PROVIDING AN EFFECTIVE DATE.

Councilman Fiore moved to approve the Consent Agenda. Seconded by Vice Mayor DuBois. All voted in favor. The Resolution passed unanimously (5-0.)

7. VILLAGE MANAGER'S REPORT

Manager Williams provided a report on the results of the Request for Proposals 2013-001, Village Attorney Professional Legal Services. He noted that the results of the ranking were provided to Council. He asked Council to consider meeting with the proposers and making their decision at a Special Council meeting to be held on October 16th.

Vice Mayor DuBois asked the forum for the meeting.

Manager Williams stated that the Clerk would prepare the ballots, the firms will be present, and the Council will have the opportunity to ask additional questions. He stated that the Council would then deliberate and make their decision. He noted that he would ask for authority to proceed with contract development.

Vice Mayor DuBois stated that he has not had an opportunity to review the documentation. He asked why three firms withdrew.

Manager Williams replied that staff wished to have this process concluded following the budget hearings. He stated that the firms withdrew for a variety of reasons.

Mayor Stanczyk asked if the documents are confidential. Manager Williams stated that the cone of silence is lifted and the documents are not confidential.

Following brief comments, the Council concurred to meet on October 16 for a Special Council Meeting.

Vice Mayor DuBois stated that he would like regular updates of the Downtown Redevelopment Task Force to be made at the Committee of the Whole Meetings.

A. Village Police Commander Report

Commander Truitt provided a crime report. He noted a 47% decrease in residential crime.

Mayor Stanczyk asked for an update concerning the recent Crime Watch event. Commander Truitt noted that resident Hal Feldman won an award for being crime watch captain of his neighborhood.

Manager Williams advised that staff and the Miami-Dade Police Department have begun discussions that will result in contract negotiations to renew the agreement for policing services.

8. VILLAGE ATTORNEY'S REPORT

- A. October, 2013 Update: Attorney Boutsis advised that her written report is available. She asked for the Council to clarify their previous motion concerning the release of shade sessions transcripts (from September 17th meeting.)

Vice Mayor Dubois moved to clarify that if there is an appeal by either Palmer Trinity or Shores, then the transcripts would not be released. Seconded by Councilman Fiore. All voted in favor.

9. BOARD AND COMMITTEE REPORTS: None.

10. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE MIAMI-DADE COUNTY MILITARY AFFAIRS BOARD'S GOLDEN VETERANS PARADE – 50TH ANNIVERSARY COMMEMORATION; AND, PROVIDING AN EFFECTIVE DATE.

Councilman Schaffer moved this item forward. Seconded by Councilman Fiore.

Clerk Alexander explained that the Mayor and Council were contacted by Miami-Dade County Commissioner Jose Pepe Diaz. She advised that as she did not

have any direction to commit funds or in-kind support, she prepared a supportive resolution.

Vice Mayor DuBois asked if the Village would be committing funds. Mayor Stanczyk replied that the Village would not.

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

11. RESOLUTIONS REQUIRING PUBLIC HEARING (Re-hearing required)

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE LOCAL PLANNING AGENCY, RELATING TO AN UPDATE OF THE CAPITAL IMPROVEMENTS ELEMENT (CIE) AND PROJECTS OF THE VILLAGE'S COMPREHENSIVE PLAN; PROVIDING FOR TRANSMITTAL OF THE CIE PLAN AMENDMENTS TO OTHER UNITS OF LOCAL GOVERNMENT AND TO OTHER REVIEW AGENCIES AS REQUIRED BY LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilman Schaffer moved the item forward. Seconded by Councilman Fiore.

Attorney Boutsis explained that re-hearing was required for this item and the following, as the public hearing was neglected to be formally opened. She noted that there was no additional staff report.

Mayor Stanczyk opened the public hearing. Mr. Steve Kreisher, 18201 SW 98 Avenue, addressed the Council.

Mayor Stanczyk closed public hearing.

Councilwoman Lindsay asked if Manager Williams was aware of any roundabouts being planned for that area. Manager Williams replied that he did not, but he would investigate this claim.

Vice Mayor DuBois suggested that staff verify this issue.

Mayor Stanczyk called the question. The Resolution passed unanimously (5-0) via roll call vote.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE ADOPTION OF CAPITAL IMPROVEMENTS PROGRAM (CIP) FOR THE VILLAGE OF PALMETTO BAY; AND PROVIDING AN EFFECTIVE DATE.

Councilman Schaffer moved this item forward. Seconded by Vice Mayor DuBois.

Mayor Stanczyk opened the public hearing. No one wished to be heard. The public hearing was closed.

Mayor Stanczyk called the question. The Resolution passed unanimously (5-0) via roll call vote.

12. ORDINANCES FOR FIRST READING

- 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].

Vice Mayor DuBois moved this item forward. Seconded by Councilman Fiore.

Director of Planning & Zoning Darby Delsalle provided staff report.

Vice Mayor DuBois stated that if a piece of property used the existing formula – 16 or 17%, if they were to build a two level home, the FAR would be 32% of the lot. He noted that under the new rules, the FAR for a single home would be 22%, which would not enable more demand on a septic or well system.

Director Delsalle concurred.

Councilman Schaffer stated that this item was brought forth by a resident who had identified areas with smaller lots that had larger percentage of coverage.

Director Delsalle explained that lot coverage changes from district to district.

Councilman Schaffer noted that this Ordinance would make the properties conform across the Village.

Councilwoman Lindsay remarked that it results in a small increase in percentage.

Mayor Stanczyk called the question. The matter passed unanimously via roll-call vote (5-0.)

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

Councilman Schaffer moved this item forward. Seconded by Vice Mayor DuBois.

Attorney Boutsis asked Council to incorporate staff report by reference. Vice Mayor DuBois moved same. Seconded by Councilwoman Lindsay. All voted in favor.

Mayor Stanczyk opened the public hearing. No one wished to address the Council. The public hearing was closed.

The Ordinance passed unanimously, as follows: The motion passed, as follows:
Vice Mayor DuBois: yes; Mayor Stanczyk: yes; Councilman Fiore: yes;
Councilman Schaffer: yes; and Councilwoman Lindsay: yes.

14. OTHER BUSINESS

- A. Create a law prohibiting retail pet stores from selling dogs and cats within the Village – Vice Mayor John DuBois (heard earlier in the meeting)
- B. Begin a procurement process to provide real-time posting of pet lost/found advertisements – Vice Mayor John DuBois

Vice Mayor DuBois clarified that this is not a procurement process. Clerk Alexander apologized for her error, noting that this listing was from an earlier draft.

Vice Mayor DuBois stated that he was interested in receiving information on how to have the best solution to the problem at hand. He noted that this process would not be a commitment through a procurement process, rather have the Village Clerk's office coordinate this effort, as her office coordinates IT functions in the Village. He stated that this is an important issue to be undertaken on behalf of the residents.

Vice Mayor DuBois moved to allow public input. Seconded by Councilman Schaffer. All voted in favor.

Mr. James Woodard, 17001 SW 90 Avenue, addressed the Council.

Vice Mayor DuBois stated that he had visited Mr. Michael Muni's website and found it easy to use. He remarked that it would be beneficial to speak to Mr. Muni and encourage him to participate in the Request for Information in order to receive all relevant ideas.

Vice Mayor DuBois moved to direct the Village Clerk, through her IT Coordinator Function, to post an RFI for a solution that will provide real time access by residents for posting of pet lost/found advertisements. Councilman Schaffer seconded the motion. All voted in favor.

15. COUNCIL COMMENTS

Mayor Stanczyk announced that the Green Corridor and YGreene has "launched". She asked the Council to consider whether they would permit use of the Village's logo on information being sent out by YGreene. She provided an example of what Cutler Bay sent out.

Attorney Boutsis advised that the Village is part of the membership of the governing body, the organization that works with YGreene.

Councilman Fiore remarked that the information provided does not contain sufficient information.

Attorney Boutsis advised that the Village made a special requirement of a notice to be included to contain all qualifications. Manager Williams concurred, saying the "Bill of Rights" would be provided. Mayor Stanczyk stated that it would be mailed as a follow-up.

Vice Mayor DuBois expressed his concern with the process. He objected to the use of the seal. Councilman Schaffer concurred with Councilman Fiore, adding that he wanted to insure that the Village would not be held responsible for any problems that the homeowner may have.

Mayor Stanczyk explained the program.

Councilman Schaffer stated that use of the seal concerns him.

Mayor Stanczyk stated that the Village would not use the seal.

Mayor Stanczyk stated that she would like for the Village to engage a sound engineer to visit the Village's facilities and offer sound mitigation solutions.

Councilwoman Lindsay concurred.

Councilman Fiore remarked that the Village should not spend funds on this matter.

Vice Mayor DuBois raised the issue of the United States Post Office at 8950 SW 152 Street. He suggested the Village consider passing a resolution vehemently opposing use of the supremacy clause in this matter.

Councilman Schaffer asked if the Council could be given the status of this matter.

Resident Chuck Latshaw stated that he had spoken to the realtor for the Post Office who said they need to open the post office in 2014, as they have to vacate the premise they are in. He stated that he is not certain if a lease has been executed at this time.

Councilman Schaffer asked the Manager to contact the realtor for status. Attorney Boutsis stated that she would be in contact with their attorneys; however, the US constitution supremacy clause is the overriding law.

Mayor Stanczyk remarked that the property has a covenant attached to it.

Councilman Schaffer asked what Council input is needed for the State of the Village address.

Manager Williams advised that the Mayor is working with the Clerk and his office on the presentation; however, he would welcome any input from Council.

Councilman Fiore stated that the Council should focus on improvements to 152 Street; as, if the Village cannot prevent the Post Office from moving in, the least that can be done is to prepare the roadway appropriately.

Councilman Fiore thanked the Public Works Department for construction of the sidewalk at Howard Drive Elementary (78 Court.) He stated that the sidewalk is helping the children and their parents on the walk to school.

Councilman Fiore advised that he had spoken to Oscar Gonzalez, the spokesman for the Triangle area construction, and has been addressing items on the "punch list."

16. NEXT MEETING AND ADJOURNMENT

The Meeting adjourned at 9:45 am.

Prepared and submitted by:

Meighan J. Alexander, CMC
Village Clerk

Adopted by the Village Council on this ____ day of November, 2013.

Shelley Stanczyk, 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.