VILLAGE OF PALMETTO BAY
Minutes of the Local Planning Agency Meeting of November 4, 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 7:25 p.m.

2. ORDINANCE FOR SECOND READING/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.]

Director of Planning and Zoning Darby Delsalle provided staff report.

Mayor Stanczyk opened the public hearing. The following individuals spoke: Eric Tullberg, 7884 SW 179 Terrace; and, Tom David, 1001 Brickell Bay Drive, Miami.

The matter passed unanimously, following roll call vote in favor of the Ordinance.

3. NEXT MEETING AND ADJOURNMENT

The Meeting adjourned at 7:35 pm.

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.

VILLAGE OF PALMETTO BAY
Minutes of the Regular Council Meeting of November 4, 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 7:05 p.m. She led the pledge of allegiance.

2. PROCLAMATIONS, AWARDS, PRESENTATIONS

A. Recognition of Miami Falcons Tennis Challenge Regional Champions: Director of Parks and Recreation Fanny Carmona-Gonzalez congratulated the tennis players and coaches for their recent victory.

B. Recognition of Hal Feldman, Crime Watch Citizen of the Year: Mayor Stanczyk and the Council recognized resident Hal Feldman and thanked him for his service, presenting him with a Proclamation.

C. Recognition of Crime Prevention Unit of the Year – Southeast Florida Crime Prevention Association and Florida Crime Prevention Association: Miami-Dade County Major/Palmetto Bay Policing Unit Commander Gregory Truitt recognized his officers, Peter Judge and Patience Glasko, for their diligence and commitment to excellence.

Vice Mayor DuBois moved to table this meeting and open the Local Planning Agency Meeting. All voted in favor.

Following the Local Planning Agency meeting, Vice Mayor DuBois moved to re-open the Regular Council meeting. Seconded by Councilman Schaffer. All voted in favor.

3. 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.

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

Vice Mayor DuBois moved to approve the Minutes, as submitted. Seconded by Councilman Fiore. All voted in favor.

5. REQUESTS, PETITIONS AND PUBLIC COMMENTS: The following individuals addressed the Council: Chuck Latshaw, 8825 SW 154 Terrace; Fidel Baretto, 8860 SW 155 Terrace; Ed Feller, 7960 SW 144 Street; Melissa Maggard, 15293 SW 89 Court; John Gale, 15201 SW 89 Court; Sharyn Koenig, 15450 SW 89 Court; Andrea Kimbrough, 15400 SW 89 Court; Joe Boyer, 15300 SW 89 Court; Marco Ferriera, 15401 SW 89 Court; Betty Noe, 6844 SW 145 Terrace; Elizabeth Bieber, 15455 SW 89 Court; Paula Palm, 8895 SW 152 Street; Donna Latshaw, 8825 SW 154 Terrace; Eric Tullberg, 7884 SW 179 Terrace; Peter England, 7620 SW 171 Street; Scott Silver, 18001 Old Cutler Road; (unintelligible), 15400 SW 89 Avenue; Leanne Tellam, 14625 SW 83 Avenue; Steve Kreisher, 18201 SW 98 Avenue; and, Dr. Joe Accurso, 17220 SW 84 Court.

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.

Clerk Alexander advised that items 6A and 6D were timely pulled. Mayor Stanczyk announced that the items will be renumbered as 10F and 10G.

Councilman Fiore moved to approve the remaining Consent item Resolutions. Seconded by Vice Mayor DuBois. All voted in favor. The Minutes were approved unanimously.

7. **VILLAGE MANAGER'S REPORT:** Manager Williams asked Director Ed Silva, Building & Zoning and Capital Projects, to come forward with a report concerning the downtown redevelopment project.

Director Silva advised that the Task Force has been meeting since May 1st 2013 and have identified several preliminary issues. He announced that there will be a planning workshop in the near future; and, the Task Force intends to inform the Council concerning the steps being taken.

Manager Williams advised that the visioning session is important, as it will help with the formation of a "blue print." He stated that staff will bring forth items to the Council above the manager's authority for approval. He thanked the members of the DRTF.

Councilman Schaffer stated that he is looking forward to seeing plans better defined, where the task is, timelines, expenditures, etc. He asked when the Task Force will be able to provide a time line, together with an expenditure line.

Director Silva advised that the Task Force is working on this matter and expects to be able to provide the information following the workshops; at a Committee of the Whole Meeting in the future.

Councilman Schaffer stated that the Council should be more involved, as their presence and "buy-in" will be helpful.

Manager Williams replied that Council's assistance is important and he appreciates the reinforcement.

Vice Mayor DuBois asked for the premise by which the traffic study is being performed. He asked for the objective of the study. He stated that a presentation should be given at each Council meeting, as even the size of the project should be clearly defined. Vice Mayor DuBois remarked that he does not believe enough planning has been undertaken in order to provide a set of requirements to a firm to perform a traffic study.

Manager Williams stated that only information provided by the DRTF should be considered. He stated that the traffic study is important and must be defined in order to be able to understand the current status of traffic in this area.

Director Silva stated that the traffic studies are necessary in order to be informed as to whether a road can support a given density in the area.

Vice Mayor DuBois opined that the Council has not been given sufficient information to support any of the items that may be presented.

Manager Williams advised that he had provided formal response to the Vice Mayor about the traffic circle matter that Mr. Kreisher had previously discussed. He noted that the focus needs to be on planning and an integral part of planning is traffic.

Vice Mayor DuBois asked if the study would focus on the current traffic patterns or on what is planned.

Manager Williams stated that the focus is on the current patterns. Director Silva added that the focus is also on knowing what the level is in order to plan for the future.

Vice Mayor DuBois asked the purpose of spending money to study traffic of today if the Village will be revising the area in the future.

Director Silva stated that the purpose is to capture what is the current status in order to make plans for the future.

Vice Mayor DuBois stated that he would like to have regular presentations at Committee of the Whole meetings with explanation in detail before he would support investing in a traffic study.

Clerk Alexander provided an update of the calendar.

A. Village Police Commander Report: Commander Truitt introduced the DARE Lion and reminded all to attend the annual DARE Fund Raiser on November 16th. Commander Truitt provided helpful shopping tips and how to prevent being a victim.

8. VILLAGE ATTORNEY'S REPORT

A. November, 2013 Update: Attorney Boutsis provided her written report and asked to have a moment at the conclusion of the meeting to say goodbye.

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

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.

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

Vice Mayor DuBois stated that he had met with Mr. Alayo and found him highly qualified.

All voted in favor of the nomination of Juan Alayo to the Historic Preservation Board.

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.

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

Manager Williams provided staff report.

Councilman Fiore asked if the area from 80th to 78th Avenue on 161 Street was being addressed. Manager Williams stated that is was included.

Councilman Schaffer remarked that 167 Street and Old Cutler Road remains a problem. He asked if this area was also included.

Manager Williams stated that staff has experienced difficulty meeting with the resident, but has documented the issue.

Councilman Schaffer asked if the project on 72 Avenue was completed. Manager Williams explained that it was; restoration is ongoing.

Mayor Stanczyk called the question. The Resolution passed unanimously (5-0.)

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.

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

Manager Williams provided staff report.

Vice Mayor DuBois mentioned that resident Eric Tullberg asked if the Council would consider deferral. Manager Williams stated that Mr. Tullberg was seeking for bike paths on 82 Avenue from 168 Street north. He stated that staff would investigate the matter.

Mayor Stanczyk called the question. The Resolution passed unanimously (5-0.)

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.]

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

Mayor Stanczyk provided a report, introducing the Chair of the Education Compact Committee Leanne Tellam and Lubby Navarro, Intergovernmental representative from MDCPS. She opined that in addition to other important

aspects, the Compact can provide better property values due to the excellence in education throughout the community.

Ms. Tellam stated that the Village is ready to work together again with Miami-Dade County Public Schools. She remarked that she is looking forward to making sure that the Village has a voice with regard to the interaction between the city and the schools.

Ms. Navarro echoed Ms. Tellam's remarks and added that the establishment of this committee provides the framework and the Village and the Schools will now move forward.

Mayor Stanczyk called the question. The Resolution passed unanimously (5-0.)

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.]

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

Attorney Boutsis provided staff report, noting that cut-through traffic and increased development is causing this area to become more congested.

Mayor Stanczyk stated that she would be bringing a copy of this Resolution to Miami-Dade County Mayor Carlos Gimenez. She asserted that this Resolution will help implement the creation of a task force and a group of individuals will meet with the United States Postal Service to work on mitigating the project.

Councilman Schaffer stated that he had not been provided a status report concerning the USPS re-location.

Attorney Boutsis stated that she had spoken to Attorney Chad Friedman and representatives of ACRE. She reported that USPS is not necessarily going to impose the supremacy clause, but has indicated its interest to work with the community.

Councilman Schaffer stated that he is not interested in battling with the USPS if there is no need to do so.

Attorney Boutsis advised that the draft Resolution only mentions the roadway. Councilman Schaffer expressed concerns with the Mayor's verbal report concerning the USPS matter. He reiterated that this Resolution was only

considering the roadway and traffic situation on SW 152 Street. Attorney Boutsis concurred.

Vice Mayor DuBois expressed his support for the resolution. He stated that the Village needs to work on having all parties discuss the USPS relocation and work on an amicable solution. He stated that it must be clear that the objective of this Resolution is to work on the traffic problem; however, he is interested in having all parties meet to discuss the USPS relocation.

Mayor Stanczyk remarked that SW 152 Street and US-1 are not within the Village's scope of responsibility. She stated that if 152 Street were a village road, the Village would have resolved it long ago.

Councilman Fiore stated that he is supportive of the Resolution. He announced his town hall meeting on Monday, November 25, at 7 pm and Commissioner Lynda Bell will be present to address this and other roadway issues.

Mayor Stanczyk called the question. The Resolution passed unanimously (5-0.)

F. 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.

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

Vice Mayor DuBois noted that $1,100 was billed relating to the Sontag issue; and then $500 under Zoning for the same matter. He asked if he would have a problem, as he had met with Mr. Sontag. He wondered if there was a pending application.

Attorney Boutsis advised that there is no pending application.

Mayor Stanczyk called the question. The Resolution passed unanimously (5-0.)

G. 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.

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

Councilman Schaffer remarked that he had spoken to two task force members who believe the traffic study can be done in a less expensive manner and within a shorter period of time.

Mayor Stanczyk stated that the study would take 12 weeks.

Director Silva remarked that the time line difference is miniscule; three to four weeks, at most. He stated that the Director of Public Works concurs to use Marlin Engineering for many reasons and this was the next firm on the list to be chosen.

Manager Williams stated that staff and the Village must follow the proper procurement procedures. He advised that the Village has three firms that perform traffic engineering are pre-selected through a competitive process.

Attorney Boutsis concurred, adding that the Village pre-qualifies contractors to avoid the length of time required to competitively bid each project. She advised that this firm was the next bidder on the list.

Following brief discussion, Councilwoman Lindsay noted that there is sufficient information provided in the Resolution and associated documents.

Discussion ensued concerning the bid process. Vice Mayor DuBois stated that he would like more information concerning the downtown redevelopment project prior to approving this expenditure. He stated that he would like monthly report.

Manager Williams asked if the Vice Mayor would not proceed with any expenditure until a broader scope is provided. He stated that staff would not want to bring forth items if the Council feels they are not fully briefed on the project.

Vice Mayor DuBois stated that he would like to see what the densities are, where traffic circles are being considered, the planning investments (3-year, 5-year, and 10-year plan), whether incentives or TIFF is being considered, and what the traffic studies will be based upon. He suggested that the Council schedule a workshop in order to be fully briefed and consider a special council meeting to approve this item following the workshop.

Following brief discussion, Manager Williams stated that the DRTF will meet and discuss the matter in order to be more synchronized and prepared for a full briefing.

The Council discussed several dates. Manager Williams withdrew the item, stating that staff will return to the Council with a date for a workshop and a full briefing.

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.]

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

Director Darby Delsalle provided staff report. He stated that the Vice Mayor had raised this matter. He noted that the ordinance allows for adoptive pet services; however, any facility that offers sale of dogs and cats will have to provide information concerning the origin of the animal.

Mayor Stanczyk called the question. The Ordinance passed unanimously on first reading (5-0.)

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.

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

Director Delsalle advised that this matter is a companion item to Item 12C. He noted that the applicant is the village is in this case, the property owner is seeking for expansion. He provided staff report.

Attorney Boutsis noted that this matter will be presented at a zoning hearing, as well. She stated that site plan modification, release of covenants, FLUM amendment, and zoning modification will be considered at that hearing. She advised that the Village has a level of service defined for parks, and this parcel will help increase the level of service of parks on our comprehensive master plan.

Mayor Stanczyk asked how far from the goal for levels of service is the Village.

Director Delsalle noted that the Village projected 5.25 acres for 1,000 residents; and the Village is current at 3.5 acres.

Following brief comment, Mayor Stanczyk called the question. The Ordinance passed unanimously on first reading (5-0.)

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].

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

Attorney Boutsis remarked that this is the companion matter to Item 12B and she incorporated staff's report.

Mayor Stanczyk called the question. The Ordinance passed unanimously on first reading (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 30-50.6(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 Schaffer.

Attorney Boutsis advised that this matter was previously heard at the Local Planning Agency Meeting. She asked for a motion to incorporate by reference staff report and all public comments into the hearing tonight. Councilwoman Lindsay moved to approve. Seconded by Councilman Fiore. All voted in favor.

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

The Ordinance passed unanimously following roll call vote.

Attorney Tom David thanked the Council.

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

Vice Mayor DuBois stated that he had spoken with Mr. Sontag; and, during that meeting, Mr. Sontag indicated that the USPS would not be willing to meet if the Village Attorney were part of the meeting. He stated that he would change his motion to include the Village Manager, Planning & Zoning Director, and representative of the Council.

Mayor Stanczyk stated that she believed the point was to have the attorney "get up to speed" on this issue.

Vice Mayor DuBois replied that the purpose was to assist ACRE HOA to meet with property owner, the USPS, and the Village. He noted that as the property owner stated that USPS would not meet if the Village Attorney were involved; the Village should consider only having the Manager or Planning & Zoning Director and a representative of the Council to be present at the meeting.

Mayor Stanczyk stated that she would be interested in representing the Council and would like both the Manager and the Planning & Zoning Director present.

Attorney Boutsis advised that she will be meeting with the Interim Village Attorney on Thursday and will discuss this issue, among other pending matters.

Vice Mayor DuBois stated that he wished to insure that the Village would be included in discussions concerning this matter. He moved to direct the Village Manager to attend 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; further, the property owner would be permitted to choose which member of the Council he would wish to attend the meeting. Councilman Schaffer seconded the motion. All voted in favor (5-0.)

15. COUNCIL COMMENTS

Councilman Schaffer stated that there is a new pet lost and found website and noted that the Village now has link to www.miamilostandfoundpets.com on our Village website. He thanked resident Michael Muni for providing this service. He also thanked residents James Woodard, Jana Sheeder, and Carol Vega. Village Communications Manager Bill Kress was also thanked.

Councilman Fiore announced three events: Town Hall Meeting on November 25th at 7 pm at Coral Reef Park; Third Annual Food Drive on November 23rd; and, Council for day on November 16th.

Vice Mayor DuBois expressed his support for the bond issue for Jackson Memorial Hospital that is the subject of the pending County-wide election.

Vice Mayor DuBois asked the status of the Request for Proposals for Village Attorney Services. Manager Williams stated that staff is editing the document, modifying dates, and will issue the document within the next week.

Councilwoman Lindsay expressed her gratitude to Attorney Eve Boutsis. She thanked her for always being professional and "non-political."

Mayor Stanczyk also thanked Attorney Boutsis for her service. She noted that the Village grew due to the outstanding service of Attorney Boutsis. Mayor Stanczyk thanked her for her calm demeanor and support.

Attorney Boutsis thanked the Council for their kindness. She stated that she enjoyed providing the service and has a special place in her heart for the first council. She thanked Manager Ron Williams and Clerk Meighan Alexander, noting that the charter officers always knew how to work together. She thanked the entire staff, stating that she often thinks of everyone as a family. She concluded by thanking the community.

16. NEXT MEETING AND ADJOURNMENT

The Meeting adjourned at 10:30 pm.

Prepared and submitted by:

_____

Meighan J. Alexander, CMC
Village Clerk

Adopted by the Village Council on this 4th day of November, 2013.

_____

Shelley Stanczyk, Mayor

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