

**VILLAGE OF PALMETTO BAY**  
**Minutes of the Special Council Meeting of February 3, 2014**  
**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  
Interim Village Attorney John Herin  
Village Clerk Meighan J. Alexander

Mayor Stanczyk called the meeting to order at 6:10 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. PUBLIC COMMENTS:** The following individuals addressed the Council: Margery Glickman, 13740 SW 78 Court; Mrs. Doris Chumbley, 7480 SW 159 Terrace; and, Karyn Cunningham, 13985 SW 72 Court.

**4. RESOLUTIONS FOR DISCUSSION**

Vice Mayor DuBois noted that the Council met on January 23<sup>rd</sup>; and, four resolutions were presented and voted upon and were passed without his attendance and Councilman Schaffer's presence. He stated that without reconsideration of the vote from Mayor Stanczyk or Councilwoman Lindsay, neither he nor Councilman Schaffer would be able to vote on the matter. He remarked that he has heard from several people who do not want their money spent on the downtown redevelopment project. Vice Mayor DuBois stated that while staff has been reaching out to the public, he believes that due to the scope and the size of the project, more feedback from the community is needed before more village funds are committed. He asserted that a survey should be performed to gauge public sentiment. Vice Mayor DuBois moved to direct the Village Manager to survey the residents of Palmetto Bay on this issue. Councilman Schaffer – seconded the motion.

Councilwoman Lindsay expressed her support. Manager Williams noted that Communication Manager Bill Kress is working on the survey currently.

Following brief comment, Councilman Schaffer stated that while he is supportive of the project and funding the steps, he requested a report that will detail the cost involved and revenues expected. He asserted that the Council should have the report prior to moving forward.

Manager Williams stated that the model is available with details and specific line items will be drafted upon receipt of survey responses. He advised that staff is available to meet with Councilman Schaffer at his convenience.

Mayor Stanczyk asked if the report will provide Councilman Schaffer with all the information he requires. Councilman Schaffer stated that he would not know if the information was sufficient until he receives it.

Manager Williams asked for direction as to the specifics of drafting a survey.

Vice Mayor DuBois remarked that the survey is intended to collect information and feedback from the public. He stated that he would support giving discretion to the Manager as to accomplish the survey, suggesting using Mr. Kress.

Following discussion, Communications Manager Bill Kress came forward and advised that he is currently drafting a promotional piece to direct residents to the website and a Constant Contact survey that will be on line within the week. He further explained that the DRTF marketing subcommittee has been working on this matter. Mr. Kress advised that the piece would be inserted into the annual map that is delivered to each household with the Miami Herald and also mailed to each household within the three zip code area.

Vice Mayor DuBois withdrew his motion. Councilman Schaffer withdrew his second.

- A. RESOLUTION 2014-06: A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO PALMETTO BAY'S DOWNTOWN REDEVELOPMENT TASK FORCE (DRTF) INITIATIVE; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A PROJECT AGREEMENT WITH BERMELLO-AJAMIL AND PARTNERS TO CONDUCT A MARKET ABSORPTION STUDY AND TO PREPARE AN ECONOMIC DEVELOPMENT GUIDANCE FOR THE AMOUNT OF \$34,100; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER FOR SAID AMOUNT; AND PROVIDING AN EFFECTIVE DATE. (Passed 3-0)

Vice Mayor DuBois remarked that he appreciated the Council's approval of Item 4A.

- B. RESOLUTION 2014-07: A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE DOWNTOWN REDEVELOPMENT INITIATIVE; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A PROJECT AGREEMENT AND NEGOTIATE A FINAL COST WITH BERMELLO AJAMIL & PARTNERS INC., IN AN AMOUNT NOT TO EXCEED \$120,000; FOR THE PURPOSE OF PREPARING LAND DEVELOPMENT CODE PROVISIONS AND ZONING MAP AMENDMENTS REFLECTIVE OF THE DOWNTOWN REDEVELOPMENT TASK FORCE RECOMMENDATIONS, ITS CORRESPONDING STUDIES IN SUPPORT THEREOF, AS APPROVED BY THE VILLAGE COUNCIL; AND PROVIDING AN EFFECTIVE DATE. (Passed 2-1, Councilman Fiore opposed.)

Vice Mayor DuBois stated that he believed the expenditure for this Resolution would be for the purpose of preparing the code, which would be reflective of the DRTF's recommendations and studies as approved by the Council. He remarked that he understands it is staff's intention to wait until the studies are done prior to moving forward.

Manager Williams stated that this portion of the plan would be conducted in two phases, adding that Director Delsalle cannot work with the consultant without clear direction.

Director Delsalle concurred that this phase is two parts: master plan and preparation of code. He stated that all of the approved studies work together in order to consider modifying the code.

Following brief comments, Vice Mayor DuBois asked for the phases of the project.

Director Delsalle advised that all four studies have a data collection component; and, all work together to form a conceptual plan.

Vice Mayor DuBois countered that the viability of the program would have to be established first. He noted that the market study (item A) projects the viability of the downtown redevelopment plan. He stated that he was opposed to spending funds to modify the master plan until the market absorption study results are received.

Mayor Stanczyk remarked that she believes "viability" to be the degree by which something is performed; for example, the study may state that a 3 story building is appropriate.

Following discussion, Vice Mayor DuBois reiterated that he believes the Council should not expend tax payer funds until the market study is completed.

Councilman Schaffer remarked that he would not have supported this item, as he has not been provided the financial information he had previously requested from staff.

Manager Williams apologized, adding that staff felt they had provided the information; however, he will have staff follow-up with Councilman Schaffer.

- C. RESOLUTION 2014-08: A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE DOWNTOWN REDEVELOPMENT INITIATIVE; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A PROJECT AGREEMENT AND TO NEGOTIATE A FINAL COST WITH KIMLEY-HORN AND ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$60,000; TO COMPLETE A CONCURRENCY REVIEW AND CAPACITY STUDY, AND TO PREPARE ANY AMENDMENTS NECESSARY TO THE VILLAGE'S COMPREHENSIVE PLAN ELEMENTS AND FUTURE LAND USE MAP CONSISTENT WITH THAT STUDY AND ANY OTHER SUPPORTING STUDIES THERETO, AS RECOMMENDED BY THE DOWNTOWN REDEVELOPMENT TASK FORCE, AS APPROVED BY THE VILLAGE COUNCIL; AND PROVIDING AN EFFECTIVE DATE. (Passed 2-1, Councilman Fiore opposed.)
- D. RESOLUTION 2014-09: 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, INC. 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. (Passed 2-1, Councilman Fiore opposed.)

Vice Mayor DuBois stated that he had reviewed the materials and was wondering why such large hourly rates were quoted, such as \$135 hourly for senior engineers and \$110 hourly for engineer-interns.

Manager Williams stated that staff will provide all of the rates from the firms for comparison, but the rates provided are the industry rates.

Vice Mayor DuBois moved to direct the Manager to increase the bidder list for certified bidders from three to six members, with the current three selected being grandfathered so they don't need to re-bid. Councilman Schaffer seconded the motion.

Manager Williams stated that there is a process in place that was agreed to with the firms. He explained that this process has been repeated with different firms from the Village's inception.

Attorney Herin explained that the Florida Statutes 287.055 contain provisions known as the Consultants Competitive Negotiation Act (CCNA) that governs this process. He stated that he believed the Vice Mayor did not wish to impact the currently selected firms, rather he wished to add to the library of firms.

Vice Mayor DuBois concurring, stated that the newly selected firms and the current firms would have co-terminus contracts.

Manager Williams stated that, historically, three firms were chosen because the Village does not produce a sufficient amount of projects to justify the workload for six firms; noting only three or four projects are bid out each year.

Vice Mayor DuBois opined that the process would be more competitive.

Following discussion, Mayor Stanczyk asked the cost to re-bid the professional services agreement.

Manager Williams explained that staff prepares the documents; therefore, it is a matter of time involved. He stated that the potential return for a consultant is limited.

Vice Mayor DuBois moved to table the matter and bring it forward under "Other Business" at the next meeting. Seconded by Councilman Schaffer. All voted in favor (5-0.)

## 5. NEXT MEETING AND ADJOURNMENT

The meeting adjourned at 7:15 pm.

*Prepared and submitted by:*

  
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Meighan J. Alexander, CMC  
Village Clerk

*Approved by the Village Council on this 3<sup>rd</sup> day of March, 2014.*

  
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Shelley Stanczyk, Mayor

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