

**VILLAGE OF PALMETTO BAY**  
**Minutes of the Regular Council Meeting of June 1, 2015**  
**Village Hall Chambers**  
**9705 East Hibiscus Street**

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

Mayor Eugene Flinn  
Vice Mayor John DuBois  
Council Member Tim Schaffer  
Council Member Karyn Cunningham  
Council Member Larissa Siegel Lara

Staff present:  
Village Manager Edward Silva  
Village Attorney Dexter W. Lehtinen  
Village Clerk Meighan J. Alexander

Mayor Flinn called the meeting to order at 7:10 p.m. Mayor Flinn asked the Eagle Scouts of Troop 457 to lead the pledge of allegiance.

- 2. DECORUM STATEMENT:** Any person making impertinent or slanderous remarks, or who becomes boisterous, while addressing the Council may be barred from further appearance before the Council by the Mayor, unless permission to continue or again address the Council is granted by a majority vote of the Council. Applauding speakers shall be discouraged. Heckling or verbal outbursts in support or opposition to a speaker, or his or her remarks, shall be prohibited. No signs or placards shall be allowed in the Council meeting. Persons exiting the Council meeting shall do so quietly. All cellular telephones and beepers are to be silenced during the meeting.

**3. PROCLAMATIONS, AWARDS, PRESENTATIONS**

- A. Recognition of Troop 457 Eagle Scouts: Mayor Flinn and the Council welcomed the Eagle Scouts and presented each young man with a certificate and a lapel pin.
- B. Westminster Christian School Baseball: Mayor Flinn and the Council congratulated the baseball team and their coaches for their victory at the State championship game.

Mayor Flinn remarked that a monument sign in the Village should include the Westminster team, recognizing them for their many victories.

Mayor Flinn welcomed two former Council members: Dr. Ed Feller and Patrick Fiore.

**4. APPROVAL OF MINUTES**

- A. Minutes of the Local Planning Agency Meeting of May 4, 2015
- B. Minutes of the Regular Council Meeting of May 4, 2015

Councilwoman Siegel Lara moved to approve the Minutes, as drafted. Seconded by Councilman Schaffer. All voted in favor. The Minutes were approved unanimously.

- 5. REQUESTS, PETITIONS AND PUBLIC COMMENTS:** The following individuals addressed the Council: Eric Tullberg, 7884 SW 179 Terrace; Ed Feller, 7960 SW 144 Street; Steve Zarzecki, 9640 Martinique Drive, Cutler Bay; Justin Hosein, 8370 SW 183 Terrace; Joshua Cosner, 7180 SW 114 Terrace, Pinecrest; Robert Buzelli, 17140 SW 86 Avenue; Duane Carbo, 9280 SW 167 Terrace; Francis Sotero, 7631 SW 137 Street; Henry Clifford, 8875 SW 171 Street; Steve Kreisher, 18201 SW 98 Avenue; Oren Lindquist, 9387 SW 185 Street; Tom Condon, 19641 Holiday Road; Eduardo Varona, 9271 Marine Drive; and, Rainer Schael, 18171 SW 90 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 LEHTINEN SCHULTZ RIEDI CATALANO FUENTE, PLLC IN THE AMOUNT OF \$10,607; AND PROVIDING AN EFFECTIVE DATE. (Village Attorney)

Clerk Alexander reported that the one item was not timely pulled.

Vice Mayor DuBois moved to approve the item. Seconded by Councilman Schaffer. All voted in favor. The Resolution was unanimously approved (5-0).

**7. VILLAGE MANAGER'S REPORT**

- A. Village Police Commander Report: Commander Truitt asked residents to take advantage of watch orders when they are going on vacation. He provided several tips to those going out of town, such as bringing in their garbage cans and putting a stop on mail delivery. He updated the Council with regard to crime statistics and traffic citations.

Councilwoman Cunningham provided the Commander with some bags that she received from the Edge Foundation Group and their "Purple Bag Project", which project offers gift bags containing much-needed items that the police officers can offer to children who are experiencing difficulties.

Commander Truitt thanked Councilwoman Cunningham, adding that these types of gifts are very important to help comfort children who may be taken from their parents for a variety of reasons.

Councilwoman Siegel Lara asked whether there is a particular area of concern regarding recent burglaries. Commander Truitt explained that most burglaries occur within two to three blocks of a main thoroughfare.

B. Strategic Plan Update - bid opening

Manager Silva advised that, as only one bid was received, the Village will be re-advertising and aggressively seeking responses from a pool of vendors. He advised the Council that the procurement policy from this point forward will be to aggressively seek vendors through various mechanisms.

Councilman Schaffer suggested that the document may not be clear enough. Manager Silva stated that he believes that advertising only in the Daily Business Review was not sufficient.

Councilwoman Cunningham suggested soliciting the vendors from various sources, such as other municipalities who had completed strategic plans.

Manager Silva and the Village Clerk confirmed that the solicitation will be re-advertised this week and that other vendors will be contacted.

Following brief discussion, Attorney Lehtinen confirmed Councilwoman Cunningham's suggestion that discussion/selection of a firm be included on the July 13<sup>th</sup> Agenda would be appropriate.

C. Update-Auditor selection

Finance Director Desmond Chin provided an update regarding selection of an Auditor and offered a calendar of the steps for this selection. He noted that, under State law, the Council is the selection committee and will be expected to make the selection in September.

Manager Silva explained the report he provided concerning the tax assessment rolls provided by the County. He advised that the Village is behind the County's average and also behind the assessments of neighboring cities, possibly due to the business corridor being stagnant.

Councilman Schaffer stated that the Save our Homes mandate may also negatively affect Palmetto Bay. Vice Mayor DuBois asked staff to compare residential tax rolls. Director Chin explained that details for the assessments are not provided to the municipalities until October.

D. Dates for Budget workshops

Manager Silva advised the Council that there will be a "Splash Bash" on June 4<sup>th</sup> at Coral Reef Park from 2 to 4 pm to celebrate the last day of school. New York Life will also be present at the Splash Bash.

Manager Silva also announced a Hurricane Town Hall meeting scheduled for June 15 at 7 pm that is being co-hosted Mayor Flinn and Councilwoman Cunningham.

Manager Silva stated that staff is investigating the possibility of establishing a business group.

E. Calendar update (Village Clerk)

Clerk Alexander provided dates of several meetings, including the Budget Workshops.

Councilwoman Cunningham suggested moving the July 8<sup>th</sup> Budget Workshop to July 15<sup>th</sup>. (The Council reviewed their calendars and agreed.)

**8. VILLAGE ATTORNEY'S REPORT**

Attorney Lehtinen provided an update concerning the pending lawsuit involving the fire station location. He noted that the Village had opposed the Petitioner's stay; and, the Court subsequently denied the request to stay the proceedings. He stated that the Court's Order was interesting, as the Village was the only party that had objected. Attorney Lehtinen advised that the Village's opposition to the petition has been the controlling document in this case to this point.

Attorney Lehtinen asked the Council to consider Item 10G (added after the Agenda deadline,) as the authorization for the event would be required, should the Council be in favor of holding this event again this year.

Following brief comment, Mayor Flinn suggested that the Village place a sign on the proposed location of the fire station, announcing the future site. Manager Silva announced that the Board of County Commissioners will be considering the location in July. Vice Mayor DuBois stated that without interfering with the nature of any pending quasi-judicial hearing, the Village should provide an update concerning the status. Attorney Lehtinen stated that while installation of a sign won't affect the litigation, the County and/or the Church own the property at this time. He added that his firm had to file a motion to compel the Petitioners to submit to deposition and the deposition should take place in the near future.

**9. BOARD AND COMMITTEE REPORTS**

- A. Tree Advisory Board – discussion of US-1 landscaping: Public Works Director Corrice Patterson introduced four members of the Tree Advisory Board: Anthony Sabbag, Henry Clifford, Don Pybas, and Rainer Schael.

Chairman Anthony Sabbag provided information concerning the latest activities of this Board, including the April 25<sup>th</sup> Shade Palmetto Bay tree giveaway. He noted that the Board has been working on a village-wide tree management plan. He provided an update by reporting that US-1 landscaping plans are being completed and the architect met with FDOT to discuss the plans and receive comments. He concluded his report by advising that the Village has been conducting a tree survey. Mr. Sabbag stated that a cone of silence is in place for the project while a procurement action is pending.

Mayor Flinn asked if the Council would be amenable to including the approved minutes from all advisory board meetings provided to the Council as an acceptable report, rather than asking board volunteers to be present. Councilwoman Siegel Lara concurred.

Following discussion, the Council directed the Clerk to attach minutes of each board/committee to the Agenda packages as a report. Additionally, the Clerk was directed to provide approved Minutes to the Village's website.

## 10. RESOLUTIONS

- A. Discuss/determine the criteria for the Village Manager position, the criteria for the Executive Search Firm, and potential selection of the Executive Search Firm. (Council)

Vice Mayor DuBois moved the matter forward. Seconded by Councilwoman Siegel Lara.

Vice Mayor DuBois noted that the proposals of the search firms were provided to Council by the Manager's office; he asked if the Manager had a recommendation for the process to select a firm.

Mr. Silva stated that a Memorandum dated May 29<sup>th</sup> was provided. He provided a history of the procurement action. Mr. Silva noted that the respondents provided information; however, standard criteria for Council's selection of a firm were not included in the solicitation. He stated that staff is not able to define the criteria for Council; however, staff could return and provide points for each standard once established.

Vice Mayor DuBois stated that while he believed the last procurement action was appropriate, he suggested placing a half-ad in the Miami-Herald seeking applicants for Village Manager and disposing of the selection of a search firm.

He stated that the Director of Human Resources could collect resumes and schedule interviews, as was previously done with the Village Attorney position. He suggested that the Council draft some prerequisite requirements or have the Director of Human Resources provide same.

Mayor Flinn stated that he would be in favor of negotiating a contract to have Interim Manager Ed Silva be appointed as the permanent manager. He remarked that Mr. Silva was part of the original team under Manager Williams. He stated that he is in favor of continuity and his proposal gives staff security, as the Council would be indicating confidence in its team. Mayor Flinn noted that the prior Council had appropriately promoted Ron Williams from the Director of Public Works position to Manager; and, he would like to accelerate this effort and move forward to negotiate a contract.

Vice Mayor DuBois suggested that while Mr. Silva is performing well, the Council has a duty to evaluate the position, allow others to apply, and appoint the best person for the job, which may be Mr. Silva. He stated that a most simple process could begin; however, the Council should allow other candidates to apply and the Council should consider all candidates prior to making the decision.

Councilman Schaffer indicated his disapproval with the selection firms, as the closest firm was located in Daytona Beach. He concurred that performing the selection in-house is appropriate. He stated that while he is not comfortable with the Mayor's suggestion, as Mr. Silva had previously indicated he would not apply for the permanent position, he is comfortable with the idea that Mr. Silva would be able to apply in spite of the previously-adopted Resolution (noting that he was not present during the vote for that Resolution.)

Councilwoman Siegel Lara remarked that she is in favor of an open process and was hoping that the Council would be discussing the Manager's criteria this evening. She indicated that while she has been impressed with Mr. Silva's performance, the Council has not agreed as to the criteria of an appropriate manager. She stated that she is concerned with the prospect of eliminating a search firm to assist with the selection.

Mayor Flinn stated he would like the opportunity to negotiate the terms of a contract with Mr. Silva, to include standard terms, such as salary and other benefits.

Attorney Lehtinen explained the previous Manager's at-will contract. Following brief comment, Attorney Lehtinen advised that any agreement is only a "contract" in a legal sense; rather, it would be an agreement that contains certain salary and benefits.

Councilwoman Cunningham expressed her concern and the need to establish criteria for the position. She stated that Mr. Silva has been very responsive and had also provided a list to her of several short term, mid-term, and long term goals, including notations as to what had been completed and those that are in progress. She is concerned that the Council has a list of items, yet does not have a strategic plan. She stated that she had wanted to schedule Sunshine meetings with the individual members of Council to discuss the benchmarks and selection of the Village Manager.

Mayor Flinn commented that the Council has discussed this matter and believes that all should know the qualities that make a good manager. He expressed that the Council needs to move forward.

Vice Mayor DuBois stated that Human Resources Director could draft criteria and the Council could refine that criteria and move forward with the process to hire the most appropriate individual. Councilwoman Siegel Lara remarked that the Council should provide the criteria that can be completed by the Human Resources Director. She further stated that the job description be created by the Council.

Mayor Flinn remarked that the more a job description is defined there is a greater likelihood that someone can state that a task is "not in my job description."

Following discussion, Mayor Flinn suggested that the Council select an individual, then define measurables and negotiate the salary and benefits. He suggested that the Council appoint Mr. Silva and then meet individually with him, provide their input, and hold a special council meeting in the next two weeks to approve an employment agreement.

Vice Mayor DuBois remarked that the Mayor controls the Agenda and it is obvious that the Mayor wishes to have Mr. Silva appointed and while he agrees that this matter should not be further delayed, he stated that his suggestion of not including Mr. Silva to apply was to attempt to attract adequate talent for the selection. He opined that the Mayor's suggestion to allow Mr. Silva to apply undermines his [the Vice Mayor's] original intention, that is, it undermines the ability to attract others to apply. He remarked that he believes the Council is at a stage to remove the condition and vote to proceed. He noted that his major reservation was that Mr. Silva, in his original contract as Building Official, is permitted to have outside employment as an Architect and operate his business as long as it does not involve Palmetto Bay. Vice Mayor DuBois stated that the outside employment concerns him with Mr. Silva in the position of Village Manager. He recommended that the Council appoint Mr. Silva, but have the negotiation performed by a committee of the Council, in conjunction with the City Attorney. He suggested that Councilwoman Siegel Lara or Councilman Schaffer may wish to participate. He expressed his concern that the Council

needs to maintain independence in the process and assurance to the community that there are checks and balances. Additionally, the Vice Mayor indicated between that issue and the fact that the council members clearly indicated their support and desire to have Ed Silva as the permanent manager, his desire to have an open and fair process could not proceed; and, therefore was supportive of moving forward immediately to appoint Mr. Silva as permanent manager.

Mayor Flinn called for a five minute recess.

Upon recommencement of the meeting, Attorney Lehtinen provided an explanation of the position and explained that establishing performance criteria and has been found to create a procedural property right, which is problematic. Following brief comment by Council, he further explained that the most effective measure is to impose reporting requirements, such as the Manager's monthly meeting reports, as a method of control.

Following brief comment, Mayor Flinn suggested that each Council member meet with Attorney Lehtinen and then the Council could further discuss the matter at a special council meeting.

The Council had suggested the Clerk provide a date for a Special Council meeting. The Clerk offered June 16 at 7 pm.

Vice Mayor DuBois moved to appoint Mr. Ed Silva as Village Manager, subject to creation and acceptance of a contract and set a meeting date to discuss and negotiate for June 16 at 7 pm. Seconded by Councilman Schaffer. All voted in favor (5-0.)

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO BOARDS AND AGENCIES; APPOINTING COUNCIL LIAISONS TO ADVISORY BOARDS AND COMMITTEES; PROVIDING AN EFFECTIVE DATE.  
(Council)

Vice Mayor DuBois moved this item forward. Seconded by Councilwoman Siegel Lara.

Following suggestions, Vice Mayor DuBois noted that he serves on the Charter Revision Commission and is also attending each Tree Advisory Board meeting; therefore, he suggested the remaining Council members may wish to share these responsibilities, as the Mayor serves as Honorary Liaison to all boards.

The following liaison positions were suggested:

Parks and Recreation:	Councilman Schaffer
Community Outreach:	Councilwoman Cunningham

Village Services: Councilwoman Siegel Lara  
Administrative Advisory: Councilwoman Siegel Lara

Councilman Schaffer moved to confirm the liaison appointments. Seconded by Vice Mayor DuBois.

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY; RELATING TO THE BOARDS AND AGENCIES; CREATING THE YOUTH ADVISORY COUNCIL; AND, PROVIDING AN EFFECTIVE DATE. (Sponsored by Mayor Flinn)

Councilwoman Siegel Lara moved this item forward. Vice Mayor DuBois seconded the motion.

Mayor Flinn stated that he was surprised that the Village does not have this committee already.

Councilwoman Siegel Lara stated that she is supportive of this effort and believes including up to the age of 21 and remove the language concerning high school students. Mayor Flinn accepted the modification.

Councilwoman Siegel Lara moved this item forward. Seconded by Vice Mayor DuBois. The Council concurred that Mayor Flinn and Councilwoman Cunningham would be serving as co-liaisons. All voted in in favor (5-0.)

- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE ART-IN-PUBLIC PLACES (AIPP) PROGRAM, ACCEPTING THE RECOMMENDATION FROM THE AIPP ADVISORY BOARD TO APPROVE THE PUBLIC ART WORK ENTITLED "THALATTA" AS DESIGNED BY MICHAEL MCLAUGHLIN, TO INSTALL PUBLIC ART AT THALATTA PARK, LOCATED AT 17301 OLD CUTLER ROAD; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT NEGOTIATIONS TO PURCHASE THE PUBLIC ART WHICH SHALL BE PAID THROUGH THE ART-IN-PUBLIC PLACES FUND IN AN AMOUNT NOT TO EXCEED \$40,000; AND PROVIDING FOR AN EFFECTIVE DATE. (Administration)

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

Mr. Travis Kendall, Planning and Zoning Administrator, provided staff report and stated that there is a scoring sheet for Council's use.

Councilman Schaffer remarked that only one artist responded. He asked if staff could explain. Mr. Kendall reported that five venues were used, including four different websites and the Daily Business Review. He noted that the request for artist renderings was published for an extended period of time. He stated that Section 2-175 allows the Village Manager to move forward with negotiations if less than three responses are received.

Councilwoman Cunningham also expressed her concern that more artists did not apply.

Mayor Flinn noted that the artist appears to be re-submitting a previous submission. Vice Mayor DuBois stated that he was in favor of mangroves.

Councilwoman Siegel Lara asked if bronze was suggested in the solicitation. Director of Planning & Zoning Darby Delsalle stated that the Village was seeking "interpretive art", not specifically bronze. Councilwoman Siegel Lara suggested that a style variety be provided.

Mayor Flinn asked where the art would be located. Mr. Kendall advised that the art would be located on the southern side of the home.

Vice Mayor DuBois moved to table the matter to the July Council meeting. Seconded by Councilwoman Siegel Lara. All voted in favor. The motion passed unanimously (5-0.)

- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE DOWNTOWN REDEVELOPMENT INITIATIVE; ACCEPTING THE LAND USE CAPACITY STUDY, AS PREPARED BY KIMLEY-HORN, FOR THOSE LANDS WITHIN THE STUDY AREA OF THE VILLAGE'S DOWNTOWN; AND PROVIDING AN EFFECTIVE DATE. (Administration)

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

Director Delsalle provided staff report, noting that the consultant was available.

Mayor Flinn expressed his displeasure with the lack of parkland and the lack of inclusion of the undefined area near the Palmetto Bay Village Center. He noted that a majority of the green space has been left out of the analysis.

Director Delsalle concurred, stating that the Village Hall yard areas could have been included as well.

Mayor Flinn stated that he would not support this report in its present form.

Mr. Kelly Klepper and Mr. Stefano Viola from Kimley Horn were recognized and explained the approach, noting the approach was different than what occurred in 2005.

Vice Mayor DuBois stated that he believes that being asked to accept this report is not appropriate, given the late hour and the fact that a presentation is being offered to Council at this time.

Vice Mayor DuBois moved to defer and place that matter on the Agenda in a manner by which the public will be properly informed. Councilwoman Siegel Lara seconded. The motion carried unanimously (5-0.)

- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY URGING THE TOWN COUNCILS OF CUTLER BAY, PALMETTO BAY, AND PINECREST TO DO EVERYTHING IN THEIR POWER TO AVOID REZONING OR UP-ZONING OF PROPERTY IN RESIDENTIAL AREAS IN OR NEARBY PALMETTO BAY THAT WOULD CREATE UNNECESSARY INCREASES IN TRAFFIC TO THE ALREADY CONGESTED RESIDENTIAL AREAS. (Sponsored by Vice Mayor John DuBois)

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

Vice Mayor DuBois explained that given the public comments heard earlier, there is general support for this resolution. He acknowledged that the Council cannot direct other cities on how to conduct their business; however, the Resolution makes a statement of intent that the Village is opposed to any negative impacts to the quality of life in our residential village.

Mayor Flinn suggested that any growth needs to be transit-related; and, to consider adding additional vested rights, the impact should be considered globally.

Councilwoman Cunningham stated that the residential community needs to remain as least-dense as possible; however, the downtown area development should be considered and the Council may be setting a precedent with this declaration of intent.

Vice Mayor DuBois modified the resolution to include in the first whereas clause, "except areas designated as transit corridors".

Councilman Schaffer expressed his concern that the Village has other areas that may need zoning and he is not interested in violating land use rights.

Vice Mayor DuBois stated that while this Resolution may not have any effect on the other city's decision, the Council has a responsibility to the residents and many are concerned about this development. Councilwoman Siegel Lara concurred. She suggested including language that would mention protection of the environmental land. She expressed that while there are cities involved, there is no municipal boundary where impact on residents is concerned; and, while she does not wish to infringe on the rights of others, the Village should express their concern and be specific about the intent.

Mayor Flinn called the question. The Resolution passed (4-1, Councilwoman Siegel Lara opposed.)

- G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO SPECIAL EVENTS; APPROVING THE PLANNING FOR THE "PALMETTO BAY INDEPENDENCE DAY CELEBRATION" ON JULY 4<sup>TH</sup>, 2015; AUTHORIZING THE VILLAGE MANAGER TO ALLOCATE UP TO \$66,000 FOR THE EVENT; AND PROVIDING AN EFFECTIVE DATE. (Attorney Dexter Lehtinen – to be considered by the Village Council)

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

Manager Silva explained the item.

Mayor Flinn asked if the amount was "net or gross". Manager Silva replied that it was "net", as currently the Village does not have donors, but hopes to have contributions within the next month.

Clerk Alexander confirmed for the Council that the 2014 Resolution authorized up to \$60,000 for this event.

Manager Silva explained that the matter has been line-itemed in the budget and it is a tradition in the Village. Vice Mayor DuBois expressed that the second year does not make an event a tradition.

Councilwoman Cunningham expressed her support. Councilman Schaffer concurred, but stated that the Village needs to solicit sponsors.

Councilwoman Siegel Lara stated that she is opposed to unplanned events and is displeased with the lack of planning. She stated that she will support this event at this time, but will not do so in the future if the event is not planned properly.

Vice Mayor DuBois stated that he is disappointed that this matter seems to be "last minute" and those types of decisions increase the cost of an event. He

stated that while he felt last year's event was great, as a fiscal conservative, he is going to vote against this Resolution.

Manager Silva stated that as part of the special events division overall, going forward, staff will be bringing a list of events to the Council during the budget cycle that will delineate the cost and give staff the option of seeking sponsors. He stated that planning of this event has been ongoing. He stated that the cost is slightly more than last year's event, as the Village will have two bands playing, rather than one, and more rides.

Mayor Flinn called the question. The Resolution was adopted (4-1, Vice Mayor DuBois opposed.)

11. **RESOLUTIONS REQUIRING PUBLIC HEARING:** None at this time.

12. **ORDINANCES FOR FIRST READING**

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING PORTIONS OF SECTION 30-70 OF THE LAND DEVELOPMENT CODE RELATING TO REQUIRED PARKING, EXEMPTIONS, VALET PARKING, AMOUNT OF PARKING, AND CALCULATION OF REQUIRED PARKING, TO PROVIDE FOR PARKING RELIEF REMEDIES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Administration)

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

Mayor Flinn expressed his disapproval of the shared use agreement and questioned whether there would be any protections in place for the residents. He opened the public hearing. Mr. Eric Tullberg, 7884 SW 179 Terrace, suggested including bike parking.

Mayor Flinn suggested the ordinance requires further staff consideration. Vice Mayor DuBois concurred.

Councilwoman Cunningham recalled that a workshop was mentioned in the past. She asked the Clerk to provide the history. Clerk Alexander advised that the Council discussed the matter, then deferred same; then, staff deferred the matter the second time it was brought forward to the Council.

Vice Mayor DuBois suggested the Village consider input from commercial property owners. Councilwoman Cunningham concurred.

Councilman Schaffer stated that he had spoken with staff and believes this Ordinance is an important component, a step toward the downtown redevelopment plan.

Mayor Flinn, Vice Mayor DuBois, and Councilwoman Cunningham suggested that input is necessary through a workshop.

Councilwoman Cunningham asked Councilwoman Siegel Lara if she had received the report that she had requested from staff. Councilwoman Siegel Lara stated that she did not.

Councilwoman Cunningham suggested that the Downtown Redevelopment Task Force be modified as a committee of the Council. Mayor Flinn concurred, stating that he had been considering that matter and intends to bring forward legislation in July. Vice Mayor DuBois concurred.

Vice Mayor DuBois moved to defer the matter. Seconded by Councilwoman Siegel Lara. The motion passed (4-1, Councilman Schaffer voted in opposition.)

### **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 TO BUILDING PERMIT FEES; AMENDING THE PERMIT FEE SCHEDULE FOR THE BUILDING DEPARTMENT; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE. (Administration)

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

Manager Silva explained that the Ordinance.

Mayor Flinn opened the public hearing. Mr. Eric Tullberg, 7884 SW 179 Terrace, expressed his support.

Following brief remarks, Manager Silva confirmed the modification would be revenue neutral. The Council unanimously approved adoption of the Ordinance following roll call vote (5-0.)

### **14. OTHER BUSINESS**

Mayor Flinn stated that he is expecting information regarding school funding and the Amendment 1 support, as the Village had adopted its legislative agenda.

Mayor Flinn asked if a Council person would be willing to provide the Village update at the next Palmetto Bay Business Association meeting. Vice Mayor DuBois indicated his willingness to do so.

**15. COUNCIL COMMENTS**

Councilman Schaffer requested a Committee of the Whole Meeting be set for June 17 at 6 pm for the continuation of traffic calming presentation.

Councilman Schaffer suggested that the Manager investigate removing the Crossing Guard position from the Village's budget.

Councilwoman Cunningham advised that she had applied for and will be serving on the Florida League of Cities' legislative policy committee for Transportation and Intergovernmental Relations. She stated that she will be attending meetings in Orlando for these committees and hope that other council members consider applying, as well.

Mayor Flinn remarked that individual Council members had participated in the past.

**16. NEXT MEETING AND ADJOURNMENT:** The Meeting adjourned at 11:57 pm.

*Prepared and submitted by:*

  
Meighan J. Alexander, CMC  
Village Clerk

*Approved by the Village Council on this 13<sup>th</sup> day of July, 2015.*

  
Eugene Flinn, Mayor

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