

**VILLAGE OF PALMETTO BAY**  
**Minutes of the Regular Council Meeting of December 7, 2015**  
**Village Hall Chambers**  
**9705 East Hibiscus Street**

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

The meeting was called to order at 7:15 p.m.

The following members of the Village Council were present:

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

The following members of staff were present:

Village Manager Edward Silva  
Village Attorney Dexter Lehtinen  
Village Clerk Meighan J. Alexander

Mayor Flinn asked Troop 457 and Troop Leader Edward Clark, to come forward and lead the pledge.

- 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. Senator Dick Renick--recognition of Pearl Harbor Day: Councilwoman Cunningham introduced Senator Renick and provided his experience and service to the community.

Senator Renick provided his history on how he became a member of the military. He provided the history of Pearl Harbor and how the military responded to the Japanese invasion. He concluded by introduce his wife of 62 years, Valerie.

- B. Recognition of Cheer Squad-Palmetto Middle School: Councilwoman Cunningham introduced the Palmetto Middle School Cheerleaders and their coach and congratulated them on being selected to cheer at the Macy's Thanksgiving Day parade. The girls lead a cheer, were presented with a certificate, and described their experience.
- C. Recognition of Mr. Curtis Lary, student at Palmer Trinity (Junior), for the start-up of the bike share project with Deering (Policing Unit): Major Gady Serralta recognized Mr. Lary and his parents. The Mayor and the Council provided a certificate of appreciation to Mr. Lary and recognized his efforts.
- D. Recognition of Lieutenant Mariela Guerra (Policing Unit): Major Serralta provided the new Lieutenant's history and experience and welcomed her to Palmetto Bay. Lieutenant Guerra thanked the Council, expressing she is looking forward to working in Palmetto Bay.
- E. COA Report of Findings for Village's IBus: Mr. Joe Corradino provided his report, including a PowerPoint presentation. He concluded by noting that the Village has a solid transit system, and while minor adjustments should be made, the issues can be addressed.

Vice Mayor DuBois stated that the study was intended to review and revise the routes, but it seems that the results have been focused on replacing the existing buses.

Mr. Corradino stated that the routes do need to be re-configured, as they are duplicative of County routes.

Following discussion, the Council decided to defer this item to the Committee of the Whole meeting on December 16.

#### 4. APPROVAL OF MINUTES

- A. Minutes of the Special Council Meeting of October 19, 2015
- B. Minutes of the Local Planning Agency Meeting of November 2, 2015
- C. Minutes of the Regular Council Meeting of November 2, 2015

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

- 5. **REQUESTS, PETITIONS AND PUBLIC COMMENTS:** The following individuals provided comment: Margery Glickman, 13740 SW 78 Court; James Woodard, 17001 SW 90 Avenue; and, Steve Kreisher, 18201 SW 98 Avenue.

**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 \$16,294; AND PROVIDING AN EFFECTIVE DATE. (Village Attorney)
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GOVERNMENT TRANSPARENCY; DIRECTING THE VILLAGE MANAGER TO PLACE THE MONTHLY VENDOR CHECK LISTING ON THE VILLAGE WEBSITE; AND PROVIDING AN EFFECTIVE DATE. (Administration)
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO A DRAINAGE IMPROVEMENT PROJECT AT SUB-BASIN NO. 59/60 WITHIN THE VILLAGE OF PALMETTO BAY; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT WITH KIMLEY HORN & ASSOCIATES, INC. TO PROVIDE DESIGN, PERMITTING, AND BIDDING SUPPORT; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER AND APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$85,000.00; AND PROVIDING FOR AN EFFECTIVE DATE. (Administration)

Clerk Alexander reported that Item 6 C. was timely pulled.

Councilman Schaffer moved to approve Items A & B. Seconded by Councilwoman Cunningham. All voted in favor. The Resolutions were approved unanimously.

Mayor Flinn noted that Item 6 C. will be heard following consideration of Resolutions, as listed on the Agenda.

**7. VILLAGE MANAGER'S REPORT**

- A. Tallahassee Trip Recap: Manager Silva provided a recapitulation of the recent visit to Florida's capitol. He explained that staff and Council members met with legislators and are working on securing FRDAP funding for the following projects: \$200,000 for renovations of the basketball courts and gazebo at Palmetto Bay Park and \$50,000 for improvements at the Dog Park.

- B. Update on Coral Reef Park trails: Manager Silva advised that asphalt repairs shall be coming before the Council in the near future, including the rubberized walkway. He explained that a solicitation for the bathroom and additional storage is being drafted. He noted that due to the cost of the trails being less than anticipated, administration is able to improve the project with more linear feet than previously sought.
- C. Update on Thalatta Estate: Manager Silva explained that staff is working with the Deering Estate concerning providing revolving art pieces at Thalatta Estate. He noted that the park is opened to the public seven days per week. He advised that staff is providing an audit report to the State concerning the revenues and expenditures and believe the park will be self-funded, having paid for all improvements, within the next four to five fiscal years.
- D. Vendor Registry Services: Manager Silva reported that a free service will begin in January of 2016 that will alert all registered vendors of Village's procurement solicitations.
- E. LED Lights Installation at SW 87 Avenue and SW 168 Street: Manager Silva stated that staff has received great reviews from residents regarding the new LED lighting in the traffic circle.
- F. New Monthly Report System: Manager Silva advised that all council members will be receiving a new monthly report that lists all completed projects, progress projects, expenditures, and a monthly calendar of park events, including departmental reports with a matrix to see how each department is performing. He thanked Councilwoman Siegel Lara for her help in this endeavor.

Vice Mayor DuBois asked if the \$7.5 million grant application is on the Village's website. Manager Silva indicated that he believed it was on the Village Manager's page.

Manager Silva thanked Councilman Schaffer for his assistance regarding lowering the threshold for transportation projects. Councilman Schaffer reported that he had provided input to reduce the maximum funding from \$50,000,000 to \$10,000,000, which will be helpful to the Village with regard to infrastructure projects in the downtown area that may be eligible for federal transit funding.

Manager Silva advised that the strategic consultant will be in town on December 10 and 11<sup>th</sup> and he believes that the survey results gauged the opinion of the members of the public who had responded. He advised that staff will be working with the consultants to schedule meetings on January 21, 22, and 23 with the public. Councilwoman Cunningham remarked that while she appreciates the work performed at this juncture, she believes another survey with more detail needs to be performed, which would include sampling specifically Village residents, which is not always the case with a survey done via the internet.

Mayor Flinn remarked that he would like a special meeting to be held on this topic. He noted that he never saw the survey questions before they went public.

G. Village Police Commander Report

Major Serralta provided a police update, noting that the suspects in the recent automobile thefts had been apprehended. He encouraged the public to report any suspicious activity.

Vice Mayor DuBois asked for additional information concerning commercial burglaries. Major Serralta explained that there had recently been five commercial burglaries at Chinese establishments; however, an arrest was made and that activity has stopped.

H. Calendar update: The Village Clerk provided an update with regard to events and future meetings.

8. **VILLAGE ATTORNEY'S REPORT:** Attorney Lehtinen reported that Alexander Montessori School has not filed a motion for summary judgment. He stated that he will continue to update the Council.

He noted that under the Code Section 2-47(B)(2), he is asked for the Resolution concerning "Do the Right Thing" to be added, as it is a time-sensitive manner. Mayor Flinn stated that the Council would consider the item as 10 J.

9. **BOARD AND COMMITTEE REPORTS** - Minutes provided for Council's information, in lieu of verbal reports:

- A. Art in Public Places
- B. Charter Revision Commission
- C. Educational Advisory Committee
- D. Village Services Advisory Committee
- E. Tree Board Advisory

Mayor Flinn thanked the Advisory Boards for their work.

10. **RESOLUTIONS**

- A. A RESOLUTION OF THE VILLAGE OF PALMETTO BAY, FLORIDA, OPPOSING THE FLORIDA FISH AND WILDLIFE COMMISSION'S ACTION TO PERMIT BEAR HUNTING, URGING THE COMMISSION TO RECONSIDER ITS ADOPTED RULE AND THE GOVERNOR AND THE STATE LEGISLATURE TO INTERVENE; AND SUPPORTING THE EFFORTS OF SPEAK UP WEKIVA, INC. CHALLENGING THE ACTION OF

THE COMMISSION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. (Mayor Flinn)

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

Councilwoman Cunningham stated that the caption read included reference to the Wekiva organization, and while she is supportive of this item, she is not supportive of the position taken by that organization with regard to hunting being "immoral".

Clerk Alexander apologized, explaining she read an incorrect caption. She stated that Mayor Flinn had revised the item, the revision is included in the Agenda packet, and that she had not corrected her notes properly.

Councilman Schaffer thanked the Clerk, stating that he, too, was not comfortable with the mention of Wekiva. He stated that he would like to see more information from FWC on bear hunting before voting on this matter.

Councilwoman Siegel Lara stated that the Village should only consider items that directly affect the Village; however, she did receive a large amount of emails in support of this matter.

Vice Mayor DuBois moved to conform the Agenda to the Resolution. Seconded by Councilwoman Siegel Lara. All voted in favor.

Mayor Flinn called the question. The Resolution passed (4-1, Councilman Schaffer opposed.)

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE MIAMI-DADE COUNTY PUBLIC SCHOOLS 2016 STATE LEGISLATIVE PRIORITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE. (Sponsored by Mayor Eugene Flinn.)

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

Councilwoman Cunningham stated that she assumes this input came from the Village's Education Advisory Council. She expressed her concern that the Village passed its legislative Agenda and this Agenda is more extensive than the top three priorities provided by the School District. She stated that this matter does not appear to be timely.

Councilman Schaffer advised that an email went out from the Chair of the Advisory Committee, saying the Village is adopting all of these items. He noted that the EAC saw the email and felt that they only wanted certain priorities.

Mayor Flinn stated that he would accept a substitute Resolution, to contain only the legislative priorities.

Councilman Schaffer moved to provide a substitute amendment that will reflect the change in the attachment. Seconded by Vice Mayor DuBois.

Vice Mayor DuBois moved to change the Value Adjustment Board to the Property Appraiser. Mayor Flinn accepted the amendment. All voted in favor of the Resolution, as amended.

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO COUNCIL MEETING PROCEDURES; ANNOUNCING THE REGULAR COUNCIL MEETING SCHEDULE; THE LAND DEVELOPMENT PERMIT HEARINGS; DATES, IF NECESSARY, FOR THE COMMITTEE OF THE WHOLE WORKSHOPS; AND, THE BUDGET WORKSHOP FOR THE YEAR 2016; PROVIDING AN EFFECTIVE DATE. (Village Clerk)

Councilwoman Siegel Lara moved the item forward. Seconded by Councilman Schaffer.

Clerk Alexander advised that these dates are set by standard procedures and do not conflict with legal holidays. Vice Mayor DuBois asked why Mondays were chosen. Clerk Alexander stated that she would check, as the matter is not defined by Charter.

Mayor Flinn called the question. The motion passed unanimously (5-0.)

- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE PURCHASE OF VEHICLES; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER FOR THE PURCHASE OF TWO (2) 2016 FORD F-250 TRUCKS FROM DUVAL FORD FLEET SALES IN THE AMOUNT OF \$45,994 UNDER ITB #15-23-0904 FLORIDA SHERIFF'S ASSOCIATION AND FLORIDA ASSOCIATION OF COUNTIES; AND PROVIDING FOR AN EFFECTIVE DATE. (Administration)

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

Director of Public Services Corrice Patterson provided staff report.

Councilman Schaffer asked if staff gave the local vendor an opportunity to provide a bid. Director Patterson stated that any dealer can apply for this procurement effort through the State of Florida.

Mayor Flinn asked for legal opinion concerning State procurement laws and priority given to local vendors. Attorney Lehtinen stated that when a matter is put to bid, the Council would responsibly take the lowest bid if the vendor is qualified. He added that if the Council bid the matter locally, the lowest local bid would still be expected to be chosen.

Councilwoman Siegel Lara stated that the Administrative Committee should review these types of matters.

Mayor Flinn called the question. All voted in favor of the Resolution as drafted (5-0).

- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AN EXISTING AGREEMENT WITH MAGGOLC, INC. TO PROVIDE CONSTRUCTION SERVICES FOR SUB-BASIN 10 (SW 88TH AVENUE) PAVING AND DRAINAGE IMPROVEMENTS; FURTHER AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER AND APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$192,633.25 TO COMPLETE THE REMAINING DRAINAGE INFRASTRUCTURE IMPROVEMENTS AWARDED CONTRACTOR UNDER INVITATION TO BID ("ITB") 1415-11-010; AND PROVIDING FOR AN EFFECTIVE DATE. (Administration)

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

Director Patterson provided staff report. She stated that Sub-basin 10 was awarded in April of 2015; and, the remaining funds need to be allocated to complete the project.

Mayor Flinn called the question. All voted in favor of the Resolution as drafted (5-0).

- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; APPROVING THE AGREEMENT WITH PLANT PROFESSIONAL, INC. TO LANDSCAPE TWO (2) MEDIANS ON US-1 HIGHWAY (STATE ROAD 5); IN AN AMOUNT NOT TO EXCEED \$136,752.30; AND PROVIDING AN EFFECTIVE DATE. (Administration)

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

Manager Silva advised that staff had negotiated the contract to result in a \$15,309.90 savings. He stated that the company is ready to move forward.

Mayor Flinn asked the time frame for the project. Director Patterson advised that the project is expected to be completed by March of 2016.

Mayor Flinn called the question. All voted in favor of the Resolution as drafted (5-0).

- G. A RESOLUTION OF THE MAYOR AND THE VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, DIRECTING THE VILLAGE MANAGER TO TAKE INITIAL STEPS TO PROCURE AN APPROPRIATE DISPLAY ITEM IN THE FORM OF A PIECE OF EQUIPMENT THROUGH THE RECOGNIZED U.S. ARMY DONATION PROGRAM FOR MUNICIPALITIES; AND PROVIDING FOR AN EFFECTIVE DATE. (Administration)

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

Attorney Lehtinen stated that the reason for the initial procurement is to investigate the items available and see the cost; the Council must approve the procurement in the end.

Vice Mayor DuBois stated that if the Council is allowing the manager to make a purchase up to \$75,000, there should be a line item in the Budget. Attorney Lehtinen advised that the Manager must come back for approval.

Vice Mayor DuBois moved to revise the Resolution to add the sentence, "Such funds shall be drawn from the general fund unrestricted reserve." Attorney Lehtinen stated that modification would occur on line 31, after the period. Councilman Schaffer seconded. All voted in favor. The Resolution passed unanimously, as amended.

- H. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; APPROVING THE SELECTION OF GPE ENGINEERING AND GENERAL CONTRACTOR TO PROVIDE RUBBERIZED TRAIL RENOVATIONS TO CORAL REEF PARK; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE A CONTRACT OF SAID COMPANY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Manager Silva stated that staff had researched the matter and will negotiate the best price and return for approval.

Mayor Flinn called the question. All voted in favor of the Resolution (5-0).

- I. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO A DRAINAGE IMPROVEMENT PROJECT AT SUB-BASIN NO. 59/60 WITHIN THE VILLAGE OF PALMETTO BAY; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT WITH KIMLEY HORN & ASSOCIATES, INC. TO PROVIDE DESIGN, PERMITTING, AND BIDDING SUPPORT; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER AND APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$85,000.00; AND PROVIDING FOR AN EFFECTIVE DATE. (Administration)

Councilwoman Siegel Lara moved this item forward. Seconded by Councilwoman Cunningham.

Director Patterson advised that this Sub-basin is the number one priority listed in the updated Stormwater Master Plan, and the Village will be seeking funding from the State, as well. She reported that Kimley Horn worked on the Stormwater Master Plan update and staff is asking for assistance from Kimley Horn in order to be ready to proceed, if the grant process is successful.

Councilwoman Cunningham explained that she pulled the matter from Consent to discuss the concerns of a resident on 150 Street and 80 Avenue. Director Patterson explained that there are seven locations identified and that address is within those areas. She noted that the Village will be seeking the services of another consultant in January for that localized area.

Councilwoman Cunningham asked for the timeline. Director Patterson stated that she cannot provide a specific timeline as the engineer must evaluate the project prior to commencement, but the design will be brought to Council in January. Brief discussion ensued regarding the localized projects.

Vice Mayor DuBois asked if the matter could be competitively bid, as \$85,000 for this matter seems high. Director Patterson stated that the cost is consistent with projects in the past, as Sub-basin 10 was a similar project and the cost was \$84,000 for the design. She explained that the consultant prepares all plans, assists with permitting, sends out all information to the utility companies, and other associated services.

Vice Mayor DuBois remarked that he believes larger projects should be separately bid, not utilized the competitively pre-qualified firms.

Mayor Flinn called the question. All voted in favor of the Resolution (5-0).

- J. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING DO THE RIGHT THING OF MIAMI, INC.; AUTHORIZING THE VILLAGE MANAGER TO DISBURSE AN AMOUNT NOT TO EXCEED \$1,000.00; PROVIDING AN EFFECTIVE DATE.

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

Mayor Flinn provided a report, stating that this organization has worked hard within our Village.

Major Serralta concurred, stating that it is a valuable program and commends the City of Miami for this worthwhile effort. Councilman Schaffer remarked that the Village's policing unit gets involved, even if the County does not use the program. Major Serralta confirmed this statement.

Councilwoman Siegel Lara asked how DARE is funded. Major Serralta replied that fund raisers done within the Village are used for this program.

Mayor Flinn called the question. All voted in favor of the Resolution (5-0).

**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, RELATING TO SECTION 30-30.14, "APPEALS"; AMENDING SECTIONS 30-30.14(a)(2) AND 30-30.14(c); TO ALLOW PRIVATE PROPERTY WITH A VILLAGE COUNCIL ISSUED DEVELOPMENT ORDER TO PROCEED TO PERMITTING AND CONSTRUCTION DURING THE APPEAL OF THAT ORDER, SUBJECT TO SPECIFIED CONDITIONS; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE. (Administration)

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

Mayor Flinn noted that this was the companion ordinance with regard to private facilities. Director Delsalle concurred.

Mayor Flinn called the question. All voted in favor of the proposed ordinance on first reading (5-0).

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION; AMENDING CHAPTER 20, ARTICLE 1, OF THE VILLAGE'S CODE OF ORDINANCE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. (Councilman Schaffer)

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

Councilman Schaffer stated that approval of increasing the fees was adopted by the Council with a 4 to 1 vote. He thanked Councilwoman Cunningham for pointing out the problem with increasing fees. He remarked that he had received several emails and believes the increase to tennis was not equitable and the fees should return to its original level.

Clerk Alexander clarified that the Ordinance is drafted to only revise the tennis rental/programs.

Councilwoman Cunningham stated that she wishes to amend other fees. Councilman Schaffer concurred.

Attorney Lehtinen remarked that as this Ordinance is extensive, the Council could pass this Ordinance and then modify the Ordinance again for other items.

Councilwoman Siegel Lara agrees with rolling back tennis fees, as she believes it is appropriate. She stated that she would appreciate approving this reduction and then considering other adjustments at a later date.

Mayor Flinn concurred with Councilwoman Siegel Lara that it is appropriate to reduce the cost for tennis fees. He added that when he met with the tennis players, they believe that the tennis courts are in great shape. He believes that the Council should take a look at the overall fees, as the taxpayers have to support many items and the Council should consider the cost.

Mayor Flinn called the question. All voted in favor of the proposed ordinance on first reading (5-0).

Councilwoman Cunningham stated that she would work with staff.

**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 THE COMPREHENSIVE PLAN; CREATING POLICY 1.1.14 OF THE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN RELATING TRANSFER OF DEVELOPMENT RIGHTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Administration)

Councilman Schaffer moved this item forward. Councilwoman Siegel Lara seconded.

Mayor Flinn asked if there was an additional staff report. Director Delsalle stated that there was not.

Attorney Lehtinen noted that the record is included from the Local Planning Agency meeting.

Mayor Flinn opened the public hearing. No one wished to speak. The public hearing was closed.

Mayor Flinn called the question. All voted in favor of the proposed ordinance following roll call vote (5-0). The Ordinance was adopted.

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; CREATING SECTION 30-30.15 OF THE LAND DEVELOPMENT CODE RELATING TO TRANSFER OF DEVELOPMENT RIGHTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Administration)

Councilman Schaffer moved this item forward. Seconded by Councilwoman Siegel Lara.

Attorney Lehtinen noted that the Ordinance would include all amendments approved by the Land Planning Agency.

Mayor Flinn asked for a motion that the Council move forward the item that was approved by the Land Planning Agency. Councilman Schaffer so moved. Seconded by Councilwoman Siegel Lara. All voted in favor.

Mayor Flinn asked if there was an additional staff report. Director Delsalle stated that there was not.

Mayor Flinn opened the public hearing. No one wished to speak. The public hearing was closed.

Mayor Flinn called the question. All voted in favor of the proposed ordinance following roll call vote (5-0). The Ordinance was adopted.

#### **14. OTHER BUSINESS**

Councilman Schaffer stated that he is concerned with the consultant, the Novak Group, and the formulation of the strategic plan. He noted that he was unable to attend the first meeting with the Council and the Novak Group, but attended the director's meeting and was surprised that the directors believed customer service was a strength and the Novak Group "x'd" through those items because Council thought it was a weakness of the Village. He stated that no information was returned from the surveys that would validate those comments. He stated that this action created a competitive situation between staff and Council that he felt was unnecessary and inappropriate. He also expressed his concern that the Novak Group used Survey Monkey, which is not a scientific method in order to conduct the survey. He stated that resident input has not been valuable, as it cannot be relied upon.

Councilwoman Cunningham asked for Councilman Schaffer's recommendation. Councilman Schaffer stated that the Novak Group should not meet with the staff until the Council has conducted its Special Council meeting on December 14<sup>th</sup>.

Following discussion, Vice Mayor DuBois remarked that directors are professionals and the Council may have a different view regarding customer service. He stated that he does not have a problem with the consultant visiting with staff, as planned.

Vice Mayor DuBois moved to extend the Council meeting to 12:10 a.m. Seconded by Councilman Schaffer. All voted in favor.

Mayor Flinn suggested that Councilman Schaffer monitor the upcoming staff meetings and the Council would hear additional information on December 14<sup>th</sup>.

#### **15. COUNCIL COMMENTS**

Councilwoman Cunningham invited the Council to Southwood Middle School on January 14<sup>th</sup> for a 6 pm workshop concerning human trafficking. She also remarked that Agenda items regarding detailed, significant information should be brought to a Committee of the Whole Workshop for discussion.

Vice Mayor DuBois suggested uploading the Agendas of past meetings to the website. He also stated that the check registers on the website should be searchable.

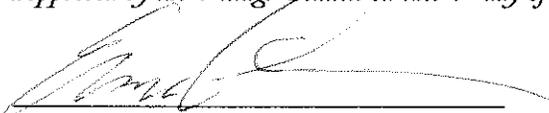
**16. NEXT MEETING AND ADJOURNMENT**

The meeting adjourned at 12:08 a.m.

*Prepared and submitted by:*

  
Meighan J. Alexander, CMC  
Village Clerk

*Approved by the Village Council on this 4<sup>th</sup> day of January, 2016.*

  
Eugene Flinn, 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.