VILLAGE OF PALMETTO BAY
Minutes of the Local Planning Agency Meeting of September 10, 2012
Village Hall Chambers
9705 East Hibiscus Street

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

Mayor Shelley Stanczyk
Vice Mayor Brian W. Pariser
Council Member Patrick Fiore
Council Member Howard Tendrich
Council Member Joan Lindsay

Staff present:
Village Manager Ron E. Williams
Village Attorney Eve A. Boutsis
Village Clerk Meighan J. Alexander
Director of Planning and Zoning Darby Delsalle

Mayor Stanczyk called the meeting to order at 7:10 p.m. Mayor Stanczyk asked the Council to briefly recess the meeting and allow for a public hearing under the Regular Council Meeting to be held. The Council concurred. The Local Planning Agency Meeting was recessed and re-convened at 9:30 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 TO ZONING; AMENDING THE LIST OF PERMITTED USES FOR THE LIMITED BUSINESS DISTRICT (B-1) TO PROVIDE FOR CHILD CARE FACILITIES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Council Person Howard Tendrich].

Councilman Tendrich moved this item forward. Seconded by Vice Mayor Pariser.

Director Delsalle provided staff report, noting that the matter was not modified from first reading to this final reading.

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

Mayor Stanczyk called the question. The Ordinance passed unanimously to the Regular Council Meeting (5-0), following roll call vote: Vice Mayor Pariser: yes; Mayor Stanczyk: yes; Councilman Fiore: yes; Councilman Tendrich: yes; and Councilwoman Lindsay: yes.

B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING SECTION 30-50.18, RELATING TO THE PROVISION PRECLUDING OUTDOOR STORAGE WITHIN THE FT&I DISTRICT; PERMITTING OUTDOOR STORAGE TANKS UNDER SPECIFIC CONDITIONS FOR THOSE BUSINESSES WHICH PROVIDE FOR ANCILLARY SALE OF PROPANE AND CHLORINE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Council Person Patrick Fiore].

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

Director Delsalle advised that there were no modifications from first reading and the item was discussed at a Committee of the Whole meeting.

Attorney Boutsis noted that the tanks would have to be located at the rear of the building, screened from view.

Mayor Stanczyk opened the public hearing. Mr. Eric Tullberg, 7884 SW 179 Terrace, spoke concerning safety precautions and appropriate regulations.

Councilwoman Lindsay expressed that prohibition of this use was expressly stated in the Ordinance and a Charette was conducted for this area of the Village. She expressed her opposition, noting that Charettes intend to improve areas and allowing this modification does not offer an improvement.

Mayor Stanczyk concurred, stating that positive changes should only be considered.

Councilman Tendrich stated that several former Council people were contacted and no one recalls why this use was specifically excluded. He noted that Mr. Breder had previously provided several examples of these types of companies operating within the Village.

Mayor Stanczyk replied that there is a pool supply near her place of business. She explained that the public has access to pool stores; however, the use of tanks is limited in this one area of the Village.

Mayor Stanczyk called the question. The Ordinance failed to pass (3-2), following roll call vote: Mayor Stanczyk: no; Councilman Fiore: yes; Councilman Tendrich: yes; Councilwoman Lindsay: no; and Vice Mayor Pariser: no.

C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, PURSUANT TO SECTION 30-30.7(b) RELATING TO CHAPTER 30, DIVISION 100, ENVIRONMENTAL

REGULATIONS, REPEALING THE EXISTING PROVISIONS OF 30-100.6 TO REPLACE SAME WITH THE MODEL FLOODPLAIN ORDINANCE REQUIRED BY THE STATE LEGISLATURE; PROVIDING FOR RESPONSIBILITIES OF THE BUILDING OFFICIAL AS FLOODPLAIN COORDINATOR' WHICH MODIFICATIONS ARE MANDATED BY THE STATE TO BE INCLUDED IN THE VILLAGE'S ORDINANCE 30-100.6, RELATING TO SAME; ADOPTING A NEW SECTION 30-100.6; ALSO REPEALING CHAPTER 18 RELATING TO SAME; ADOPTING FLOOD HAZARD MAPS, DESIGNATING A FLOODPLAIN ADMINISTRATOR, ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; ADOPTING LOCAL ADMINISTRATIVE AMENDMENTS AND LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE PERTAINING TO THE DESIGN AND CONSTRUCTION OF BUILDINGS AND STRUCTURES IN FLOOD HAZARD AREAS; PROVIDING FOR ORDINANCES IN CONFLICT, REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Deferred to date certain of September 10, 2012)

Councilman Tendrich moved this item forward. Seconded by Vice Mayor Pariser.

Attorney Boutsis provided staff report.

Vice Mayor Pariser asked if adoption of this ordinance triggers the flood audit that is ongoing.

Manager Williams advised that the Village has contracted with an engineering firm for the CRS and the audit is in progress and not part of this ordinance.

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

Mayor Stanczyk called the question. The Ordinance was passed unanimously to the Regular Council Meeting (5-0), following roll call vote: Councilman Fiore: yes; Councilman Tendrich: yes; Councilwoman Lindsay: yes; Vice Mayor Pariser: yes; and Mayor Stanczyk: yes.

Mayor Stanczyk asked for the status of CRS. Manager Williams advised that the Village is working to change our Community Rating System number, which will assist the residents with flood insurance costs. He noted that the Village has commissioned a study that is ongoing.

3. NEXT MEETING AND ADJOURNMENT

Prepared and submitted by:

_____

Meighan J. Alexander, CMC
Village Clerk

Approved by the Village Council on this ___ day of October, 2012.

_____

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 September 10, 2012
Village Hall Chambers
9705 East Hibiscus Street

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

Mayor Shelley Stanczyk
Vice Mayor Brian W. Pariser
Council Member Patrick Fiore
Council Member Howard Tendrich
Council Member Joan Lindsay

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

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

Mayor Stanczyk asked if the Council would consider taking the public hearing out of order, as there are children in the audience wishing to hear this matter. The Council concurred.

RESOLUTION REQUIRING PUBLIC HEARING

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, CO-DESIGNATING SW 181 STREET BETWEEN SW 92 COURT AND SW 91 AVENUE IN HONOR OF KAELY CAMACHO; PROVIDING FOR INSTALLATION OF APPROPRIATE SIGNAGE; PROVIDING FOR AN EFFECTIVE DATE.

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

Ms. Angela Camacho, 9143 SW 181 Street, Palmetto Bay, FL, and Mr. Kirk Camacho, 11720 SW 136 Court, Miami, FL, came forward.

Mayor Stanczyk provided an introduction of the matter, noting how the young girl tragically passed away following a car accident where a drunk driver hit her father's vehicle.

Ms. Camacho and Mr. Camacho provided a brief statement.

Attorney Boutsis reminded the Council that a vote needed to be taken in order to hear this matter at this time, as the ordinance mandates co-designations to be held annually in April.

Councilwoman Lindsay moved to hear the matter at this time. Vice Mayor Pariser seconded the matter. All voted in favor.

Mayor Stanczyk opened the public hearing.

A liaison from County Commissioner Lynda Bell's office came forward and provided correspondence from the Commissioner, supporting the matter.

Mayor Stanczyk closed the public hearing.

The Council expressed their condolences and hope that the tribute reminds all of the dangers of drunk driving.

Mayor Stanczyk called the question. All voted in favor. The Resolution passed unanimously (5-0.)

(The Council recessed the Regular Council Meeting, re-convened the Local Planning Agency Meeting, and then returned to this Meeting at 9:30 p.m.)

2. PROCLAMATIONS, AWARDS, PRESENTATIONS: None at this time.

3. APPROVAL OF MINUTES

A. Minutes of the Local Planning Agency Meeting of July 9, 2012
B. Minutes of the Regular Council Meeting of July 9, 2012
C. Minutes of the Special Council Meeting of July 23, 2012

Councilman Tendrich moved to approve the Minutes, as submitted. Seconded by Vice Mayor Pariser. All voted in favor. The Minutes were approved unanimously (5-0.)

4. 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 $15,527.29; PROVIDING AN EFFECTIVE DATE.

B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS & RECREATION; ACCEPTING THE RECOMMENDATION OF THE VILLAGE MANAGER IN APPROVING THE CONTRACT WITH PLATINUM GROUP SECURITY, INC., TO PROVIDE SECURITY GUARD SERVICES AT VILLAGE PARKS PURSUANT TO RFP- 2012-PR-003; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE GOVERNING AGREEMENT PURSUANT TO RECOMMENDED AWARD; AND PROVIDING FOR AN EFFECTIVE DATE.

C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS & RECREATION AND RFP-2012-PR-004; APPROVING THE VILLAGE MANAGER'S RECOMMENDATION FOR AN AWARD OF BID TO GENERAL MOW, LLC d/b/a GROUNDSKEEPERS, TO PROVIDE LANDSCAPE/GROUNDS MAINTENANCE SERVICES AT VILLAGE PARKS PURSUANT TO THE TERMS AND CONDITIONS OF THE GOVERNING AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PLANNING AND ZONING AND RFP-2012-DPZ-001; APPROVING THE VILLAGE MANAGER'S RECOMMENDATION OF E. RODRIGUEZ LANDSCAPING, INC. AS THE MOST RESPONSIVE PROPOSER IN PROVIDING LAWN MAINTENANCE AND SERVICES FOR THE VILLAGE OF PALMETTO BAY; AND PROVIDING AN EFFECTIVE DATE.

Clerk Alexander advised that Councilman Fiore had timely pulled item 4 B. The Resolution shall be heard as Item 9 E.

Councilman Tendrich moved to approve the Consent Agenda Items (4 A, C, and D.) Seconded by Vice Mayor Pariser. All voted in favor.

5. **REQUESTS, PETITIONS AND PUBLIC COMMENTS**: No one wished to be heard.

6. **VILLAGE MANAGER'S REPORT**

A. Village Police Commander Update: Commander Truitt provided an update. He asked Officer Peter Judge to provide an update regarding the ECIP program. Officer Judge noted that officers had visited over 160 businesses and will be contacting all Village businesses.

Vice Mayor Pariser complemented the department for this effort. Officer Judge noted that the businesses' database remains confidential under crime statutes.

Manager Williams reported that that staff will be working with Miami-Dade County transit concerning the transit stops in the Village, as the Vice Mayor had asked staff to investigate the bus bench activities within the Village. Vice Mayor Pariser thanked the Manager, stating that he was hoping to see seats and shelters installed in the near future. Manager Williams noted that staff is prepared to assist.

Clerk Alexander provided a calendar update.

7. **VILLAGE ATTORNEY'S REPORT**

A. September, 2012 Update: Attorney Boutsis provided her written report.

8. BOARD AND COMMITTEE REPORTS

9. RESOLUTIONS

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE CENTRAL EVERGLADES PLANNING PROJECT FOR THE RESTORATION OF THE CENTRAL EVERGLADES; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Councilman Howard J. Tendrich)

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

Councilman Tendrich reported that he had received a long document from the Tropical Audubon Society concerning this matter. He stated that the project intends to return the water levels to the 1970 levels and stop the salt intrusion.

Vice Mayor Pariser remarked that he believed this project was part of the restoration ordered by the federal courts. Councilman Tendrich concurred.

Councilwoman Lindsay expressed her support.

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

B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, EXPRESSING OPPOSITION TO THE MIAMI-DADE METROPOLITAN PLANNING ORGANIZATION'S PROPOSED US-1 EXPRESS PROJECT; PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Councilman Howard J. Tendrich)

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

Councilman Tendrich stated that he had raised this matter at a June 11th Committee of the Whole Meeting. He advised that the project attempts to make the bus way into an elevated road above the existing bus way. He reported that Pinecrest is also passing a resolution opposing this and he objects to the concept.

Vice Mayor Pariser remarked that is an ongoing study; however, the project remains in the "discussion" stages. He stated that he is interested in what will be concretely proposed before he opposes this project.

Mayor Stanczyk stated that this is an ongoing study and the concept is not clear yet. She remarked that it is premature to vote against it now and would like to see the complete plan before she supports or opposes it.

Councilman Tendrich asserted that the concept was presented and if the Council waits too long to express its view, it may be too late. He noted that the Village needs to be concerned about the surrounding communities, as well as being concerned for itself.

Vice Mayor Pariser stated that a member of the Pinecrest Council had told him that he wanted to see the plan first before considering opposing it.

Mayor Stanczyk stated that she went to the EDC and the Transit Coalition meeting and the presentations were still conceptual.

Councilwoman Lindsay remarked that MDX has expressed that the goal is to provide better transit service. She stated that there is a need to address north-south traffic, as the only alternative may be to cut through Palmetto Bay. She concluded that she would like to see the study concluded before she is opposed to it.

Councilman Fiore stated that he is supportive of the Resolution opposing this plan, as he believes grid-lock may result from the plan.

Mayor Stanczyk called the question. The Resolution failed to pass (2 to 3, Mayor Stanczyk, Vice Mayor Pariser, and Councilwoman Lindsay opposed.)

C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO AD HOC ADVISORY BOARDS; APPOINTING A MEMBER TO THE EDUCATIONAL COMPACT ADVISORY COMMITTEE; PROVIDING AN EFFECTIVE DATE.

Councilman Tendrich moved this item forward. Seconded by Vice Mayor Pariser.

Mayor Stanczyk noted that Sherry Farmer was Councilman Fiore's appointee.

Councilman Fiore stated that he had asked the Clerk to contact a previous applicant, Pam Tabor, who had agreed to serve.

Councilwoman Lindsay moved to approve the appointment of Pam Tabor to the Educational Compact Advisory Committee. Seconded by Vice Mayor Pariser. All voted in favor (5-0).

D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, URGING THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO LOCATE AND PERMIT SIGNAGE FOR THE BENEFIT OF LOCAL COMMUNITY/SERVICE ORGANIZATIONS; PROVIDING AN EFFECTIVE DATE. (Sponsored by Mayor Shelley Stanczyk)

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

Mayor Stanczyk advised that there used to be a board with decals that listed several community organizations; Rotary being one of the organizations. The Florida Department of Transportation (FDOT), while working on a recent project, noted that the bulletin board type fixture was not approved and was located on their right-of-way. She explained that FDOT visited the original permit holder and the bank had indicated it was no longer interested in sponsoring the permit. Mayor Stanczyk expressed that the Village should encourage FDOT to showcase these organizations.

Vice Mayor Pariser stated that he believed FDOT decided to remove the signage and he is supportive of this Resolution.

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

E. 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 WHITE & CASE, FOR THE SERVICES OF JUSTICE RAOUL CANTERO IN PALMER TRINITY V. VILLAGE OF PALMETTO BAY - APPELLATE MATTER; IN THE AMOUNT OF $28,253.91; PROVIDING AN EFFECTIVE DATE.

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

Councilman Fiore asked if the payment to this attorney would be continual until litigation is concluded.

Attorney Boutsis noted that there could payments to this lawsuit until the appeal concludes.

Councilman Fiore asked if the amount of $1,560 for a 2 hour and 40 minute attendance at a shade session was a correct amount. Attorney Boutsis stated that it was correct.

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

(Item 10 A was heard previously in this meeting.)

11. ORDINANCES FOR FIRST READING

A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; AMENDING ORDINANCE NO. 09-04, AND 2012-12, TO MODIFY PARK RENTAL FEES RELATING TO ALL PARK COMMUNITY ROOMS; PROVIDING FOR AN ADMINISTRATIVE WAIVER OF RENTAL FEES FOR ALL NONPROFITS OR COMMUNITY GROUPS FOR USE OF

THE COMMUNITY ROOMS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk.]

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

Mayor Stanczyk reported that the Village authorized the same type of ordinance for the Edward and Arlene Feller Community Room and she became aware that other groups were using the Coral Reef Park community room and the Palmetto Bay Park facility. She explained that the Village is allowing one room to be used gratis, but charging girls' softball teams for a lesser room. She suggested that this ordinance would allow everyone access to use the community rooms.

Vice Mayor Pariser asked the frequency of use at the Feller Room. Manager Williams noted that the use was moderate, not as high as originally expected.

Councilman Tendrich stated he opposition, noting that staff had expressed concerns relating to the Shannon Melendi law.

Councilman Fiore asked if all groups, such as homeowner's associations or girl scouts would be allowed free use. Attorney Boutsis stated they would. Councilman Fiore expressed his support.

Mayor Stanczyk replied that the Manager still is able to use his discretion.

Attorney Boutsis advised that she would research any issues concerning the Shannon Melendi laws and advise Council.

Mayor Stanczyk called the question. The Ordinance passed on first reading (4 to 1, Councilman Tendrich opposed.)

12. 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 ZONING; AMENDING THE LIST OF PERMITTED USES FOR THE LIMITED BUSINESS DISTRICT (B-1) TO PROVIDE FOR CHILD CARE FACILITIES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Council Person Howard Tendrich].

Councilman Tendrich moved to incorporate the record, staff report, and all public comments made at the Local Planning Agency Meeting of September 10, 2012, into this proceeding, and move the matter forward. Seconded by Vice Mayor Pariser.

Mayor Stanczyk opened the public hearing. No one wished to speak.

Mayor Stanczyk called the question. The Ordinance was adopted unanimously, following roll call vote: Vice Mayor Pariser: yes; Mayor Stanczyk: yes; Councilman Fiore: yes; Councilman Tendrich: yes; and Councilwoman Lindsay: yes.

B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING SECTION 30-50.18, RELATING TO THE PROVISION PRECLUDING OUTDOOR STORAGE WITHIN THE FT&I DISTRICT; PERMITTING OUTDOOR STORAGE TANKS UNDER SPECIFIC CONDITIONS FOR THOSE BUSINESSES WHICH PROVIDE FOR ANCILLARY SALE OF PROPANE AND CHLORINE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Council Person Patrick Fiore].

Councilman Tendrich moved to incorporate the record, staff report, and all public comments made at the Local Planning Agency Meeting of September 10, 2012, into this proceeding, and move the matter forward. Seconded by Councilman Fiore.

Mayor Stanczyk opened the public hearing. No one wished to speak.

Mayor Stanczyk called the question. The Ordinance failed to pass, following roll call vote: Mayor Stanczyk: no; Councilman Fiore: yes; Councilman Tendrich: yes; Councilwoman Lindsay: no; and Vice Mayor Pariser: no.

C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, PURSUANT TO SECTION 30-30.7(b) RELATING TO CHAPTER 30, DIVISION 100, ENVIRONMENTAL REGULATIONS, REPEALING THE EXISTING PROVISIONS OF 30-100.6 TO REPLACE SAME WITH THE MODEL FLOODPLAIN ORDINANCE REQUIRED BY THE STATE LEGISLATURE; PROVIDING FOR RESPONSIBILITIES OF THE BUILDING OFFICIAL AS FLOODPLAIN COORDINATOR' WHICH MODIFICATIONS ARE MANDATED BY THE STATE TO BE INCLUDED IN THE VILLAGE'S ORDINANCE 30-100.6, RELATING TO SAME; ADOPTING A NEW SECTION 30-100.6; ALSO REPEALING CHAPTER 18 RELATING TO SAME; ADOPTING FLOOD HAZARD MAPS, DESIGNATING A FLOODPLAIN ADMINISTRATOR, ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; ADOPTING LOCAL ADMINISTRATIVE AMENDMENTS AND LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE PERTAINING TO THE DESIGN AND CONSTRUCTION OF BUILDINGS AND STRUCTURES IN FLOOD HAZARD AREAS; PROVIDING FOR ORDINANCES IN CONFLICT, REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Councilman Tendrich moved to incorporate the record, staff report, and all public comments made at the Local Planning Agency Meeting of September 10, 2012, into this proceeding, and move the matter forward. Seconded by Vice Mayor Pariser.

Mayor Stanczyk opened the public hearing. No one wished to speak.

Mayor Stanczyk called the question. The Ordinance was adopted unanimously, following roll call vote: Councilman Fiore: yes; Councilman Tendrich: yes; and Councilwoman Lindsay: yes; Vice Mayor Pariser: yes; and Mayor Stanczyk: yes;

13. OTHER BUSINESS: None at this time.

14. COUNCIL COMMENTS: None.

15. NEXT MEETING AND ADJOURNMENT

The meeting was adjourned at 10:35 p.m.

Prepared and submitted by:

_____

Meighan J. Alexander, CMC
Village Clerk

Approved by the Village Council on this _____ day of October, 2012.

_____

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.