

VILLAGE OF PALMETTO BAY
Minutes of the Local Planning Agency Meeting of Monday, February 6, 2012
Village Hall Chambers
9705 E. 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 7:05 p.m. Mayor Stanczyk led the pledge of allegiance.

Vice Mayor moved to present the Proclamations listed on the Regular Council Meeting Agenda as the next item. Seconded by Councilman Fiore. All voted in favor.

2. PROCLAMATIONS, AWARDS, PRESENTATIONS

- A. Recognition of Coral Reef High School: School Board Member Dr. Larry Feldman joined the Mayor and Council in presenting this Proclamation.
- B. Recognition of Arbor Day Poster Contest winners: Mayor Stanczyk asked each of the girls to come forward and introduce themselves: Annie Perez (1st place), Amber Nolan (2nd place), and Annie Delgado (3rd place). She thanked them for their outstanding artwork.
- C. Recognition of sponsors of the Shade Palmetto Bay: The Mayor and Council thanked the sponsors of the event: Groundkeepers, Inc., Jackson South Community Hospital, Heritage House Boys Suits, Miami Hal Feldman, and Nature's Power Nursery.
Mayor – recognized each sponsor.
- D. Recognition of Oscar Roque: Commander Gregory Truitt recognized the detective and provided his history. The Mayor and Council thanked Detective Roque. Commander Truitt provided recognition awards to each member of the GIU force.
- E. Recognition of USTA Men Team: Mayor Stanczyk recognized the team.
- F. Recognition of Junior Novice Tennis Team: Mayor Stanczyk recognized the Junior Novice and 14 and under Intermediate Team for their outstanding victories.

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 THE VILLAGE'S CODE OF ORDINANCES, AMENDING DIVISION 30-130, ENTITLED "ALCOHOLIC BEVERAGES" AMENDING DISTANCE SEPARATION EXEMPTIONS FOR SPECIFIED USES; PROVIDING FOR SUNDAY PACKAGE SALES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Attorney Boutsis provided staff report.

Following brief discussion, the Ordinance was adopted unanimously on roll call vote, as follows: Vice Mayor Pariser: yes; Mayor Stanczyk: yes; Councilman Fiore: yes; and Councilman Tendrich: yes; and Councilwoman Lindsay: yes.

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE'S CODE OF ORDINANCES, AMENDING DIVISION 30-90, ENTITLED "SIGN REGULATIONS"; REGULATING TEMPORARY SIGNS UNIFORMLY AS TO SIZE, AND DURATION, INCLUDING BUT NOT LIMITED TO POLITICAL SIGNS AND PERSONAL EXPRESSION SIGNS; AND PROVIDING FOR A MINIMUM 90 DAY PERIOD FOR DISPLAY OF SAID SIGNS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk and Council Person Tendrich].

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

Mayor Stanczyk remarked that many residents expressed disapproval of myriad signs.

Attorney Boutsis asked Council to consider the substitution on the dais had minor changes: page 3 – subsection (d), length of display of signs triggered by qualifying, and the language "not more than 90 days in any year" is included.

Councilman Tendrich moved to consider the substituted Ordinance. Seconded by Vice Mayor Pariser. All voted in favor.

Mayor Stanczyk opened the public hearing. The following residents addressed the Council: Bev Gerald, 14271 SW 74 Court; Steve Kreisher, 18201 SW 98 Avenue; Peter England, 7620 SW 171 Street; Gary Pastorella, 6940 SW 142 Terrace; and Chet England, 15300 SW 90 Avenue.

Mayor Stanczyk closed the public hearing.

Vice Mayor Pariser provided information concerning cities that had similar ordinances. He opined there has been a public outcry from the citizenry regarding sign pollution.

Mayor Stanczyk concurred.

Councilman Fiore expressed that this ordinance will harm businesses and residents who have extensive holiday decorations.

Councilwoman Lindsay stated that she is concerned with the provision concerning taking down decorations.

Planning & Zoning Director Darby DeSalle stated that decorations are included as non-protected speech, a personal expression, non-content based.

Following brief comment, Councilman Tendrich moved to lengthen the time limit of taking down decorations from seven to 21 days. Seconded by Vice Mayor Pariser.

Several residents remarked on the amendment: Beatrice Herman, 17251 SW 86 Avenue; Gary Pastorella, 6940 SW 142 Terrace; Jerry Templar, 8120 SW 182 Street; Steve Kreisher, 18201 SW 98 Avenue; and Arlene Feller, 7960 SW 144 Street.

Clerk Alexander read the motion on the floor.

Councilman Tendrich withdrew his motion. Vice Mayor Pariser agreed. Vice Mayor Pariser moved to include the words "single holiday" at the end of the paragraph. Seconded by Councilman Tendrich.

Mr. Peter England, 7620 SW 171 Street, commented on the amendment. The public hearing was closed.

Following brief discussion, the Ordinance was adopted by majority vote (4 to 1) on roll call vote, as follows: Vice Mayor Pariser: yes; Mayor Stanczyk: yes; Councilman Fiore: no; and Councilman Tendrich: yes; and Councilwoman Lindsay: yes.

3. NEXT MEETING AND ADJOURNMENT

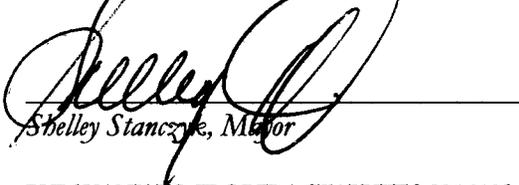
The meeting was adjourned at 8:35 p.m.

Prepared and submitted by:



Meghan J. Alexander, CMC
Village Clerk

Approved by the Village Council on this 24th day of March, 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.