

VILLAGE COUNCIL MEETING MINUTES
Minutes of the Final Budget Hearing Monday, September 21, 2015
Village Hall Chambers
9705 E. Hibiscus Street

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

Mayor Eugene Flinn
 Vice Mayor John DuBois
 Council Member Katryn Cunningham
 Council Member Tim Schaffer
 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 7:05 p.m. Mayor Flinn asked resident David Greenwell to lead the pledge of allegiance.

Attorney Lehtinen advised that the Council will be required to set the millage rate prior to approving the Council.

Mayor Flinn concurred, adding that while there is a public hearing required for both Budget Ordinances, as there is no public comment listed on this Agenda, he would be opening public comment for those individuals who wished to address the Council on any item.

The following individuals addressed the Council: Jacqueline Caproone, 8285 SW 164 Terrace; David Greenwell, exempt address; Melanie Zargham, 15750 SW 86 Avenue; Elizabeth Heldt, 9115 SW 160 Terrace; Dan Toledo, 14720 SW 79 Avenue; Bessie Goodine, 17200 SW 93 Avenue; and Beverly Gerald, 14271 SW 74 Court.

Based upon comments made by Ms. Gerald, Attorney Lehtinen advised that with regard to the fire station, there is not a final settlement at this time and that ingress would be from the side street and egress is onto Old Cutler. Manager Silva remarked that SW 142 Terrace is planned to be the permanent entrance. Attorney Lehtinen added that it was not possible for the fire station to utilize church-owned property.

2. VILLAGE MANAGER'S REPORT

Manager Silva provided an update to the proposed Budget and highlighted the changes. He noted that the general fund was increased \$13,967 due to the Council's modification to the millage rate from one year to the next.

Councilwoman Cunningham asked for explanation concerning the modification to the multimodal item.

Manager Silva stated that the expenditure of funds would be needed toward the end of this fiscal year and the start of the next year. He explained that as the Board of County Commissioners has delayed the resolution for six months, the Village is also delayed. He added that the Village has also spoken to the Village's lobbyist and the project may receive funds from the State, but this will take some time.

Councilwoman Cunningham asked why the Business Liaison position is now a full-time position and asked for the salary.

Manager Silva advised that the Business Liaison will be doing other functions, such as being a conduit to the business community. He explained that the Village needs to promote and help businesses, which, in turn, will alleviate burden on taxpayers. He explained that the position is needed in order to recruit businesses into this area to help with the downtown area; and, due to the necessary components of the strategic plan, his office will be assuming some responsibilities to complete that effort.

Councilwoman Cunningham stated that she is not in favor of adding this position, as there is not a downtown area to promote at this time. She expressed opposition to providing additional resources to complete the strategic plan.

Vice Mayor DuBois asked for the salary level of the position. Manager Silva stated that the salary level would be \$40,000 to \$45,000 annually.

Vice Mayor DuBois asked if the \$1 million debt number correlates to new debt. Finance Director Desmond Chin advised that the amount is current debt. Vice Mayor DuBois asked the items that encompass that debt. Director Chin explained the debt service is for the Village Hall and library bond.

Mayor Flinn stated that he intends to revive the Budget Committee in the future to consider the budget prior to its adoption.

3. ORDINANCES FOR SECOND READING/PUBLIC HEARINGS REQUIRED

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, OF MIAMI-DADE FLORIDA, ADOPTING THE MILLAGE RATE OF THE VILLAGE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015, THROUGH SEPTEMBER 30, 2016, PURSUANT TO SECTION 200.065, FLORIDA STATUTES; PROVIDING FOR NOTICE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Flinn asked Attorney Lehtinen for explanation of the proper procedure.

Attorney Lehtinen replied that the Council should open the public hearing to consider the millage rate. He stated that the Council can move to approve or table it in order to consider the budget.

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

Clerk Alexander read the caption and Section 2 of the Ordinance.

Mayor Flinn opened the public hearing. Ms. Bev Gerald, 14271 SW 74 Court, expressed her support. Mayor Flinn closed the public hearing.

Councilwoman Siegel Lara confirmed that the rate proposed is not increasing the millage rate. Vice Mayor DuBois concurred, adding that the matter heard at the first hearing was lowering to 2.440; the Council voted then to leave the rate at 2.447.

Mayor Flinn remarked that due to the Save our Homes law, some residents may see an increase in the taxes they pay.

Following roll call vote, the Ordinance was adopted unanimously (5-0.)

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY OF MIAMI DADE COUNTY, FLORIDA, APPROVING AND ADOPTING THE BUDGET FOR THE VILLAGE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2016; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Manager Silva had provided his report earlier.

Mayor Flinn opened the public hearing. The following individuals addressed the Council: David Singer, 8360 SW 154 Terrace; and, Eric Tullberg, 7884 SW 179 Terrace.

Vice Mayor DuBois remarked that while the budget hearings are not the time to delve into details concerning various projects proposed, he is certain that details will be provided when the specific items are brought before the Council. He noted that he did not like the idea of \$6 to \$7 million dollars of new debt and was pleased that the budget does not include this.

Councilwoman Siegel Lara stated that she believes the revisions made following the first reading of the budget had addressed the Council's concerns. She noted that major items are in line with the Council's visioning priorities and additional

resources being provided to the village. She commented that restructuring, such as facilities and economic development, is necessary and whether the Business Analyst position is correctly scoped will be closely monitored. She asked the Council to consider added \$55,000 to the police department to provide additional traffic enforcement. Councilwoman Siegel Lara explained that the variability between the actual end of year budget and the adopted budget is due to vacancies and other unanticipated personnel variations.

Councilman Schaffer remarked that the public has asked for the community center and he is in favor of allocating those funds. He stated; however, that he would be interested in knowing whether Coral Reef Park is the best site for this type of center and perhaps another location would be preferable.

Manager Silva replied that the building at Coral Reef Park is in poor condition, structurally, and must be demolished.

Councilman Schaffer raised the issue of the Village Clerk's salary. He stated that while a slight increase was provided last year, additional compensation is necessary. He explained that the contract requires an annual review and he believes an increase of 5 to 7% would be appropriate and should be part of the budget discussion.

Mayor Flinn concurred, stating that the position is a charter position and the Clerk remains the Council's employee.

Councilman Schaffer concurred with the remarks made by Councilwoman Siegel Lara concerning allocating funding for additional police enforcement. He stated that with the modification to the millage, there is approximately \$20,000 more in the budget and he believes those funds and an additional \$50,000 should be provided, in order to cover any overtime necessary.

Councilwoman Cunningham thanked the Manager and staff and the residents who participated in the budget process. She noted that she was pleased that the budget is consistent with the Council's priorities. She, too, concurred that traffic calming is needed and supported by the residents. Councilwoman Cunningham stated that she was not aware that the Village Clerk's salary was going to be discussed and would like some comparisons and more information. She remarked that she does not see the reason to include a Business Liaison position and \$45,000 seems to be a very low salary for that type of position.

Mayor Flinn stated that traffic is a major issue in Palmetto Bay and believes that traffic enforcement and public works must work together to address this problem. He remarked that while he is interested in improving parks, he remains concerned with taking public space to construct an additional or larger building. He suggested that the Village investigate another area for the community center. He noted that the Manager's presentation showed that a minority of village residents use the Village's facilities and as the Village cannot have a differential fee structure; Village residents pay more for the facility. He explained that the

residents pay Village taxes and also have to pay to use a facility when they wish to rent one. Mayor Flinn stated that he wishes to leave Coral Reef Park as green as possible and not construct something that does not fit in that park. With regard to the Business Liaison position, he remarked that it is a “first step, an important step” in order to begin attracting businesses. He asked Lieutenant Gady Serralta to come forward to discuss the remarks made.

Lieutenant Serralta thanked the Council for their support and stated that enhanced enforcement will assist the police with traffic enforcement. He stated that they have begun a program entitled Site Comprehensive Improvised Traffic Enforcement, which includes on duty and off-duty/overtime officers. He explained that the on duty personnel are used first; however, the Council must recognize that he is not always able to commit the resources to a targeted enforcement with on-duty, and, that is when off-duty/overtime personnel are used. He concluded that they intend to stay under budget, as the Police Department has alone done so.

Following brief comments, Manager Silva stated that he would like to include the Police in his monthly “coffee” meetings. Councilwoman Cunningham invited the Lieutenant to her next “after hours with Katyn” this coming Wednesday.

Mayor Flinn recognized Judge Patricia Marino Pedraza in the audience. Judge Pedraza thanked the Mayor, stating that she is present as a mom and a resident tonight.

Councilman Schaffer raised the subject of the Clerk’s salary. Attorney Lehtinen advised that from a legal standpoint, the Clerk’s contract states that if an annual review is not done within 60 days of October 6th, the Council would automatically provide 2% increase.

Councilman Schaffer remarked that the Clerk received a raise last year; however, the salary level is below what other Clerks receive. He stated that her knowledge and assistance to the village attorney had resulted in a cost savings in the legal budget. He suggested a minimum increase of 5% to a maximum of 7%.

Vice Mayor DuBois moved to approve a 7% salary increase to the Clerk. Seconded by Councilman Schaffer.

Mayor Flinn expressed his support of the Clerk, noting that she was the first Clerk and had performed many other functions, such as procurement and IT. He added that she is “indispensable” and believes her performance exceeds all expectations.

Councilwoman Cunningham concurred, adding that the Clerk has assisted all of the Council with her ability to research and her willingness to respond at all times. She asked if there was a formal review process and asked if comparative salaries could be provided.

Mayor Flinn stated that a review process is included in the Contract. He explained that he believes that the matter must be done within the confines of the Sunshine laws. He noted that this process is difficult for the Clerk, as regular employees get their raises annually, but the Council wants to look fiscally conservative and the salary is discussed in public. He asked the Council to support the increase for the Clerk.

Councilman Schaffer concurred.

Vice Mayor DuBois expressed his support for the Clerk, noting; however, that this item should be considered during a regular Council Meeting so that the Council could be prepared. He stated that the Clerk is at the bottom of the salary scale, partially due to the previous Councils not considering an increase for four years. He stated that the increase is not significant, if you spread the amount out over six years.

Councilwoman Siegel Lara expressed her support of the Clerk, stating that on a scale of 1 to 5, the Clerk is a 5. She stated that she would recommend approving the budget allocation of 7% to commence on October 6.

Following brief discussion, Vice Mayor DuBois moved to include a 7% allocation in the Budget and consider the Clerk's merit increase at the October 5th Council Meeting. Seconded by Councilman Schaffer. All in favor.

Vice Mayor DuBois moved to allocate \$55,000 for use by the police department. Seconded by Councilman Schaffer. All in favor.

Vice Mayor DuBois moved to delete the Business Liaison position. Seconded by Councilwoman Siegel Lara. She noted that the Council must be flexible and there are particular items that need to happen to make Palmetto Bay's business environment friendly.

Mayor Flinn expressed his support for the Manager's recommendation. Councilwoman Cunningham opined that the salary level is low. Vice Mayor DuBois concurred.

The motion failed (3 to 2 vote – Vice Mayor DuBois and Councilwoman Cunningham opposed.)

Vice Mayor DuBois moved to include the multimodal funding. Councilman Schaffer seconded. All voted in favor.

4. **NEXT MEETING AND ADJOURNMENT:** The meeting adjourned at 9:01 pm.

Prepared and submitted by:

*Meighan J. Alexander, CMC
Village Clerk*

Approved by the Village Council on this ____ day of November, 2015.

Eugene Flinn, Mayor

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VILLAGE OF PALMETTO BAY
Minutes of the Regular Council Meeting of October 5, 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 Katryn 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 7:05 p.m. Mayor Flinn asked the members of the American Legion to 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. Presentation concerning the Underline Project - Roger Terrone (Councilwoman Cunningham)

Mr. Roger Terrone, 14005 SW 72 Court, came forward and provided a PowerPoint presentation concerning the Underline Project. He asked the Council to consider endorsing the project.

Mayor Flinn asked why the County would not be fully funding the project.

Mr. Terrone explained that the project is anticipated to cost approximately \$100,000,000, including all improvements at intersections, as well. He stated that they anticipate that government will provide the majority of funding, but not all. He explained that currently \$3 million is allocated from the County, and \$1

million from the City of Miami. He stated that \$4 million was requested from the State, but it was vetoed.

Mayor Flinn asked for information concerning the budget for operation and management. Mr. Terrone stated that they are aiming for a 10% allocation for maintenance reserves, but some funding sources cannot fund maintenance, only construction.

Mayor Flinn expressed his support, but wondered if this Project will negatively impact County parks with a project of this size moving off the drawing board and onto implementation. Mr. Terrone stated that they do not anticipate taking funds from existing parks.

Vice Mayor DuBois asked for further information regarding the allocation from Miami-Dade County. Mr. Terrone stated that he would email the Council list from the County.

Councilman Schaffer asked if the Council approves the Resolution, is there an expectation that the Village would also provide funding. Mr. Terrone replied that funding is coming from cities adjacent to the underline, in addition to the county and the federal govt. He stated that he no expectation that he will be coming back to Palmetto Bay for funding.

Councilwoman Siegel Lara expressed her support and asked who Mr. Terrone has met with. Mr. Terrone replied that he met with neighborhood associations, schools, cycling groups, Rotary, and the Kiwanis. He stated that there have also been public hearings held during the planning process that were well-attended (over 150 people.)

Councilwoman Siegel Lara asked what plans had been made to insure safety of those who use the pathway in the evenings. Mr. Terrone stated that the path would be lit and they are working on a plan, which is part of their future goals.

Vice Mayor DuBois suggested that Mr. Terrone speak to Palmetto Bay Public Works.

Following brief comment, Councilwoman Cunningham thanked Mr. Terrone for his appearance before the Council.

- B. Flowering Tree Group -- certificates of recognition (Councilwoman Cunningham): Councilwoman Cunningham presented certificates of recognition to those who volunteered to beautify the Kenneth Robinson Meditation Garden.
- C. Miami-Dade County Police Department – Employee Excellence Awards – presentations to Officer Peter Judge and Officer Patience Glasko: Lieutenant Serralta read the commendation that was presented to the Officers.

4. APPROVAL OF MINUTES

- A. Minutes of the Special Council Meeting of August 18, 2015
- B. Minutes of the Budget Hearing of September 8, 2015
- C. Minutes of the Regular Council Meeting of September 8, 2015

Vice Mayor DuBois moved to approve the Minutes, as presented. Seconded by Councilman Schaffer. All voted in favor. The motion passed unanimously (5-0.)

- 5. REQUESTS, PETITIONS AND PUBLIC COMMENTS:** The following individuals addressed the Council: David Singer, 8360 SW 154 Terrace; Bev Gerald, 14271 SW 74 Court; Warren Lovely, 15323 SW 74 Place; and Erica Watts-Sosa, PTA Coral Reef, and Melissa Anderson, also from the PTA.

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 \$8,899.00; AND PROVIDING AN EFFECTIVE DATE. (Village Attorney)

Councilman Schaffer moved to approve the item. Seconded by Councilwoman Siegel Lara. All voted in favor. The Resolution approved unanimously (5-0.)

7. VILLAGE MANAGER'S REPORT

- A. Legislative Agenda: Mr. Silva provided information concerning the items to be listed on the legislative agenda.
- B. Mr. Silva advised the Council that Item 13B will be pulled, due to notice issues, and will be brought forward on October 19th at a Special Council Meeting.
- C. Village Police Commander Report

Lieutenant Serralta provided a slide presentation concerning the traffic enforcement in the Village.

Councilwoman Siegel Lara asked that the presentation be provided on the website. Mayor Flinn thanked Lieutenant Serralta for his responsiveness and interest in the special operations to reduce speeding and traffic.

Councilman Schaffer expressed that his hope that the officers will remind people to drive safer. Vice Mayor DuBois thanked the Lieutenant and asked the

percentage breakdown as to how many people ticketed were Palmetto Bay residents. Lieutenant Serralta replied that about 40% are residents. Councilwoman Cunningham thanked him for his service and for coming to her recent event with the residents.

- D. Manager Silva stated that an ordinance concerning lot coverage standards is being drafted for consideration on October 19th.
- E. Manager Silva reported that he recent had a positive meeting with American Legion concerning Veteran's Day.
- F. Calendar update: Clerk Alexander provided a calendar update.

Vice Mayor DuBois announced that the Deering Estate's Wine on Harvest Moon event is scheduled for October 24th this year. Councilwoman Cunningham asked if the representatives from South Florida Water Management would be visiting Village Hall. Manager Silva replied that the meeting is scheduled for October 23rd at 6 pm.

- 8. **VILLAGE ATTORNEY'S REPORT:** Attorney Lehtinen reported that the litigant in the Fire Station lawsuit has reached an agreement with respect to the site plan, which does not change the building's location, capacities or the entrance. He stated that the agreement changes landscaping, reduces the amount of parking spaces, adds a fence, and extension of a water line. He stated that if the litigant signs the agreement, the lawsuit will be terminated. Attorney Lehtinen noted that while the changes do not appear to be significant, they do change the site plan, which amendments will be heard by the Council on October 19th.

Vice Mayor DuBois asked if the Village is obligated for Plaintiff's attorney's fees. Attorney Lehtinen replied negatively, adding that the settlement is not negative to Palmetto Bay, nor positive.

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

- A. Art in Public Places (Verbal Report): Planning & Zoning Director Darby Delsalle, on behalf of the Board, advised that the recommendation with regard to the Thalatta art piece is to increase the price to \$60,000 and to publicize an additional RFQ to reach out to a broader source of respondents
- B. Charter Revision Commission (Minutes were provided)

10. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE CREATION AND IMPLEMENTATION OF A TEN-MILE LINEAR PARK

ALONG THE METRORAIL CORRIDOR, CONSISTENT WITH THE UNDERLINE'S PROPOSAL. (Sponsored by Councilwoman Karyn Cunningham)

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

Councilwoman Cunningham thanked Mr. Terrone for coming before the Council. She stated that the Council has previously supported other initiatives to encourage pedestrian and bicycle activity and there is no fiscal impact upon the Village through passing this resolution.

Vice Mayor DuBois asked if the matter was time sensitive. Councilwoman Cunningham advised that it was not, and that the matter does not impact Palmetto Bay specifically, as it relates to infrastructure and public works. Vice Mayor DuBois stated that he would like more information from Palmetto Bay's Public Works Department and Parks Department.

Following brief comment, Councilman Schaffer suggested modifying the verb, "supports", and instead using the verb, "endorse." Vice Mayor DuBois and Councilwoman Siegel Lara remarked that this matter requires additional information.

Councilman Schaffer moved to defer this item to November 2nd. Councilwoman Cunningham seconded. The motion passed unanimously (5-0.)

Councilwoman Cunningham asked Public Works to meet with Mr. Terrone.

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE EMPLOYMENT AGREEMENT OF THE VILLAGE MANAGER; AUTHORIZING THE MAYOR TO EXECUTE THE ADDENDUM TO THE VILLAGE MANAGER'S EMPLOYMENT AGREEMENT FOLLOWING ACCEPTANCE OF SAME; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Mayor Eugene Flinn) (deferred from September 8, 2015)

Following brief remarks, Vice Mayor DuBois moved to defer the matter to the Committee of the Whole meeting in November. Seconded by Councilman Schaffer. All voted in favor. The matter was deferred (5-0.)

- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, APPROVING THE COUNCIL DISTRICT FUNDING POLICY AND ESTABLISHING THE PROCEDURES TO UPDATE, OR OTHERWISE AMEND SUCH POLICY; AND PROVIDING FOR AN EFFECTIVE DATE. (Administration)

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

Manager Silva provided a report, stated that this process would clarify how charitable contributions are made.

Councilwoman Siegel Lara asked that the list provided by the Manager be posted on the Village's website. Following brief remarks, she asked for an accounting of fee waivers for the various Village facilities. She expressed her support of the policy; however, she stated that Village districts are too small to be able to clearly state that a donation to an organization will specifically benefit a specific district. She explained that provide charitable relief to certain organizations who are supporting members of the Palmetto Bay community is the better practice. She asked for explanation concerning the use of a facility by a charitable organization, as opposed to a paying renter.

Manager Silva advised that if a renting client wishes to rent on a day that is currently reserved by the charitable organization, the charitable organization must find another day.

Councilman Schaffer expressed his support.

Vice Mayor DuBois opined that funding should not be provided, as the tax payer's funds would be used to provide a donation; waiving fees is more appropriate. Councilwoman Cunningham added that waiver of fees should be capped at some point. Councilwoman Siegel Lara suggested revising the policy to be used for fee waivers only, as it may be difficult to achieve consensus distribution from the Council. Councilman Schaffer stated that the Council should either provide the assistance or not.

Vice Mayor DuBois suggested eliminating the district funding policy concept and the \$15,000 line item in the budget. He suggested that there should be a vote on each request and the Council should not have discretionary district funding.

Vice Mayor DuBois moved to state that the \$15,000 in the budget for charitable funding can only be spent through approval by the council (Attorney Lehtinen verified that the Resolution being considered would not be approved.) Councilwoman Siegel Lara seconded.

Mayor Flinn stated that the Council should re-visit the ordinance concerning fee waivers in order to address the in-kind funding.

Vice Mayor DuBois stated that he would not be in favor of providing funds to non-profits and asked what would happen to the \$15,000 if the Council chose not to provide funds. Attorney Lehtinen replied that the funds would be under

the Manager's discretion. Manager Silva stated that either a policy is in place or the Council would approve. He added that he is looking for direction from the Council and funds could be moved within the Budget. Attorney Lehtinen concurred, adding that the funds could be moved via Ordinance.

Councilwoman Cunningham asked if funds were already provided. Vice Mayor DuBois replied that he believed funding has been committed for the Wine on Harvest Moon event. Manager Silva confirmed.

Councilwoman Cunningham reiterated that the Council would not be committing any dollars for sponsorships unless it comes before the Council, with the exception of what was already committed.

Attorney Lehtinen re-stated that motion, noting that the funds in the \$15,000 line item in the existing budget not be committed except by vote of the Council, with the exception of funds already. Vice Mayor DuBois and Councilwoman Siegel Lara concurred. All voted in favor.

- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; APPROVING THE AGREEMENT FOR PROFESSIONAL AUDITING SERVICES WITH ALBERNI, CABALLERO & FIERMAN, LLP; AND PROVIDING FOR AN EFFECTIVE DATE. (Administration)

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

Finance Director Desmond Chin provided staff report.

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

- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; APPROVING THE AGREEMENT WITH NOVAK CONSULTING GROUP FOR THE DEVELOPMENT OF A MULTI-YEAR STRATEGIC PLAN IN AN AMOUNT NOT TO EXCEED \$69,500; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (Administration)

Vice Mayor DuBois moved this item forward. Councilwoman Siegel Lara second.

Manager Silva provided staff report. He stated that he met with Novak Consulting Group and had successfully negotiating the contract, saving \$10,000.

Councilman Schaffer expressed his disapproval of the item, stating that the Village has the resources to do this and the effort should be done internally.

Following brief comments, Mayor Flinn called the question. The Resolution passed (4 to 1, Councilman Schaffer opposed.)

- F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; APPROVING THE SELECTION OF CIVICPLUS TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR WEBSITE REDESIGN AND IMPLEMENTATION; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT NEGOTIATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (Administration)

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

Manager Silva provided staff report.

Vice Mayor DuBois noted that funds are included for website development and support. He asked whether staff will be responsible for inserting content or does this contract include updates.

Communications Manager Bill Kress explained that staff would be responsible for the content. He noted that the system utilizes a user-friendly Windows based system.

Councilwoman Siegel Lara asked if migration into the new site is part of the contract. Mr. Kress responded that it was.

Vice Mayor DuBois asked the reason for the \$4,800 per year maintenance item. He asked who served on the selection committee.

Manager Silva replied that Human Resources Director Olga Cadaval, Communications Manager Bill Kress, and he met and reviewed the proposals. Vice Mayor DuBois asked why the Information Technology expert was not consultant. Mr. Kress stated that he spoke with IT on this matter.

Councilwoman Siegel Lara stated that the ranking sheets should be provided to the Council in order to have a better understanding of the valuation of the firms. Vice Mayor DuBois remarked that more than four firms should have bid on this procurement effort.

Councilwoman Siegel Lara moved to defer the matter to November 2nd. Seconded by Vice Mayor DuBois. All voted in favor (5-0.)

- G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING AND ENCOURAGING PARTICIPATION IN INTERNATIONAL WALK TO SCHOOL DAY; AND, PROVIDING AN EFFECTIVE DATE. (Sponsored by Councilwoman Cunningham)

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

Councilwoman Cunningham stated that October 7th is International Walk to School Day and Coral Reef Elementary will be having events to participate. She noted that Perrine Elementary and Howard Drive Elementary are coordinating activities through their PE departments.

Councilwoman Siegel Lara asked that the information be added to the website.

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

- H. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; PROVIDING CLARIFICATION OF THE DEFINITION OF "DEPARTMENT DIRECTOR"; AND, PROVIDING AN EFFECTIVE DATE. (Sponsored by Vice Mayor John DuBois)

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

Vice Mayor DuBois stated that this issue was raised last month concerning the selection of the Police Commander. He explained that while he believes the Manager should be able to hire whoever he wants without Council approval, the Charter states otherwise; and, if the Council intends to be consistent, the Council should define what a Department Director is. Vice Mayor DuBois remarked that the appropriate Council discretion should be solely the approval of the organizational chart. He stated that he is hopeful that the Charter Revision Commission will recommend putting the issue on the ballot to reverse the Council's approval of directors that exists within the Charter.

Mayor Flinn suggested the Vice Mayor withdraw this resolution until the charter revision commission meets.

Councilwoman Siegel Lara agreed that the positions, not the actual persons appointed, should be approved by Council. She stated that the level of an annual salary of \$65,000 seems lower than a director's salary.

Vice Mayor DuBois stated that his intent is to address the problem of the Manager being able to create a "flat line" organization.

Councilwoman Siegel Lara concurred that the Charter is not consistent with the form of government and causes difficulty with hiring. She stated that she believes that this type of restriction may provide a different restraint and welcomes further discussion.

Councilman Schaffer stated that he is in favor of providing a clear definition for a department director.

Attorney Lehtinen stated that the Council has the authority by ordinance to specify departments; attempting to specify positions seems to interfere with the manager's supervision and management. He stated that this resolution could only survive as an ordinance that would name and create certain Departments.

Vice Mayor DuBois stated he would withdraw the item and defer to the Charter Revision Commission.

Mayor Flinn asked the Council to consider the "Other Business" item of creating a Veteran's Advisory Committee that would be tasked with the duty of considering and locating a memorial to honor veteran's.

Mr. Cesar Lastra from the American Legion thanked the Council.

Councilwoman Siegel Lara moved to approve the creation of an ad hoc committee that would include members of the Tree Advisory Board, Educational Advisory Committee, Art-in-Public Places Advisory Committee, Parks and Recreation Committee, and Community Outreach.

Clerk Alexander noted that some of the advisory committees mentioned have not held their first meetings and there has been no discussion from within the remaining advisory committees.

Councilwoman Siegel Lara suggested that a Resolution should be drafted and return at the October 19th meeting. Vice Mayor DuBois concurred, suggesting that Councilman Schaffer be considered to be a liaison.

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 SECTION 30-60.3 OF THE LAND DEVELOPMENT CODE RELATING TO PERGOLAS, TRELLISES, CANVAS SHADE STRUCTURES, AND OTHER SIMILAR STRUCTURES LOCATED

WITHIN RESIDENTIAL DISTRICTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Director Delsalle provided staff report. Mayor Flinn asked if the Ordinance would resolve issues from past years. Director Delsalle stated that it would

Councilman Schaffer asked if the resident would still have to receive a building permit. Director Delsalle stated that they would.

Following brief comment, Mayor Flinn called the question. All voted in favor of approval 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, ARTICLES 1 AND 2, OF THE VILLAGE'S CODE OF ORDINANCE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

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

Director of Parks and Recreation Fanny Carmona provided staff report and included a comparison from other municipalities.

Mayor Flinn asked for information concerning Thalatta Park (page 7, line 9.)

Director Carmona advised that stating the weekend days is simply noting a weekend fee structure for all facilities, not strictly Thalatta.

Mayor Flinn asked what protects Thalatta from being rented on Sundays. Manager Silva stated that the park is opened on Sundays by policy. Mayor Flinn stated that there should be protection included in the Ordinance for second reading. Vice Mayor DuBois asked how many Sunday evenings are rented. Director Carmona stated that the entire month of October has Sundays rented after 5 in the evening.

Councilwoman Cunningham thanked staff, but noted that the cost for open picnic area reservations has increased substantially. Director Carmona stated that for an all-day rental, it is still less than Cutler Bay.

Vice Mayor DuBois asked if this Ordinance is solving a problem within the Village. Manager Silva stated that the Village's recapture rate at the parks is substantially lower than other cities; this Ordinance would recapture approximately \$100,000 in revenue.

Councilwoman Siegel Lara stated that staff should consider reviewing the fee for summer camp, as she believes quality is important. Councilman Schaffer concurred.

Councilwoman Cunningham asked for information concerning the anticipated increase in revenue by each park.

Mayor Flinn called the question. All voted in favor on first reading (5 to 0.)

13. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

- A. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AUTHORIZING THE BORROWING OF MONEY AND THE INCURRENCE OF DEBT IN AN AMOUNT NOT TO EXCEED ONE MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$1,350,000.00), FOR THE PURPOSE OF REFINANCING ALL OR A PORTION OF AN OUTSTANDING LOAN PREVIOUSLY UNDERTAKEN FROM THE FLORIDA MUNICIPAL LOAN COUNCIL BY THE VILLAGE OF PALMETTO BAY, FLORIDA, DATED AS OF SEPTEMBER 1, 2005; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AUTHORITY TO ENACT THE ORDINANCE; PROVIDING FOR AUTHORITY TO ISSUE A BOND, AS DESCRIBED HEREIN; PROVIDING FOR AUTHORIZATION OF THE VILLAGE MANAGER AND VILLAGE FINANCE DIRECTOR TO TAKE ALL ACTIONS NECESSARY IN ORDER TO REFINANCE SAID OUTSTANDING LOAN; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Director Chin stated that there have been no modifications from first reading and this action would provide 15 years re-payment with an interest rate of 2.5%, saving approximately \$192,000.

Mayor Flinn opened the public hearing. Mr. Peter England, 7620 SW 171 Street, expressed support.

A roll call vote was taken. The matter was approved unanimously (5-0.)

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING SECTION 30-90.17(b) OF THE LAND DEVELOPMENT CODE RELATING TO SCHOOL SIGNAGE WITHIN RESIDENTIAL DISTRICTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. -- Withdrawn by staff -- to be heard on second/final reading on October 19th.

14. OTHER BUSINESS

- A. Village Clerk annual evaluation and consideration of merit increase
Vice Mayor DuBois moved to approve a 7% merit increase, effective on the anniversary date of the contract. Seconded by Councilwoman Siegel Lara. All voted in favor.

- B. Legislative Agenda: Manager Silva provided the items for consideration.

Mayor Flinn suggested including opposition of the proposed bill that would pass on costs for relocation of utilities.

Councilwoman Cunningham concurred, stating that the Council may wish to oppose SB 416, which would require local governments to share the cost of utility relocation.

Manager Silva stated that the exact amount of the potential impact of this bill is uncertain, but, as the Village moves forward with downtown development, there is a significant cost potential.

Mayor Flinn stated that he would also suggest opposing the removal of cellular bill tax fees. Councilwoman Cunningham concurred, adding that currently the committees are meeting and session begins January 11th.

Councilwoman Cunningham asked staff to have a legislative agenda resolution prepared for the next meeting.

Mayor Flinn also suggested the Council consider opposing a bill that mandates cities to coordinate one general election date for November of odd numbered years.

- C. Scheduling of four workshops: two concerning Downtown Redevelopment; and, two concerning Parks Master Plan: Following brief comment, the date of November 16 from 5 pm to 7 pm was set to discuss Coral Reef Park and the downtown development; and December 9 from 5 pm to 7 pm to discuss all parks master plans and downtown development.

D. Discussion concerning notification for workshops (Mayor Flinn): Mayor Flinn stated that an advertisement in the Miami Herald with maps and signage throughout the Village should be in place prior to the workshops scheduled.

E. Discussion regarding Palmetto Bay Twilight Color Run and Concert (Mayor Flinn): Mayor Flinn asked if funding is available for this event.

Manager Silva stated that this event is part of Special Events and will be coordinated through Village Parks' staff.

Director Carmona noted that 235 people have registered, one band will perform, and food vendors will be participating. She stated that the race starts at 4 pm.

F. Discussion regarding Relay for Life (Mayor Flinn): Mayor Flinn asked Councilman Schaffer to be the Chair of the Village's team.

G. Announcement of appointments to Advisory Committees (Youth Advisory, Palmetto Bay Partnership, Administrative Advisory, and Village Services)

Councilwoman Siegel Lara appointed Robert Buzzelli to the Village Services Advisory Committee. She also appointed Eric Haas to the Palmetto Bay Partnership Board.

Councilwoman Cunningham appointed Anthony Gorman to the Palmetto Bay Partnership Board.

Mayor Flinn appointed Peter England to the Palmetto Bay Partnership Board.

15. **COUNCIL COMMENTS:** No additional comments.

16. **NEXT MEETING AND ADJOURNMENT:** The Meeting adjourned at 11:10 pm.

Prepared and submitted by:

*Meighan J. Alexander, CMC
Village Clerk*

Approved by the Village Council on this _____ day of November, 2015.

Eugene Flinn, Mayor

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