VILLAGE OF PALMETTO BAY
Minutes of the Regular Council Meeting of December 5, 2011
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 7:05 p.m. Mayor Stanczyk asked Office Luis Jaramillo to lead the pledge of allegiance.

2. PROCLAMATIONS, AWARDS, PRESENTATIONS

Special Presentation: 30 Year Recognition of Officer Luis Jaramillo. Palmetto Bay Policing Unit Commander Lieutenant Greg Truitt introduced Officer Jaramillo, his wife and son, and presented him with a 30-year pin and plaque, acknowledging his outstanding service to the Miami-Dade Police Department and the Village of Palmetto Bay. He advised all of the history of Officer Jaramillo and his extensive experience.

Mayor Stanczyk and the Village Council presented Officer Jaramillo with a proclamation expressing the Village's gratitude.

3. APPROVAL OF MINUTES

A. Minutes of the Regular Council Meeting of November 7, 2011

Councilman Tendrich moved to approve the Minutes, with the correction presented to the Council. Seconded by Councilwoman Lindsay. 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 $23,334.25; PROVIDING AN EFFECTIVE DATE.

B. 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 IN THE AMOUNT OF $23,762.92; PROVIDING AN EFFECTIVE DATE.

C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PROFESSIONAL SERVICES; AUTHORIZING KIMLEY-HORN AND ASSOCIATES TO ASSIST THE VILLAGE WITH THE PREPARATION OF THE EVALUATION AND APPRAISAL REPORT (EAR) RELATING TO THE VILLAGE'S FUTURE LAND USE AND COMPREHENSIVE PLAN; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $34,250; AND PROVIDING AN EFFECTIVE DATE.

D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO GRANTS; AUTHORIZING THE VILLAGE MANAGER TO ACCEPT THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, CONTRACT AWARD FY 2012 IN THE AMOUNT OF $4,725 FOR THE PURPOSE OF SUPPORTING THE SCHOOL RESOURCE OFFICER PROJECT RAD/KID IN THE VILLAGE OF PALMETTO BAY; AND PROVIDING AN EFFECTIVE DATE.

E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO DRAIN CLEANING; AUTHORIZING ENVIROWASTE SERVICES GROUP, INC. TO CONTINUE PROVIDING STORM DRAIN CLEANING SERVICES WITHIN THE VILLAGE OF PALMETTO BAY; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $25,000.00; AND PROVIDING FOR AN EFFECTIVE DATE.

F. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO VEHICLE MAINTENANCE AND REPAIR; AUTHORIZING AUTO ELECTRIC SERVICE, INC. TO CONTINUE PROVIDING VEHICLE MAINTENANCE AND REPAIR FOR THE VILLAGE OF PALMETTO BAY FLEET; AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $6,500.00; AND PROVIDING FOR AN EFFECTIVE DATE.

G. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO EDEN SOFTWARE LICENSE RENEWAL; APPROVING SOFTWARE LICENSE RENEWAL FEES IN THE AMOUNT OF $73,241.49; PROVIDING AN EFFECTIVE DATE.

Mayor Stanczyk asked Clerk Alexander if any item had been timely removed from the Consent Agenda. She responded that all items remain as is.

Vice Mayor Pariser voted in favor of the Consent Agenda items. Seconded by Councilman Tendrich. All voted in favor. The Resolutions passed unanimously (5-0.)

5. **REQUESTS, PETITIONS AND PUBLIC COMMENTS**: The following individuals addressed the Council: Richard Cook, 16775 SW 87 Avenue; Beatrice Hermann, 17251 SW 86 Avenue; Peter England, 7620 SW 171 Street; Carey Sochin, 8080 SW 172 Terrace; and Henry Clifford, 8875 SW 171 Street.

6. **VILLAGE MANAGER'S REPORT**

Manager Williams thanked the community for supporting the Holiday by the Bay event. He also expressed his gratitude to the staff for seeking sponsorships for the event.

Policing Unit Commander Greg Truitt was recognized. He provided a report concerning the recent police activity in Palmetto Bay. He encouraged all to be vigilant and report any suspicious activity. The Council thanked the Commander for his report.

Manager Williams asked Commander Truitt whether the funding for the RadKids and DARE programs was sufficient. Commander Truitt noted that the Village has always been supportive of the community outreach programs. He noted that the recent art show event was initiated and coordinated by Officer Glasko (DARE Officer) on her own time to seek additional funding and support.

Mayor Stanczyk encouraged all to visit a DARE or RadKids program in action to see the commitment of the officers and the appreciation shown by both children and parents.

Manager Williams reminded all to take advantage of the watch order program wherein residents can notify the police if they are out of town and the officers will periodically and daily drive by your home to insure that all is well. Manager Williams reminded all that the Village's tenth anniversary is coming and encouraged all to bring forth ideas. He also advised that the Council that staff is working on the effort to broadcast Village meetings and activities through its government access channel (Channel 77 for Comcast subscribers).

Communications Manager Bill Kress provided a report to the Council, explaining the demands and the plans the Village has to meet these demands. He noted that the Village first broadcast the November Council meeting, in addition to live streaming video the month before, in an effort to insure that the public is well aware of the actions of the Village Council. He advised that the Village will be seeking the assistance of a marketing company to help develop the branding, programs, and provide technical assistance. He noted that the State requires 10 hours of on-air time, five hours being non-repeated. Mr. Kress noted that the Village will be able to use existing footage and edit the meetings to be broadcast twice per day. In addition, the Village will utilize images from archives, create graphic elements, and produce thematic audio. He noted that underwriting development is

important and business sponsors can be included. He explained the various phases. Mr. Kress advised that phase 1 would include branding, content development, consulting, and underwriting development for the total of $25,000. He explained that within nine months, the village would enter its maintenance phase and there would be an ongoing annual cost related to the operation of continued broadcasting.

Vice Mayor Pariser advised that he remains concerned with the cost and asked staff to research this type of program and provide information from other cities that perform this type of programming.

Manager Williams advised that Palmetto Bay is one of the few small cities that are broadcasting and other cities have larger staff for this function. He provided Key Biscayne as an example. He stated that staff will return with a comparison; however, he opined that the economical way to perform this function is to contract with professional consultants.

Councilman Tendrich concurred, adding that he would be interested in receiving other proposals.

Manager Williams announced that a health fair will be held on January 28, 2012 in conjunction with Baptist Hospital.

Finance Director Desmond Chin offered an update on the financial status of the Village. He noted that the reserves have grown to approximately $10,500,000. He stated that while there is a total of $13,664,508 in revenue, the operating budget is at 87% of the projection - $12,614,820. He explained that a $200,000 transfer was necessary for restricted fuel taxes and the payout of the Jane Forman Tennis contract was $129,500. He stated that the net surplus is currently $720,189; however, there is a potential charge of $185,336 to police that is being discussed that could reduce the surplus to $534,853.

Manager Williams noted that the Village is not operating in a deficit; on the contrary, the reserves have grown.

Clerk Alexander provided the following calendar update: December 12 – 7 pm Zoning Hearing; December 14 – 5 pm – Building & Permitting Advisory Committee; December 14 – 6 pm – Historic Preservation Advisory Board; and January 25, 2012 – 7 pm – Charter Review Commission – Public Workshop.

7. VILLAGE ATTORNEY'S REPORT

A. December, 2011 Update: Attorney Boutsis advised that her report was submitted in writing and was available for any questions.

8. BOARD AND COMMITTEE REPORTS

9. RESOLUTIONS

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO COUNCIL

MEETING PROCEDURES; ANNOUNCING THE MEETING SCHEDULE OF THE VILLAGE COUNCIL, OF THE LAND DEVELOPMENT PERMIT HEARINGS, AND THE BUDGET WORKSHOP FOR THE YEAR 2012; PROVIDING AN EFFECTIVE DATE.

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

Clerk Alexander confirmed that she had confirmed that there were no Jewish holidays conflicting with the calendar.

All voted in favor. The Resolution passed unanimously (5-0.)

B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AUDIT SERVICES ENGAGEMENT AGREEMENT WITH CHERRY, BEKAERT & HOLLAND, LLP; PROVIDING AN EFFECTIVE DATE.

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

Mr. Mark Berenfeld, representative of Cherry, Bekaert & Holland thanked the Council for selecting the firm.

Manager Williams advised that staff had reviewed the hourly rates and compared the audit with prices received from others and then negotiated the agreement.

Vice Mayor Pariser remarked that he had suggested selecting a firm to insure that a "new" review of the Village's finances would be undertaken. He asked if the federal or single audits happen annually.

Mr. Berenfeld replied that the audit would only be required with certain grants that reach a certain monetary level.

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

C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONTRACTS; APPROVING THE SELECTION OF RONALD L. BOOK, P.A. AND ROBERT M. LEVY & ASSOCIATES TO PROVIDE LEGISLATIVE SERVICES AND OTHER RELATED DUTIES AT THE STATE LEVEL TO THE VILLAGE; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT NEGOTIATIONS; PROVIDING AN EFFECTIVE DATE.

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

Manager Williams provided staff report. He advised that a request for qualifications was issued and the Village had received one proposal. He noted that he will be meeting with the lobbyists to negotiate the contract.

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

D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE 2012 LEGISLATIVE AGENDA; SUPPORTING MIAMI-DADE COUNTY RESOLUTION R-940-11, URGING THE STATE LEGISLATURE TO ENACT LEGISLATION CONCERNING PENALTIES FOR VIOLATION OF LOCAL ELECTION LAWS REGARDING ABSENTEE BALLOTS; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk]

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

Mayor Stanczyk provided a report, noting that she joins with Miami-Dade County Commissioner Rebecca Sosa and is concerned about the lack of penalties for absentee fraud. She asked the Council to support this action, as she is seeking support from the State to help eliminate absentee ballot fraud.

Councilwoman Lindsay and Vice Mayor Pariser expressed their support.

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

E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; APPROVING THE TOPICS FOR THE 2012 STATE LEGISLATIVE AGENDA THAT SUPPORTS THE PRIORITIES OF THE VILLAGE OF PALMETTO BAY FOR THE UPCOMING LEGISLATIVE SESSION; AND PROVIDING AN EFFECTIVE DATE.

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

Mayor Stanczyk noted that the proposed resolution listed item seven; however, the Public Service Commission had already ruled on this matter, so it should be removed from the resolution.

Councilman Tendrich moved to remove number seven and re-number accordingly. Seconded by Councilwoman Lindsay. All voted in favor.

Mayor Stanczyk asked the Council to offer any legislative items they may wish to support.

Councilman Tendrich asked the meaning of "development regulations', whether the Mayor meant State- or County-wide.

Mayor Stanczyk stated that the detailed items would be prepared for the next Council meeting.

Vice Mayor Pariser clarified that these items are only conceptual. Mayor Stanczyk confirmed.

Clerk Alexander, at the Mayor's direction, advised the Council they should provide their items to the Village Manager during the week of December 19th.

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

10. RESOLUTIONS REQUIRING PUBLIC HEARING: None at this time.

11. ORDINANCES FOR FIRST READING

A. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ELECTIONS; AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES ESTABLISHING ELECTION PROCEDURES; PROVIDING FOR MODIFICATION OF THE QUALIFYING PERIOD; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Clerk Alexander provided staff report, noting that the Miami-Dade County Elections Department contacted the Village and advised that all candidates must qualify by close of business on August 17th. She advised that upon review of other cities' ordinances, she suggested changing the date to the first Monday in August, continuing for ten days and ending at noon on the Friday following that period, which would make the date easier to calculate for all and would change the qualifying period to be from noon on August 6 to noon on August 17. The Elections Department has confirmed that this is acceptable.

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

B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PROCUREMENT; AMENDING THE VILLAGE'S PROCUREMENT CODE TO CLARIFY THE CONE OF SILENCE REQUIREMENTS AND BID PROTEST PROCEDURES; PRECLUDING A PROTESTING BIDDER FROM ADHERING TO THE BID PROTEST PROCEDURES BY CIRCUMVENTING THE BID PROTEST PROCESS; A VIOLATION OF THE CONE OF SILENCE AND BID PROTEST PROCESS WOULD

AUTOMATICALLY RESULT IN A FIVE YEAR BAR OF THE PROTESTOR FROM BEING AWARDED A CONTRACT WITH THE VILLAGE; REVISING THE REQUIREMENTS OF SECTION 2-175(o) AS IT RELATES TO BID PROTEST PROCEDURES AND APPEALS TO THE VILLAGE COUNCIL; AND AMENDING SECTION 2-138 RELATING TO THE VILLAGE'S CONE OF SILENCE REQUIREMENTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

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

Attorney Boutsis provided staff report.

Councilman Tendrich asked if the bid protest process begins with the Manager and then to Council, if the protest is not resolved. Attorney Boutsis confirmed this was correct.

Vice Mayor Pariser expressed his support with including the quasi-judicial language and suggested that language should also be included concerning barring the bidder for violation of the cone of silence. Attorney Boutsis stated she would add the language suggested.

Councilwoman Lindsay asked for a list of the restrictions from other cities. Attorney Boutsis stated that the Miami-Dade County's language concerning cone of silence is included in the Cutler Bay and City of Miami's ordinances. Councilwoman Lindsay suggested that the entire procedure should be reviewed. Mayor Stanczyk concurred.

Attorney Boutsis stated that the clarification insures there is a solid process and concerns over procurement are addressed by Council.

Manager Williams added that until the laws are changed, staff must work within the current policy.

Vice Mayor Pariser asked if any other city had this particular language. Attorney Boutsis advised that the City of Miami had this language. Vice Mayor Pariser opined that consideration of this language is important now, consideration of the procurement procedure itself could take place at a later date.

Councilman Fiore commented that the Council is the final authority in any procurement action and feels that if Council members have questions, they should visit the Manager for answers.

Attorney Boutsis asked Council to offer a motion to revise the caption to include a two year ban, rather than a five year ban. Councilman Tendrich moved to amend. Seconded by Vice Mayor Pariser. All voted in favor. The Resolution was amended.

Following brief discussion, Attorney Boutsis clarified to the Council that they are able to communicate with their charter officers whenever they need to – there is no cone of silence between Council and the Village Manager.

Mayor Stanczyk asked for a motion to table the item and bring the matter to a Committee of the Whole meeting for further discussion. Councilman Fiore made the motion. Seconded by Councilwoman Lindsay. The motion carried (4-1, Vice Mayor Pariser voting in opposition.)

12. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

13. OTHER BUSINESS

14. COUNCIL COMMENTS

Mayor Stanczyk announced that the Village's food drive is ongoing and she will be working on expanding locations for food drop-offs. She wished all a happy holiday season. This sentiment was echoed by each member of the Council.

Councilman Fiore thanked Bill Kress, Manager Williams, Pastor Molina, Café Sedanos, and Troy Fauerbach of Publix for their assistance during the recent food give-away.

Mayor Stanczyk also thanked the Florida League of Cities for providing 20 food baskets to the Perrine Peters Soup Kitchen.

Councilman Tendrich and Vice Mayor Pariser thanked staff for the outstanding Holiday by the Bay event.

15. NEXT MEETING AND ADJOURNMENT

The Meeting was officially adjourned at 9:20 pm.

Prepared and submitted by:

_____

Meighan J. Alexander, CMC
Village Clerk

Approved by the Village Council on this ____ day of January, 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 Special Council Meeting of December 19, 2011
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 & Zoning Darby DelSalle
Miami-Dade County Policing Unit Commander Gregory Truitt

Mayor Stanczyk called the meeting to order at 7:05 p.m. Mayor Stanczyk led the pledge of allegiance.

2. ORDINANCES:

A. AN EMERGENCY ORDINANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ELIMINATING RULE 20-63 FROM THE VILLAGE'S PARK RULES; PURSUANT TO SECTION 4.1(A) AND 4.4 OF THE VILLAGE CHARTER THIS REPEAL IS TO ENSURE THE SAFETY, LIFE, PROPERTY, PUBLIC PEACE AND GENERAL WELFARE OF THE VILLAGE AND ITS RESIDENTS BY ELIMINATING RULE 20-63 PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. **(Public Hearing required.)**

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

Attorney Boutsis explained that under the Charter, emergency ordinances terminate after 60 days and if the proposed Ordinance is adopted, the matter will return to second reading in January. She advised that while the County attorney can administratively repeal an ordinance, she cannot and this matter concerns the recent state law banning laws that prohibit firearms.

Following brief comment, Mayor Stanczyk asked if it were necessary to remove both provisions or only the section concerning firearms.

Attorney Boutsis explained that to be cautious, she is recommending repealing all provisions concerning weaponry.

Mayor Stanczyk asked if the Village is mirroring the County ordinance. Attorney Boutsis advised that the section of the county ordinance is similar.

Mayor Stanczyk opened the public hearing: Peter England, 7620 SW 171 Street, spoke in opposition to the proposed ordinance.

Mayor Stanczyk explained that this matter is required by State law; and, the law is written wherein public officials may be held personally liable. She stated that she will have the Village's lobbyists address this issue.

Councilman Tendrich concurred that the matter should be on the Village's legislative agenda.

Vice Mayor Pariser agreed, adding that punitive measures placed upon individual council persons is incorrect.

Councilman Fiore asked the reprocussions.

Attorney Boutsis advised that the Council people would be held personally liable and claims for damages could be filed against the Village also.

Mayor Stanczyk called the question. All voted in favor. The Emergency Ordinance was adopted unanimously (5-0.)

B. AN ORDINANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ELIMINATING RULE 20-63 FROM THE VILLAGE'S PARK RULES; PURSUANT TO SECTION 4.1(A) AND 4.4 OF THE VILLAGE CHARTER THIS REPEAL IS TO ENSURE THE SAFETY, LIFE, PROPERTY, PUBLIC PEACE AND GENERAL WELFARE OF THE VILLAGE AND ITS RESIDENTS BY ELIMINATING RULE 20-63 PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

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

Attorney Boutsis reported that the previous ordinance is repealed in 60 days and this proposed Ordinance may be adopted following second reading/public hearing at the January 9th Council meeting.

Councilman Tendrich asked if line 32 was accurate. Attorney Boutsis responded that it was accurate, there are two sub-categories.

Mayor Stanczyk called the question. All voted in favor. The Ordinance passed unanimously on first reading and will be scheduled for second reading/public hearing on January 9th, 2012 (5-0.)

3. NEXT MEETING AND ADJOURNMENT

The Meeting was officially adjourned at 7:20 pm.

Prepared and submitted by:

_____

Meighan J. Alexander, CMC
Village Clerk

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