

MINUTES OF THE CHARTER REVISION COMMITTEE

**May 27, 2020
9705 E. Hibiscus Street
Palmetto Bay, Fl**

1. Call to Order: The meeting was called to order at approximately 6:30 pm.

The following members of the Charter Review Commission were present:

David Zisman

Mitchell Mandler

Shelley Stanczyk

Marc Levy

Tim Schaffer

Councilman Patrick Fiore, serving as the non-voting Council member.

The following staff members were present:

Greg Truitt, Interim Village Manager

John Delagloria, Village Attorney

Also present:

Jerry Proctor

2. It was confirmed that a quorum present.
3. There were no public comments.
4. Approval of Meeting Minutes: Tim Schaffer moved to approve minutes from last meeting and was seconded by M. Mandler. Vote to approve the minutes was unanimous.
5. Old Business. There was no old business.
6. Discussion of Agenda Items:

- a. There was additional discussion of the revised restriction on height limits in the Village. The Village attorney said that in passing this amendment, there could be additional litigation against the village based on the Burt Harris Act. After brief discussion, Shelly Stanczyk moved to approve the proposal that states "shall all new construction of buildings, homes, structures, and/or development be limited to 45'." The motion was seconded by T. Schaffer. The vote was as follows: Zisman, no; Schaffer, no; Mandler, no; Levy, yes; Stanczyk, yes. The motion failed 3-2.

b. There was discussion on whether to require that the purchase and sale of property in excess of \$750,000 be approved by a majority of the voters. This was a topic of discussion only and Stanczyk withdrew it. Then Marc Levy said that he wants to have the current majority Council approval vote to be changed to require a 4 out of 5 Council vote to approve a sale of Village property. Tim Schaffer said he had an issue with the \$750,000 threshold. Mark Levy then moved to put on the ballot that any real estate sold or purchased in the Village in excess of \$25,000 must be approved by a 4/5ths approval of the Village Council. The Village Atty brought up that in other cities he has represented, there was a dollar amount involved. Mandler seconded. Zisman voted no. Schaffer voted yes. Levy voted yes. Stanczyk voted yes. Mandler voted yes. The motion passed 4-1. The Village attorney was asked to write up the proposed ballot language and present at the next meeting.

c. Shelly Stanczyk brought up for discussion that the Village Manager should only work for the Village and should not have any outside employment or business while he/she is working for the Village. Truitt said he thought it was a good idea. Schaffer said it should not be part of the Charter but instead should be part of the contract negotiations of the Village Manager's contract of employment. Shelly Stanczyk moved as follows "shall the Village Manager be prohibited from engaging in outside employment, consulting or business". Zisman said it should be up to the Council to do this, it should not be part of the Charter. Stanczyk's Motion was seconded by Levy. Truitt and Schaffer said that they are reserve police officers and questioned whether that would violate the proposed Charter amendment if the potential candidate had that background. The vote on Stanczyk's motion was Zisman, no; Mandler, no; Stanczyk, yes; Schaffer, no; Levy, no. The motion failed to pass by a 4-1 vote.

d. There was discussion of amending 4.2 (B) of the Charter. This was proposed Charter question #8: "Shall a charter amendment allow Council members to make informational inquires of administration staff." Village attorney said he has never seen a situation where the Council members can't meet with and ask questions of the administrative staff. Dave Zisman said he was in favor of it. Mandler wanted it incorporated into existing 4.2 of the Charter. There was discussion and a suggestion that the Village Attorney re-write so it doesn't conflict with other parts of the Charter. A motion was made to accept proposed charter amendment 8. Zisman voted yes; Stanczyk voted yes. Levy voted yes; Schaffer voted yes, Mandler voted yes. The amendment passed 5-0.

e. It was discussed and agreed that the next meetings of the Charter Revision Committee would take place on June 8th and June 11th.

f. A question was raised as to how many amendments can be placed on the ballot. The Village attorney will find out and advise at the next meeting.

g. A motion to adjourn was made by Schaffer, seconded by Mandler. The vote to adjourn was unanimous. The meeting adjourned at 9:05pm.

Respectfully submitted:

Approved by the Charter Revision
Commission this ____ day of
_____, 2020.

Missy Arocha, Village Clerk

David Zisman, Chairperson