

MINUTES OF THE CHARTER REVISION COMMITTEE

January 14, 2020 – 6:42 PM

9705 E. Hibiscus Street

Palmetto Bay, FL

1. Call to Order: The meeting was called to order at approximately 6:42 pm.

The following members of the Charter Review Commission were present:

David Zisman

Mitchell Mandler

Shelley Stanczyk

Marc Levy

Vice Mayor John DuBois (serving as the non-voting Commission member)

Tim Schaffer

The following staff members were present:

John Dellagloria, Village Attorney

Acting Village Manager Gregg Truitt

Also present:

Mayor Karyn Cunningham

Council Member Marsha Matson

Brett Rothfield, resident

Joyce McGee, resident

2. The Acting Village Manager confirmed that there was a quorum present.
3. Public Comments, including comments from the Village Council, Village Manager, or staff:
 - a. There was discussion about proper appointment of Tim Schaffer and whether his appointment was approved by Village Council and whether it has been submitted properly. Ultimately, it was determined that Mr. Schaffer would sit as a member of the committee.
 - b. John DuBois said he will be stepping down as Village Council member because he is running for County Commission. He also said he will not be serving on this committee for the same reason. Discussion on who would replace him.
 - c. Mayor Karyn Cunningham welcomed the group and left shortly after start of meeting to attend an education meeting next door.

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4. Approval of Meeting Minutes: The minutes of the meeting of December 3, 2019 meeting were approved. Marc Levy moved to approve minutes, Shelly Stanczyk seconds. Minutes were approved.
5. Old Business: None to report.
6. Discussion of Agenda Items:
 - a. Brett Rothfield and Joyce McGee spoke about their desire to amend the Charter, specifically section 10.1 which presently requires four fifths vote of the village council and a 75% approval of the electors living within a 2000-foot radius of the applicant school property. They gave a history of what led up to the current section 10.1 and the difficulties of getting 75% of the neighborhood vote. They wanted the amendment to require a 50% plus one vote of residents to approve. Discussion on past votes on this issue. John Dubois suggested that it would be better to lower the approval percentage to 60 or 65%. Mandler suggested 60%. Stanczyk suggested 65% and especially because this was a citizen's initiative issue and would be fairer to the electorate.
 - b. After discussion of item (a) above, the Commission agreed unanimously that this was an issue that we will consider as part of our recommendations to the Village Council.
 - c. Shelly Stanczyk left the meeting at 7:05 pm and returned at 7:15pm.
 - d. Tim Schaffer spoke on what he would like to see addressed by the Commission: (1) a new amendment focusing on existing Neighborhood Protection Amendment and specifically the repeal and replacement of section 10.2 of the current Charter and (2) an amendment that creates an oversight committee to look for violations of local, state and federal laws made up of at least 3 people who are not residents of Palmetto Bay. Marsh Matson pointed out that we have a citizens group meeting of neighborhood protection that meets.
 - e. Dave Zisman said that David Singer and Patrick Fiore were invited to speak at tonight's meeting but were unable to attend. He will try to get them both to appear at the next meeting.
 - f. At this point, every member of the Commission was asked to read aloud different sections of the Charter to see if there was a need for discussion. Marc Levy brought up the questions of why, at council meetings, the public goes first for discussion, then the council discusses, and the public can't speak after that. John Dubois said there is a second reading, but Mark said that the second reading is on a different date. John

said that discussion is sometimes re-opened when appropriate. Discussion that maybe we can add that the council may open additional open for public comments after discussion by council where they think there's been a substantial change in circumstances that would justify additional discussion. Shelly said that reports on the dais are transmitted to council but should be made public at the time of the agenda or a day before.

- g. Other discussion that the manager and attorney reports should be posted on the village website when transmitted to council or made available thru request from village manager.
- h. Marsh Matson talked about annexation issue. That we can only vote to start the annexation process. We are talking about legislation that would be within the purview of article 6 of the municipal code. Marsha suggested that if the county approves annexation, that Palmetto Bay voters get another opportunity to vote for or against annexation. There were other discussions of the pros and cons of this. Mandler proposed that the Commission this topic in future discussions and the vote and possible change of the 4/5 vote of the residents. Tim seconded the motion and it was approved.

7. Selection and list of proposed meeting dates for 2020:

Dave moved that the next meeting of the Commission would be February 11, 2020 at 6:30pm and the second Tuesday of every month thereafter. Motion seconded by Tim and was unanimously approved. We are also going to check with Village Clerk on availability of second Monday or Tuesday of the month as space is an issue.

- 8. New Business – None.
- 9. Requests for assistance to Village Council and Village Manager – None.
- 10. Selection and list of discussion items for next meeting: See notes above as to members of Council to appear and speak at next meeting.
- 11. Adjournment – a Motion was made to Adjourn by Mandler which was seconded by Tim and all were in favor. The meeting was adjourned at 9pm.

Respectfully submitted:

Approved by the Charter Revision
Commission this ____ day of
December 2019.

Missy Arocha, Village Clerk

David Zisman, Chairperson

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