

MINUTES OF THE CHARTER REVISION COMMITTEE

**April 14, 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

The following staff members were present:

John Dellagloria, Village Attorney
Greg Truitt, Interim Village Manager
Allan Weiss
Wesley Maltbi
Maria Pineda

Also present:

Joyce McGee, resident
Joseph Bier, resident and member of NPC
Jerry Proctor
Gary Pastorella
Steven Cody
Council member Marsha Matson
Brett Rothfield

2. It was confirmed that there was a quorum present.
3. Public Comments, including comments from Village Council, Village Manager, or staff:
 - a. Joe Bier requested that Patrick Fiore speak to the Village Council and Village attorney John Delagloria to see if the Neighborhood Protection Committee can meet via zoom or conference call to schedule additional meetings during COVID and "safer at home" orders so they can conclude and report back to Charter Revision Committee before the date CRC has to meet its deadline to report. Steve Cody and Brett agreed to what was said by Joe.

- b. Gary Pastorella spoke and said that Tim Schaffer gave no reason to vote on amending section 10.2 of Charter. It requires a supermajority of the Council for a zoning change.
 - c. Steve Cody gave a description of his background drawing districts for other municipalities. He said aesthetics are not considered in re-districting. He gave the pros and cons of having single member districts.

- 4. Approval of Meeting Minutes: Minutes from prior meeting were deferred since the prior meeting took place one day earlier and minutes were not available. They will be brought up for approval at next meeting.

- 5. Old Business: It was confirmed that the next meetings of the Charter Revision Commission will be May 11 and May 13.

- 6. Discussion of Agenda Items:
 - a. School expansion 10.1: there was a discussion of moving the approval to 60% of the electors for approval of an increase of enrolled students. Tim Schaffer said to leave it as is or make it 50% plus 1. Marc Levy said its not about Montessori school, its about what's best for the community. Discussion of how many private schools are in Palmetto Bay. **Marc Levy made a motion to amend section 10.1 of the Charter to provide that "the number of enrolled students of any private school within the Village of Palmetto Bay shall not be increased without the prior approval by a four-fifths (4/5) vote of the Village Council. No such approval shall be submitted to a vote of the Village of Palmetto Bay electors living within a 2,000-foot radius of the applicant school property by referendum, and 65% of the electors voting approve of such increase in enrolled students."** The motion was seconded. Tim Schaffer and Shelly Stanczyk voted against the Motion. Dave Zisman, Marc Levy and Mitchell Mandler voted in favor. The motion passed 3-2.
 - b. There was discussion about amending, leaving as is or eliminating section 10.2.1 of the Charter. Also discussion about waiting for the Neighborhood Protection Committee to finish and provide their recommendations to the Charter Revision Committee. Mitchell Mandler suggested waiting until June to see if the Neighborhood Protection Committee could provide their recommendations to the Charter Revision Committee by June. Wesley Maltbi, Maria Pineda and Allan Weiss spoke briefly on the issue. Wesley said the items in 10.2.1 are currently enforced by code or ordinance. Maria said some items are enforced thru the Municipal Code Book. **Mitchell Mandler made a motion that the Charter Revision Committee wait until June to see if the Neighborhood Protection Committee can include their meetings and make recommendation during the month of June. The motion was seconded and passed unanimously.**

- c. Shelly Stanczyk discussed adding a new section to existing 3.3 of the Charter. There was discussion of making it more flexible or deleting reference to “or any other issues”. After discussion, Mitchell Mandler made a motion which was seconded by Tim Schaffer to provide as follows: **motion to add a new subsection (12) to 3.3 to provide: That a new subsection 12 be added to the existing Section 3.3 of the Charter to state that “Prepare a monthly report to the Mayor, Council and residents concerning but not limited to the current status of the Village as follows: operations, departments, offices, boards, agencies, finances, development, construction, zoning, zoning applications, lawsuits and parks. It shall be included in the Council Meeting Packet as publicly posted prior to the Council Meeting. This item shall not limit the ability of the Mayor and Council to require or request additional reporting by the Manager.” The Motion passed unanimously.**
- d. Mitchell Mandler made a motion to move discussion of a new section 1.4 to be the first item discussed at the next meeting. Marc Levy discussed his agenda item of voter approval to take park land without voter approval. It was decided that both items will be on the agenda for the next meeting in May.
- e. Marc Levy brought up proposed changes to parks and Council’s ability to take away park land. He will confer with Village Attorney for language to propose at the next meeting. Maybe expand to include all land owned by Village and, not just park land.
- f. Stanczyk made a motion to adjourn which was seconded. The meeting was adjourned at 9:08pm.

Respectfully submitted:

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

Missy Arocha, Village Clerk

David Zisman, Chairperson