

MINUTES OF THE CHARTER REVISION COMMITTEE

May 20, 2020
9705 E. Hibiscus Street
Palmetto Bay, Fl

1. Call to Order: The meeting was called to order at approximately 6:35 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

Also present:

Joseph Bier, resident and member of NPC

Jerry Proctor

Gary Pastorella

Beth Gerald

Council member Marsha Matson

Brett Lotsfield

2. It was confirmed that a quorum present.
3. Public Comments, including comments from Village Council, Village Manager, or staff:
 - a. Gary Pastorella said he supports the 45-foot height limit. He said Pinecrest is not looking to change the 45-foot height requirement in their Village.
 - b. Beth Gerald said she also supported the 45-foot height limit. She also said she doesn't think that it takes away from what's been approved and that the height limit also affects traffic by limiting traffic flow. She said that the height restriction should also apply to 136th street to 168th street and again asked for support of the height limit.
 - c. Joe Bier spoke and said he and his family support the height limit of 45-feet throughout the Village. He said its about quality of life in the Village.
 - d. Gerry Proctor spoke and said he wants to close the issue on school expansion.

4. Approval of Meeting Minutes: Tim Schaffer moved to approve minutes from last meeting and was seconded by M. Levy. Vote to approve the minutes was unanimous.
5. Old Business: Certain proposed Charter Amendments were distributed to the Committee members prior to the meeting. Charter Amendment #2 says "Shall the Charter be amended to require 65% of the affected electors approving private school expansion." Mandler moved to approve of Charter Amendment #2. The Motion was seconded. Zisman, Schaffer, Mandler and Levy voted in favor of Charter Amendment #2. Stanczyk voted no. The Amendment passed 4-1.
6. There was discussion on whether to adopt proposed Charter Amendment # 1 as drafted. This proposed Amendment provides "Shall candidates for Districts 1, 2 and 3 be elected from single member districts." Levy moved to approve. Mandler seconded. Zisman, Mandler, Schaffer and Levy voted to approve. Stanczyk voted no. the amendment passed 4-1. Thereafter, it was decided to table the vote to the May 27th meeting to ask the Village attorney his opinion on giving some time limits or taking that part out.
7. There was discussion on proposed Charter Amendment #4 which provides "shall the term Council Member in the Charter and Village Code be changed to "Commissioner"? A Motion to adopt this amendment was made by Mandler, seconded by Levy. The vote was unanimous in favor of the proposed Amendment #4. An amendment was proposed to Amendment #4 reflect that the Village Council may have changed the name of the Council to Commission. Chairman Zisman said he will discuss that with the Village attorney. There was no additional vote on the amendment.
8. New Business/Agenda Items: Discussion of Proposed Amendment #5 which reads: Shall the Charter be amended to establish grounds for the termination of the Village Manager? Zisman asked if the County limits the number of amendments we can put on ballot. There was no discussion on the item, and it was deferred to next meeting when the Village attorney will be present for discussion.
9. Stanczyk brought up a discussion of whether the Village residents should vote on all land purchases greater than \$750,000. Stanczyk then proposed that any purchase or sale by the Village of Palmetto Bay should require the approval of 4/5ths of the Village council. Short discussion concluded with Stanczyk saying she will go back and discuss with Village attorney and present the topic at next meeting.
10. There was additional discussion on the revised height restriction and the limit of 45 feet. Tim Schaffer spoke and said he felt that a change like the one proposed could be a violation of due process. Stanczyk proposed to move this discussion to next week's

meeting when the Village attorney is present. There was also discussion on increasing requirements of the Council that would only approve variances by a supermajority for 10.2.2. This was also tabled to the next week meeting.

11. The next meeting is scheduled for May 27th at 6:30pm.

12. A Motion to Adjourn was made and seconded. Motion passed by unanimous vote. The meeting was adjourned at 8:45pm.

Respectfully submitted:

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

Missy Arocha, Village Clerk

David Zisman, Chairperson