

# VILLAGE OF PINECREST

## MINUTES



VILLAGE COUNCIL MEETING

TUESDAY, NOVEMBER 15, 2005

EVELYN GREER PARK/COMMUNITY CENTER  
8200 SOUTHWEST 124 STREET  
PINECREST, FLORIDA

I. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the mayor at 7:00 p.m. Present were the following charter officials:

Councilmember Nancy L. Harter  
Councilmember Robert Hingston  
Councilmember Gail D. Serota  
Vice Mayor Cindie Blanck  
Mayor Gary C. Matzner

Village Manager Peter Lombardi  
Village Clerk Guido Inguanzo  
Village Attorney Cynthia Everett

II. **PLEDGE OF ALLEGIANCE:** Vice Mayor Blanck led the Pledge of Allegiance.

III. **APPROVAL OF MINUTES:** Vice Mayor Blanck made a motion adopting the minutes of the meeting of October 11, 2005. The motion was seconded by Councilmember Harter and adopted by a unanimous voice vote. The vote was as follows: Councilmembers Harter, Hingston, Serota, Vice Mayor Blanck, and Mayor Matzner voting Yes.

IV. **AGENDA/ORDER OF BUSINESS:** The manager requested the addition of the following resolutions as Items VII-E and VII-F:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A DISASTER RELIEF FUNDING AGREEMENT WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR REIMBURSEMENT OF EXPENSES ASSOCIATED WITH HURRICANE RITA; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A DISASTER RELIEF FUNDING AGREEMENT WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR REIMBURSEMENT OF EXPENSES ASSOCIATED WITH HURRICANE WILMA; PROVIDING FOR AN EFFECTIVE DATE.

There were no objections to the addition of the resolutions.

V. **SPECIAL PRESENTATIONS:** There were no special presentations.

VI. **ORDINANCES:** The clerk read the following ordinance, on first reading, by title:

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING CHAPTER 16 OF THE CODE OF ORDINANCES BY CREATING A NEW ARTICLE ENTITLED "INTERFERENCE WITH PUBLIC UTILITY SERVICE AND DELIVERY", ESTABLISHING A VIOLATION FOR INTERFERENCE WITH UTILITY SERVICE AND DELIVERY; ESTABLISHING A PROCESS FOR THE REMOVAL OR MAINTENANCE OF PLANTS AND TREES ON PRIVATE PROPERTY BY A UTILITY COMPANY OR THE VILLAGE OF PINECREST TO ENSURE THE SAFE AND RELIABLE DELIVERY OF UTILITY SERVICES; PROVIDING SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Harter made a motion adopting the ordinance on first reading. The motion was seconded by Councilmember Hingston and adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Harter, Hingston, Serota, Vice Mayor Blanck, and Mayor Matzner voting Yes.

The clerk announced the second reading of the ordinance for December 20, 2005.

VII. **RESOLUTIONS:** The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, RATIFYING THE SELECTION OF COUNCILMEMBER ROBERT HINGSTON AS VICE MAYOR FOR THE 2005 - 2006 FISCAL YEAR PURSUANT TO THE PROVISIONS OF ORDINANCE 2001-02; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Harter made a motion adopting the resolution. The motion was seconded by Vice Mayor Blanck. Resolution 2005-39 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Harter, Hingston, Serota, Vice Mayor Blanck, and Mayor Matzner voting Yes.

The mayor presented a token of appreciation, on behalf of the Village Council, to Councilmember Blanck for her service as vice mayor during 2004-2005.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, CONFIRMING STATE OF LOCAL EMERGENCY ISSUED BY THE VILLAGE MANAGER ON OCTOBER 24, 2005 FOR HURRICANE WILMA PURSUANT TO SECTION 12-55 OF THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Harter made a motion adopting the resolution. The motion was seconded by Councilmember Serota. Resolution 2005-40 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Blanck, Harter, Serota, Vice Mayor Hingston, and Mayor Matzner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH CHEN AND ASSOCIATES FOR ENGINEERING AND DESIGN OF IMPROVEMENTS TO SOUTHWEST 79 AVENUE; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Serota made a motion adopting the resolution. The motion was seconded by Councilmember Blanck. Resolution 2005-41 was adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Blanck, Harter, Serota, Vice Mayor Hingston, and Matzner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE MAYOR, VILLAGE MANAGER AND VILLAGE ATTORNEY TO TAKE NECESSARY ACTION TO ACQUIRE THE PROPERTY LOCATED AT 9430 SOUTHWEST 72 AVENUE FOR THE DEVELOPMENT OF A NEW MUNICIPAL PARK INCLUDING, IF NECESSARY, BUT NOT LIMITED TO, COMMENCEMENT OF CONDEMNATION PROCEEDINGS; PROVIDING FOR AN EFFECTIVE DATE.

There was no action on the proposed resolution.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A DISASTER RELIEF FUNDING AGREEMENT WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR REIMBURSEMENT OF EXPENSES ASSOCIATED WITH HURRICANE RITA; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Blanck made a motion adopting the resolution. The motion was seconded by Councilmember Harter. Resolution 2005-42 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Blanck, Harter, Serota, Vice Mayor Hingston, and Mayor Matzner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A DISASTER RELIEF FUNDING AGREEMENT WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR REIMBURSEMENT OF EXPENSES ASSOCIATED WITH HURRICANE WILMA; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Harter made a motion adopting the resolution. The motion was seconded by Councilmember Serota. Resolution 2005-43 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Blanck, Harter, Serota, Vice Mayor Hingston, and Mayor Matzner voting Yes.

**VIII. REPORTS AND RECOMMENDATIONS:** The Council discussed the possible acquisition of the "Washington" 4.5± property located at 9430 Southwest 72 Avenue for the development of a new municipal park in the northern area of Pinecrest.

The following residents addressed the Council: Scott Miller, 9440 Southwest 73 Avenue; Al Kramer, 7120 Southwest 95 Street; Hope Christianson, 9595 Southwest 73 Avenue; Jane Gold, 6800 Southwest 96 Street; Steve Silverman, 9900 Southwest 72 Court; Curtis Christianson, 9595 Southwest 73 Avenue; Laura Mackle, 7626 Southwest 102 Street, #118; Don Bosseler, 7636 Southwest 102 Street, #214; Marcia Bosseler, 7636 Southwest 102 Street, #214; Doug Oppenheimer, 9631 Southwest 72 Court; Jennifer Wollmann, 10109 Southwest 60 Avenue; Linda Fafferman, The Reserve of Pinecrest; Larry Mendoza, 9600 Southwest 72 Court; Art McCormick, 13560 Southwest 68 Court; Debra Silverman, 9900 Southwest 72 Court; Richard Dowling, 7105 Southwest 96 Street; Mike Engelke, Miami Premier Soccer Club; Carl Borgan, 9850 Southwest 72 Avenue; Renato Salazar, 12855 Southwest 61 Avenue; Louann Zagarino, 6991 Southwest 92 Street; Jerry Carlon, 7145 Southwest 95 Street; Juan Alfanin, representing the proposed Coconut Palm Estates project; Ofer Zosman, representing Waterhouse Construction Group; Karl Procter, 9445 Southwest 73 Avenue; Bob Ross, 6701 Southwest 94 Street; Richard Allen, 9255 Southwest 72 Avenue; Tom Piero, 11650 Southwest 70 Avenue; Rob Herget, 9601 Southwest 68 Avenue; Chris Lemos, 9540 Southwest 73 Avenue; and Mike Witkowski, 7545 Southwest 105 Terrace.

After extensive discussion, the Council considered the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO OBTAIN AN APPRAISAL FOR THE PROPERTY LOCATED AT 9430 SOUTHWEST 72 AVENUE; AUTHORIZING THE MAYOR AND VILLAGE MANAGER TO NEGOTIATE WITH THE CONTRACT HOLDER OF THE PROPERTY FOR AN AGREED UPON PRICE; DIRECTING THE VILLAGE MANAGER TO OUTLINE A PROCEDURE FOR THE ACQUISITION OF THE PROPERTY THROUGH CONDEMNATION PROCEEDINGS; DIRECTING THE VILLAGE MANAGER TO PREPARE A FINANCING PROPOSAL FOR THE ACQUISITION OF THE PROPERTY; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Serota made a motion adopting the resolution. The motion was seconded by Councilmember Blanck. Resolution 2005-44 was adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Blanck, Harter, Serota, Vice Mayor Hingston, and Mayor Matzner voting Yes.

The Council discussed the pending development of Flagler Grove Park and concurred to defer a decision on the matter to a future meeting. Mike Witkowski, 7545 Southwest 105 Terrace, addressed the Council regarding construction of the park.

The Council discussed the establishment of a committee to study the expansion of the potable water system in the Village. Jeff Stone, 7445 Southwest 100 Street, addressed the Council regarding the lack of potable water in the Village.

The Council discussed the scheduling of a workshop for a future date to discuss power outage issues resulting from hurricanes Katrina and Wilma.

The manager submitted a request by Palmetto Elementary School for use of Evelyn Greer Park for the school's annual carnival on November 20, 2005 due to construction on the carnival's regular site at the school property. Elina Pacios, representing the Palmetto Elementary School Carnival Committee, addressed the Council in support of the request. Councilmember Blanck made a motion approving the request and waiving the facility usage fee. The motion was seconded by Councilmember Harter and adopted by a unanimous voice vote. The vote was as follows: Councilmembers Blanck, Harter, Serota, Vice Mayor Hingston, and Mayor Matzner voting Yes.

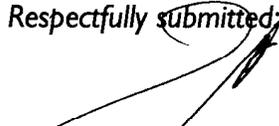
The clerk submitted the final list of Council appointees to the 2006 Planning Board. Councilmember Blanck made a motion ratifying the following appointments requiring Council confirmation pursuant to Division 2.3(a) of the Land Development Regulations:

- Peter DiFilippi (Manager Lombardi)
- Randy Furshman (Mayor Matzner)

The Blanck motion was seconded by Councilmember Serota and adopted by a unanimous voice vote. The vote was as follows: Councilmembers Blanck, Harter, Serota, Vice Mayor Hingston, and Mayor Matzner voting Yes.

- IX. **PLANNING:** There were no planning matters considered by the Council.
- X. **SCHEDULE OF FUTURE MEETINGS:** The following schedule of future meetings was presented to the public:
- VILLAGE COUNCIL  
TUESDAY, DECEMBER 20, 2005, 7:00 P.M.
- XI. **ADJOURNMENT:** The meeting was adjourned at 11:00 p.m.

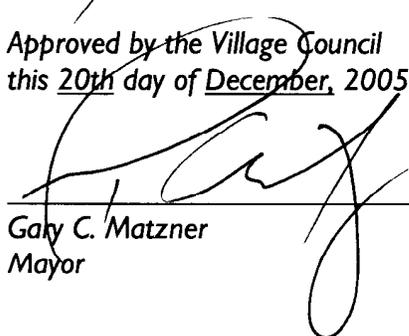
Respectfully submitted:



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Guido H. Inguanzo, Jr., CMC  
Village Clerk

Approved by the Village Council  
this 20th day of December, 2005:



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Gary C. Matzner  
Mayor

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (FLORIDA STATUTES).