

TOWN OF MIAMI LAKES, FLORIDA
TOWN COUNCIL MEETING
MINUTES
JUNE 14, 2005
MIAMI LAKES MIDDLE SCHOOL
6425 MIAMI LAKEWAY NORTH
MIAMI LAKES, FLORIDA 33014

- 1. CALL TO ORDER:** The Mayor called the meeting to order at 7:15 p.m. on the above date and place and gave the guidelines for the conduct of the meeting.
- 2. ROLL CALL:** In addition to Mayor, Wayne Slaton, and Vice Mayor, Roberto Alonso, the following Council Members were present at roll call: Mary Collins, Peter Thomson, Robert Meador, and Nancy Simon. Councilmember Michael Pizzi arrived approximately 15 minutes later.
- 3. INVOCATION/MOMENT OF SILENCE:** The Mayor called for a moment of silence.
- 4. PLEDE OF ALLEGIANCE:** The Mayor led the pledge.
- 5. ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS):**
Councilmember Mary Collins requested to add item 6B, Special Presentation by Miami Lakes Karate Class and to pull item 7E. Councilmember Nancy Simon requested to pull items 7B, D and J. Vice Mayor Roberto Alonso requested to pull item 7C. Town Manager, Alex Rey requested to pull item 7C on behalf of Councilmember Michael Pizzi who had not arrived. Councilmember Mary Collins moved the above and it was seconded by Councilmember Nancy Simon. All were in favor.

The remaining items were left on the consent agenda:

A. APPROVAL OF MINUTES:

- 1. May 10, 2005 – Regular Council Meeting**

- F. A RESOLUTION ESTABLISHING THE MIAMI LAKES YOUTH CENTER FUND. (Boniske)**
- G. A RESOLUTION APPROVING THE PROJECT AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR A STORMWATER MASTER PLAN UPDATE. (Rey)**
- H. A RESOLUTION JOINING THE DADE COUNTY ASSOCIATION OF CHIEFS OF POLICE TO SUPPORT THE ADOPTION BY CONGRESS OF AN EFFECTIVE AND COMPREHENSIVE ASSAULT WEAPONS BAN. (Slaton)**
- I. A RESOLUTION APPROVING THE INTERLOCAL AGREEMENT BETWEEN ALL PARTIES TO NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. FLS000003. (Rey)**
- K. A RESOLUTION URGING THE MIAMI-DADE COUNTY COMMISSION TO VOTE AGAINST RESCINDING THE TWO CENT CAPITAL IMPROVEMENT LOCAL OPTION GAS TAX LEVIED ON MOTOR FUEL. (Rey)**

A motion to approve the items on the consent agenda was made by Councilmember, Mary Collins and seconded by Councilmember, Nancy Simon. All were in favor.

6. SPECIAL PRESENTATIONS:

A. Key to the Town of Miami Lakes Scholarship

Mayor, Wayne Slaton recognized Mr. Stuart Wiley of the Graham Co. to join in the presentation of the scholarship awards. Mayor Slaton summarized the outstanding and lengthy academic and community service history of both award recipients, Javier Zapata and Karla Albite. Both Mr. Zapata and Miss Albite thanked the Graham Co and the Town of Miami Lakes for the honor of being chosen.

B. Miami Lakes Karate Class

Mr. Cruz, Instructor of the Miami Lakes Karate Class presented the Mayor with a plaque won in competition by the class. The Mayor thanked the class and Mr. Cruz and encouraged them to continue and enjoy their training.

7. B. A RESOLUTION APPROVING THE SELECTION OF GROUNDKEEPERS, INC. FOR THE PERFORMANCE OF PUBLIC WORKS MISCELLANEOUS LABOR AND APPROVING THE AGREEMENT. (Rey)

D. A RESOLUTION APPROVING THE SELECTION OF ACOSTA TRACTORS, INC. FOR PUBLIC WORKS GENERAL CONSTRUCTION SERVICES AND APPROVING THE AGREEMENT. (Rey)

Councilmember, Nancy Simon requested to discuss items 7 B and 7D at the same time and it was agreed. She requested further information about the similarity of the two contracts and how payment would be made under the contracts. It was explained by Public Works Director, Rafael Casals and Town Manager, Alex Rey. There being no further questions, passage was moved by Councilmember, Nancy Simon and seconded by Councilmember, Peter Thomson. The Mayor declared the motion passed with no one reporting in the negative.

7. C. A RESOLUTION ACCEPTING THE REQUEST OF MARIO AND ANAIS COLLAZO TO REDUCE A PREVIOUSLY ASSESSED CODE ENFORCEMENT FINE FOR CASE NO. C2003-2200. (Rey)

Vice Mayor, Roberto Alonso asked that the Town Manager, Alex Rey to explain how the case became \$11,000. Mr. Rey explained the case and recommended reduction and that it will recover legal fees and costs incurred by the Town. Mayor Slaton recognized Mr. Jose Soto for public comment. Mr. Soto explained his previous fine reduction case that came before the Council and recounted accusations against Councilmember, Michael Pizzi. Mr. Mario Collazo also spoke backing Mr. Soto's accusations. Councilman, Michael Pizzi asked Mr. Soto to confirm that he had discussed the situation with Vice Mayor, Roberto Alonso, which he did. Councilmember, Michael Pizzi asked a series of questions regarding the process of implementing variance legislation, meetings that took place and the procedures begun by the town for low cost variance and his participation in the process. Councilmember, Nancy Simon asked Mr. Soto to clarify for the record that when she spoke to him, her response was to introduce him to the Town Manager. Mr. Soto agreed. Vice Mayor, Roberto Alonso clarified his discussion with Mr. Soto and Mr. Collazo regarding the fine. Councilmember, Mary Collins moved to adopt the resolution. It was seconded by Councilmember, Peter Thomson. Councilmember, Michael Pizzi spoke in opposition to the resolution and asked for the Council to be cautious in reducing fines. The Mayor called for the vote, it was in the affirmative with Councilmember, Michael Pizzi voting against.

7. **E. A RESOLUTION SUPPORTING THE FULL VOTING RIGHTS FOR THE DISTRICT OF COLUMBIA REPRESENTATIVE IN THE US HOUSE OF REPRESENTATIVES. (Slaton)**

Councilmember, Mary Collins spoke in opposition. Councilmember, Nancy Simon requested further information as to why Miami Lakes should become involved. Mayor Slaton explained that this is a National League of Cities initiative. There being no further discussion Councilmember, Mary Collins moved in opposition. It was seconded by Councilmember, Peter Thomson. The Mayor called for the vote. The motion to oppose passed with 6 in favor and 1 opposed.

7. **J. A RESOLUTION APPROVING THE SELECTION OF H & R PAVING, INC. FOR THE PERFORMANCE OF THE NW 154TH STREET DRAINAGE PROJECT AND APPROVING THE AGREEMENT. (Rey)**

Councilmember, Nancy Simon read an E-mail from Town Engineer, Russell Barnes regarding problems encountered on a job previously awarded to H& R Paving, Inc. It was reported that the work product had been poor, the process of keeping the company to task had been difficult and the quality substandard. Therefore, Councilmember Simon indicated she would like to award the bid to the next lowest bidder, Acosta Tractors. Town Manager, Alex Rey gave insight regarding the difference in cost between the H & R Paving, Inc. bid and the Acosta Tractors, Inc. bid. Town Engineer, Russell Barnes discussed the process and the previous difficulties with H & R Paving, Inc. Councilmember, Nancy Simon moved to award the bid for the performance of the NW 154th Street Drainage Project and approve the agreement to Acosta Tractors, Inc. The motion was seconded by Councilmember, Mary Collins. Town Attorney, Nina Boniske advised that the Council may accept Acosta Tractors, Inc. as the lowest responsive bidder. Both Councilmember, Nancy Simon and Councilmember, Mary Collins agreed to add to the motion to accept Acosta Tractors, Inc. as the responsive bidder. Vice Mayor, Roberto Alonso spoke in favor of the motion and suggested the renegotiation of price with Acosta Tractors. The Town Manager indicated that the price was bid per unit prices which was not legally subject to negotiation, but that the bid included an alternative for night work which could be negotiate. Councilmember, Robert Meador spoke regarding the bid process. Councilmember, Peter Thomson asked about the timing of the bid process. Mayor, Wayne Slaton spoke in favor of awarding the bidder to Acosta Tractors, Inc. Councilmember, Nancy Simon recommended that the staff keep a master file where information regarding problems encountered with projects could be gathered by vendor. There being no further discussion, the Mayor called for the vote. It was in the affirmative.

8. PUBLIC COMMENTS: Susan Chupani spoke as a follow up to her student's request for a Miami Lakes Community pool at a previous meeting. She thanked the

Council for allowing the students to participate and updated the Council on the student's fundraising ideas and efforts.

The Mayor called for a short recess at 9:40 p.m. The Mayor called the meeting back to order and requested that the Clerk call the roll. In addition to Mayor, Wayne Slaton and Vice Mayor, Roberto Alonso, the following Councilmembers were present: Mary Collins, Robert Meador, Peter Thomson, Nancy Simon, Michael Pizzi.

9. COMMITTEE REPORTS: There were no committee reports.

10. ORDINANCES – FIRST READING:

A. AN ORDINANCE AMENDING CHAPTER 21 “OFFENSES AND MISCELLANEOUS PROVISIONS”, ARTICLE II “MINORS” OF THE TOWN CODE TO ADD A SECTION REGARDING “SEXUAL OFFENDER RESIDENCY PROHIBITION”; AND ADD A SECTION REGARDING “SEXUAL OFFENDER NOTIFICATION”; PROVIDING FOR ENFORCEMENT; AND PROVIDING FOR AN AMENDMENT TO SECTION 8CC-10 OF THE TOWN CODE. (Slaton/Simon)

Town Attorney, Nina Boniske, read the ordinance title. Councilmember, Mary Collins moved the ordinance as read. It was seconded by Councilmember, Nancy Simon. There being no discussion, Mayor, Wayne Slaton asked the Clerk to call the roll. The vote was unanimous in favor.

B. AN ORDINANCE CONCERNING CONSULTANT DISCLOSURE AND PROVIDING FOR REGISTRATION WITH THE TOWN. (Pizzi)

Town Attorney, Nina Boniske, read the ordinance title. Councilmember, Robert Meador moved adoption of the ordinance. It was seconded by Councilmember, Nancy Simon. Mayor, Wayne Slaton asked the Clerk to call the roll. The motion carried 6-1 with Councilmember, Mary Collins voting against.

11. PUBLIC HEARINGS/ORDINANCE – SECOND HEARING: None

12. RESOLUTIONS: None

13. REPORTS:

A. MAYOR'S REPORT:

1. Miami-Dade County Solid Waste Automated Pickup Services

Mayor Wayne Slaton explained the status of the \$75.00 fee to be charged by the County. It is his understanding that it will now not be charged, He also explained the automated pick up process. There was discussion regarding heavy trash times such as Christmas,

problems with the storage of trash containers and the concern that citizens might not understand that the Town does not have control over the situation. It was agreed that an effort should continue by Council to inform the residents that the County is in charge of solid waste pickup. Councilmembers expressed the input they have received from residents. Mayor, Wayne Slaton stated that he has been communicating through E-mail with residents and would provide members of Council with those E-mails. Councilmember, Robert Meador thanked Mayor Wayne Slaton for dealing with the County on this issue.

B. MANAGER’S REPORT: None

C. COUNCILMEMBER’S REPORTS:

1. Urban Boundary Line Update (Pizzi)

Councilmember, Michael Pizzi gave information regarding the recent veto of Mayor Alvarez on Florida City’s attempt to annex some land outside the UDB. He is concerned that the County Commission will try to override the Mayor’s veto and would like to show support to Mayor Alvarez by resolution. Councilman, Michael Pizzi moved to pass a resolution supporting Mayor Alvarez’s veto and asking the Commission not to override the veto. The motion was seconded by Councilman, Robert Meador. Discussion ensued regarding the support already given by the Council regarding the UDB by way a previous resolution. After further discussion, Councilman, Michael Pizzi withdrew his motion and asked that the Town Manager pursue support through the town lobbyist.

2. Adult/Community Education Update (Pizzi)

Councilmember, Michael Pizzi commended Parks Director, Linda Reale and Town Manager, Alex Rey for their hard work with the Community Education Program and for being awarded the John Smith Award for outstanding local government effort.

D. ATTORNEY’S REPORT: None

14. NEW BUSINESS:

A. School Visitor Screening Program (Slaton)

Mayor, Wayne Slaton explained that he has reviewed the screening software in an effort to do all that can be done to prevent sexual offenders from being around children. He explained that the system prints a pass for admission to the school, after it has run the name through a national database. He made a motion to provide funds for the system not to exceed \$2,000 per system for those schools that will not have funding available immediately. It was seconded by Councilmember, Mary Collins. There was discussion regarding the inclusiveness of the system and what schools may have or need to have the system installed. The Mayor called for the vote and it was in the affirmative and unanimous.

B. Elementary Schools' Swale Areas Improvement. (Slaton)

Mayor, Wayne Slaton expressed concern regarding the damage being done to the swale areas around the schools and recommended improvements similar to what has been done at the Miami Lakes Middle School. He made a motion to have the Town Manager, Alex Rey look for some joint funding with the schools. It was seconded. Councilman, Robert Meador asked if the Mayor intended for the funding to be in this fiscal year or next. Mayor, Wayne Slaton answered that he would suggest this coming fiscal year. After further discussion, it was suggested that Town Engineer, Russell Barnes could give an estimate on the price of curbing. The Mayor called for the vote and it was in the affirmative.

C. Rodent Control (Collins)

Councilmember, Mary Collins stated that there is some rodent control in the canal clean-up contract but that it needs to go further. She made a motion to see this addressed in the next budget. It was seconded by Councilmember, Nancy Simon. All were in favor.

D. Review of Council Rules (Collins)

Councilmember, Mary Collins requested that every item on the agenda be supported with written backup materials and thanked Councilmembers for their effort in this agenda.

E. Underground Utility Lines (Collins)

Councilmember, Mary Collins stated there are portions of town where the residents would like to have the utility lines placed underground. There was discussion regarding the responsibility of the town and the cost involved. It was agreed that the town's involvement would be limited to helping facilitate the process between the homeowner's association and FPL.

F. Committee Tax Exempt Status (Collins)

Councilmember, Mary Collins explained that the various town committees are looking for grants and are in need of a tax exempt status. It was explained that town staff is looking into a blanket status for all town committees.

G. Honorary Street Naming (Slaton)

Mayor, Wayne Slaton proposed that it is time the town name a street after former Senator Bob Graham and explained the years of service of Senator Graham. Mayor Slaton explained that instead of the street he originally proposed, he is proposing 79th Court

from 154th Street to Commerce Way, being a town street. Mayor asked that Town staff come back to the next meeting with an appropriate resolution. Councilmembers, Robert Meador and Michael Pizzi spoke in support. Councilmember, Mary Collins suggested that all of the Council co-sponsor the resolution and it was agreed.

There being no further business to come before the Council, Mayor Slaton declared the meeting adjourned at 10:58 p.m.

Approved this 12 day of July, 2005

Wayne Slaton, Mayor

Attest:

Debra E. Eastman, MMC, Town Clerk