

# TOWN OF MIAMI LAKES, FLORIDA

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## Town Council

Mayor Wayne Slaton

Vice Mayor Roberto Alonso

Councilmember Mary Collins

Councilmember Robert Meador, II

Councilmember Michael Pizzi

Councilmember Nancy Simon

Councilmember Peter Thomson

## MINUTES

September 13, 2005

7:00 p.m.

**Miami Lakes Middle School**

6425 Miami Lakeway North

Miami Lakes, Florida 33014

**1. CALL TO ORDER:** Mayor, Wayne Slaton called the meeting to order at 7:20 p.m. on the above date at the above place.

**2. ROLL CALL:** Town Clerk, Debra Eastman called the roll with the following Councilmembers present: Mary Collins, Robert Meador, Peter Thomson, Nancy Simon, Michael Pizzi and Mayor Wayne Slaton. Vice Mayor Roberto Alonso was absent.

**3. INVOCATION/MOMENT OF SILENCE:** Mayor Slaton called for a moment of silence.

**4. PLEDGE OF ALLEGIANCE:** Mayor Slaton led the pledge.

### **5. ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS):**

Mayor Slaton announced the rules for the conduct of the meeting. Councilmember Mary Collins requested to pull item 7B from the consent agenda. Mayor Slaton requested that his name be added as a sponsor of item 14C. A motion was made by Councilmember Mary Collins to accept the agenda as amended. It was seconded by Councilmember Nancy Simon. The Mayor called for the vote and all were in favor.

### **6. SPECIAL PRESENTATIONS:**

#### **Baseball Traveling Team (Meador)**

Councilmember Robert Meador explained that the Council voted at a previous meeting to assist the team financial in their tournament quest. Optimist Club President, Jack McCall explained the prestigious victories of the team and their decision not to go on to the final game. Mr. McCall, the coaches, the manager and some members of the team made a presentation of a proclamation to the Council. Councilmember Robert Meador and Mayor Wayne Slaton thanked all for their effort and complimented them on their victory.

**7. CONSENT AGENDA:**

**A. APPROVAL OF MINUTES:**

**1. JULY 12, 2005 – Regular Council Meeting**

**C. A RESOLUTION OF THE TOWN COUNCIL ACCEPTING THE REQUEST OF RICARDO CHONWAHI TO REDUCE A PREVIOUSLY ASSESSED CODE ENFORCEMENT FINE FOR CASE NO. C2004-0125.**

**(Rey)**

**D. A RESOLUTION OF THE TOWN COUNCIL APPROVING EXPENDITURES FOR RADIO DISNEY'S PAJAMARAMA. (Youth Activity Task Force)**

**E. A RESOLUTION OF THE TOWN COUNCIL ACCEPTING THE DONATION OF SEVENTY FIVE THOUSAND DOLLARS FOR TOWN PARK IMPROVEMENTS WHICH INCLUDE THE PURCHASE OF SCOREBOARDS AND OUTFIELD FENCING TO BE INSTALLED AT MIAMI LAKES PARK AND ROYAL OAKS PARK. (Meador/Rey)**

**F. A RESOLUTION OF THE TOWN COUNCIL APPROVING A PROJECT AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE DEVELOPMENT OF MIAMI LAKES PARK BY THE TOWN; AUTHORIZING TOWN OFFICIALS TO FINALIZE THE TERMS AND CONDITIONS OF THE AGREEMENT AND TO EXECUTE ANY DOCUMENTS NECESSARY TO EFFECTUATE THE GRANT AND TO REQUEST ANY NECESSARY EXTENSIONS. (Rey)**

**G. A RESOLUTION OF THE TOWN COUNCIL APPROVING A PROJECT AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE DEVELOPMENT OF ROYAL OAKS PARK, II BY THE TOWN; AUTHORIZING TOWN OFFICIALS TO FINALIZE THE TERMS AND CONDITIONS OF THE AGREEMENT AND TO EXECUTE ANY DOCUMENTS NECESSARY TO EFFECTUATE THE GRANT AND TO REQUEST ANY NECESSARY EXTENSIONS. (Rey)**

**H. A RESOLUTION OF THE TOWN COUNCIL APPROVING THE PROJECT AGREEMENT BETWEEN KIMLEY-HORN AND ASSOCIATES, INC. AND THE TOWN OF MIAMI LAKES FOR NW 82<sup>ND</sup> AVENUE PROGRAM MANAGEMENT OF DRAINAGE, MEDIAN, AND PAVING IMPROVEMENTS. (Rey)**

A motion was made by Councilmember Mary Collins to pass the above consent agenda. It was seconded by Councilmember Michael Pizzi. Mayor Slaton called for the vote it was in the affirmative with all in favor.

**B. A RESOLUTION OF THE TOWN COUNCIL ACCEPTING THE REQUEST OF MERLE L. LONG TO REDUCE A PREVIOUSLY ASSESSED CODE ENFORCEMENT FINE FOR CASE NO. C2005-0151.**

**(Rey)**

Councilmember Mary Collins requested that Mr. Merle Long explain his situation regarding the code enforcement case. Mr. Long requested that the Council consider impose community service on him rather than a monetary fine.

He explained his financial situation and the hurricane damage done to his home last year and again this year. Jean Ingram and Susan Plomb, neighbors to Mr. Long spoke regarding the improvements that have been made to Mr. Long's property.

Town Manager, Alex Rey explained to the Council the process of levying the fine. Mr. Rey explained that he had obtained income tax records to verify Mr. Long's income and that it would be a hardship for him to pay the fine even at a reduced level.

Councilmember Mary Collins spoke in favor of asking Mr. Long to provide community service and moved to eliminate the monetary fine and ask the Town Manager to levy community service hours. The motion was seconded by Councilmember Robert Meador.

Councilmember Michael Pizzi spoke in favor of the motion as an extreme situation and pointed out the possibility of this being a precedent setting situation. Councilmember Nancy Simon spoke in favor of community service hours. Mayor Slaton asked Town Manager, Rey about the cost incurred by the town. Councilmemnber Peter Thomson cautioned about covering only cost. Town Manager, Alex Rey assured the Council that he would adequately cover the fine by assigning the appropriate number of community service hours.

There being no further discussion, the Mayor called for the vote. It was in the affirmative and the motion carried.

**8. PUBLIC COMMENTS:**

The following people spoke:

Jean Ingram spoke regarding a street light out and the hardship that it has caused for her.

Lowell Dunn, Sr. spoke regarding the agreement for development before the Town Council at a previous meeting, trailers parked on the property and stated he has filed a law suit against a member of Council.

David Bennett complimented the Council on the good job of cleanup after Hurricane Katrina. He spoke about the Dunn development agreement and the trailers behind his house and requested that the Council consider a change to a 150 foot setback.

Mirtha Mendez thanked the Council for the Senior Fair the previous weekend and complimented staff member, Misty Knight for her participation.

**9. COMMITTEE REPORTS:**

**A. Beautification Advisory Committee**

Chairman, Russ Geyer introduced Jaime Correa of Jaime Correa and Associates.

Mr. Correa explained the planning events that led up to the creation of the proposed entrance features. Drawings of the two proposed entrance features were presented to the Council. The different features, the proposed locations and the cost of each were explained. The cost of the two is approximately \$98,000. The Council had been provided with copies of the previous proposal for comparison purposes.

Councilmember Mary Collins moved to go forward with the construction of the two entrance features as presented by the Committee. It was seconded by Councilmember Nancy Simon.

Councilmember Michael Pizzi questioned the size and design and asked the Town Manager if this proposal fit in with the amounts budgeted. Town Manager, Alex Rey explained that there was \$150,000 budgeted for three to four entrance features. Mr. Correa explained the use of the obelisk in entrance features dating back to ancient Rome and explained they will be 19 feet tall.

Councilmember Peter Thomson spoke in support of the proposal. Councilmember Robert Meador explained that he was expecting a committee report and spoke against voting on the matter at this meeting without time for study by the Council. Councilmember Nancy Simon asked for explanation on the two different designs and location.

There being no further discussion, Mayor Slaton called for the vote. The motion passed with Councilmembers Peter Thomson, Mary Collins, Nancy Simon and Mayor Slaton voting in the affirmative and Councilmembers Michael Pizzi and Robert Meador voting against.

Beautification Committee Chairman Russ Geyer concluded by reporting on other activities and events of the committee and their current project of investigating the burial of power lines in Lake Patricia and Lake Katherine areas.

**10. ORDINANCES – FIRST READING:**

**11. PUBLIC HEARINGS/ORDINANCES – SECOND READING:**

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

Town Attorney, Nina Boniske read the title of the ordinance in its entirety. She pointed out that there is an inconsistency in the draft. She stated the way it is now written the onus is on the entity to provide registration.

Mayor Slaton opened the public hearing. David Bennett spoke regarding case law. There being no one else wishing to speak, Mayor Slaton closed the public hearing.

Councilmember Michael Pizzi made a motion to adopt the ordinance. Councilmember Peter Thomson seconded the motion. Councilmember Michael Pizzi spoke in favor of the ordinance. Councilmember Peter Thomson expressed that concerns on first reading had been addressed and amended the motion to insert a civil penalty of \$500. The amendment was accepted by the maker of the motion Councilman Michael Pizzi.

Councilmember Robert Meador asked Town Attorney, Nina Boniske to address in kind contributions. She suggested it could be added at this point.

Mayor Slaton asked about the change offered by Town Attorney Nina Boniske. Councilmember Michael Pizzi, maker of the motion agreed to taking out the section suggested by the attorney. Councilmember Robert Meador supported the amendment of a \$500 civil penalty.

There was discussion regarding the state gift law and in kind contributions. Town Attorney, Nina Boniske suggesting adding a \$25 limit. Councilmember Peter Thomson stated he would second that as an amendment. The amendment was accepted by the mover of the motion, Councilmember Michael Pizzi.

The question was called. Town Attorney, Nina Boniske explained the changes made during this discussion and the renumbering of the ordinance. There was no further discussion. Mayor Slaton asked the Town Clerk to call the roll which was done with the following results:

Councilmember Robert Meador	yes
Councilmember Mary Collinsno	
Councilmember Michael Pizzi	yes
Councilmember Peter Thomson	yes
Councilmember Nancy Simon	yes
Vice Mayor Roberto Alonso	absent
Mayor Wayne Slaton	yes

The Town Clerk announced the motion passed.

**B. AN ORDINANCE AMENDING ORDINANCE NO. 2003-40;  
AMENDING THE TOWN'S BUDGET FOR THE 2003-2004 FISCAL  
YEAR. (Rey)**

Town Manager, Alex Rey read the ordinance title in its entirety. Mayor Slaton opened the public hearing and asked if anyone wished to speak. Hearing none, Mayor Slaton closed the public hearing. Councilmember Peter Thomson moved acceptance of the ordinance. The motion was seconded by Councilmember Nancy Simon. Mayor Slaton asked the Town Clerk to call the roll which was done with the following results:

Councilmember Nancy Simon	yes
Councilmember Peter Thomson	yes
Councilmember Robert Meador	yes
Councilmember Mary Collins	absent
Councilmember Michael Pizzi	yes
Vice Mayor Roberto Alonso	absent
Mayor Wayne Slaton	yes

The Town Clerk announced the motion passed.

*The Mayor declared a short recess at 9:15 p.m.*

*At 9:25 Mayor Slaton called the meeting back to order and asked Town Clerk, Debra Eastman to call the roll. Present at that time were Councilmember Thomson, Councilmember Simon, Councilmember Pizzi, Councilmember Meador and Mayor Slaton. Councilmember Collins arrived five minutes later.*

**12. RESOLUTIONS:**

**13. REPORTS:**

**A. MAYOR'S REPORTS:**

**1. Appointments.** Mayor Slaton proposed the following appointments: Alley Kramer, High School Representative to the Youth Activities Task Force; Monica Reina, Cultural Affairs Committee; Theresa Perez, Youth Activities Task Force; and Rev. Jeffrey Frantz, Elderly Affairs Committee. A motion to accept the appointments was made by Councilmember Nancy Simon and seconded by Councilmember Collins. The Mayor called for the vote and it was in the affirmative and unanimous.

**2. Hurricane Clean up within Miami Lakes** Mayor Wayne Slaton stated that residents have expressed their appreciation for the quick and efficient clean up of the streets by town staff during and after Hurricane Katrina. He stated there were 263 trees down and some were saved. He stated there were no drainage problems as well due to the diligent efforts of town staff to keep the drains cleaned. He commended Director of Public Works, Rafael Casals for his diligent effort of arranging the vendors in advance of the storms impact. Councilmember Robert Meador complimented the police and Mr. Casals. Councilmember Mary Collins complimented Mr. Casals, the police and Misty Knight. Councilmember Nancy Simon complimented Mr. Casals for his diligent effort and his constant communication.

### **3. Hurricane Relief Participation**

Mayor Slaton reported that there will be boxes positioned at the Town Hall, parks and community center to collect things for Hurricane Katrina victims. The focus of the collections will be children and babies. The Police will be collecting the goods and distributing them. Councilmember Mary Collins stated that Publix offered to box and pallet the goods. Councilmember Peter Thomson stated that his company has a large amount of office furniture in storage that they are willing to contribute. The Town Manager will check to see if he can accommodate the furniture donation through the League of Cities.

## **B. MANAGER'S REPORTS:**

## **C. COUNCILMEMBER'S REPORTS:**

**1. UDB Update (Pizzi)** Councilmember Michael Pizzi reported on his attendance at the Community Council Five meeting where the expansion of the urban development boundary was discussed. He reported that they voted 7-0 against the expansion. He explained that this subject will come before the County Commission in November and expressed his concern that everything be done to communicate against this matter. Councilmember Mary Collins suggested that Councilmember Michael Pizzi speak with our County Commissioner. Town Manager, Alex Rey stated he will be preparing a formal set of comments to go to the County Manager and to be distributed to the "hold the line" groups underscoring the power of unity. Councilmember Robert Meador asked that the Manager also prepare thoughts from the perspective of the land developer and asked that the Manager brief him on it.

**2. Mitigation (Pizzi)** Councilmember Michael Pizzi stated he would like to revisit the payment of mitigation fees. He gave a history of indications from the County that there would be a change, but has not seen any result. Town Manager, Alex Rey explained his involvement in discussions currently.

## **D. ATTORNEY'S REPORTS**

### **14. NEW BUSINESS:**

**A. Dunn Property (Simon)** Councilmember Nancy Simon stated that agricultural and industrial sites will be the topic of future code development. She asked that the Town Manager direct staff to include protection for residents.

**B. Information to Residents (Simon)** Councilmember Nancy Simon pointed out that there have been many deadlines passed by the Council as a part of the new town code rewrite process. She stated her concern about distributing this information in a timely fashion to the residents. She supports mailing information to residents. Councilmember Mary Collins suggested an annual calendar with deadlines printed on it. Mayor Slaton suggested communication with homeowner's associations. Councilmember Nancy Simon requested that the deadlines be posted on the town's website. Councilmember Robert Meador spoke in favor of notifying the homeowner's associations and the use of The Laker newspaper. Town Manager, Alex Rey explained current efforts being made to communicate the information to the newspaper and homeowner's associations.

**C. Costa Rican Delegation Trip (Slaton/Alonso)** Mayor Wayne Slaton reported on the trip to Costa Rica made by a town delegation and provided the members of the Council with brochures he brought back from one municipality. He spoke about the information sharing that was done and could be done in the future. He stated he would like to invite a delegation to Miami Lakes. Councilmember Nancy Simon spoke in favor of this as a promotion of democracy. Town Manager, Alex Rey read a prepared statement from Vice Mayor Roberto Alonso supporting an invitation to the delegation to come to Miami Lakes. Councilmembers Michael Pizzi and Peter Thomson having left the meeting, as Town Manager, Alex Rey, read the statement, Mayor Slaton stopped the meeting as a Councilmember had stepped out creating a lack of a quorum. The meeting resumed within three minutes.

Councilmember Mary Collins stated she would rather that the Council uses the services and direction of the International Sister Cities program. Mayor Slaton asked if there was any objection to the invitation and there was none.

**D. Publishing Costs (Collins)** Councilmember Mary Collins stated that publishing costs are a large expense and would like the town lobbyist to look into having the size of the font or size of ad requirements reduced to save taxpayer funds. Councilmember Robert Meador stated his concern for people who may be disabled with poor eyesight. Town Clerk, Debra Eastman explained that it is often time restraints and not size of the ad that drives the price and perhaps the time requirements could be changed. Town Manager, Alex Rey will look into the matter.

**E. RFP for Banking (Collins)** Councilmember Mary Collins stated she has discussed the possibility of getting a request for proposal from banks to see if the

town could get a better rate of return on its funds. Councilmember Robert Meador asked Town Manager, Alex Rey if it would be his plan to use local banks and he agreed. Mayor Wayne Slaton asked about the auditing contract and Finance Director, Alfredo Acin explained. Town Manager, Alex Rey explained the town's contract tracking system.

**F. Miami Lakes Arboretum (Collins)** Councilmember Mary Collins explained the need to explore having an arboretum to establish a tree inventory for the town. She suggested that the Town Manager look into possible sites for an arboretum.

**G. Hurricane Katrina (Collins)** There was no further discussion since it was discussed under Mayor's report.

**15. FUTURE MEETING DATES:**

**ZONING MEETING, SEPTEMBER 20, 2005 7 PM**

**BUDGET HEARINGS: SEPTEMBER 22, 2005 6 PM**

**REGULAR COUNCIL MEETING: OCTOBER 11, 2005 7 PM**

**ZONING MEETING: OCTOBER 18, 2005 7 PM**

**16. ADJOURNMENT:** Councilmember Mary Collins moved to adjourn at 10:56 p.m. It was seconded by Councilmember Nancy Simon and all were in favor.

Approved this \_\_\_\_\_ day of October, 2005

\_\_\_\_\_  
Mayor Wayne Slaton

Attest:

\_\_\_\_\_  
Debra E. Eastman, MMC  
Town Clerk

