

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Michael Pizzi

Vice Mayor Nick Perdomo

Councilmember Mary Collins

Councilmember George Lopez

Councilmember Robert Meador II

Councilmember Richard Pulido

Councilmember Nancy Simon

MINUTES

REGULAR COUNCIL MEETING

December 8, 2009

6:30 PM

Miami Lakes Middle School

6425 Miami Lakeway North

Miami Lakes, Florida 33014

PRESENTATIONS:

Arbor Day Proclamation (Pizzi)

Ron Van Eyk explained the importance of Arbor Day.

Mayor Pizzi presented certificates of appreciation to the Youth Activities Task Force, Jessica Fernandez and Officer Juan Rodriguez for their contributions to the Winter Wonderland and Bike Rodeo events.

1. **CALL TO ORDER:** Mayor Pizzi called the meeting to order at 6:37 p.m.
2. **ROLL CALL:** Town Clerk, Marjorie Tejeda called the roll and the following Councilmembers were present: Robert Meador, Richard Pulido, Nancy Simon, George Lopez, Vice Mayor Nick Perdomo, and Mayor Michael Pizzi. Councilmember Mary Collins was absent.
3. **INVOCATION/MOMENT OF SILENCE:** Mayor Pizzi led the invocation and called for a moment of silence.
4. **PLEDGE OF ALLEGIANCE:** Mayor Pizzi led the Pledge of Allegiance.
5. **PUBLIC COMMENTS:**
Jose Marquez, President of the Royal Palm Estates Homeowners Association, spoke about traffic on 154th Street and the smell emitted by the cows on the property beside Royal Palm Estates.

6. ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS):

Mayor Pizzi pulled items 12C, 13A4, 8E, 8D and deferred all of his New Business Items. Councilmember Lopez deferred items 12E, 12I, and 12F, and requested to be added as a co-sponsor to item 8E. Vice Mayor Perdomo deferred items 12B and 12G. Councilmember Pulido deferred items 12A, 12F, and requested to be added as a co-sponsor to items 8D and 8E. Frank Bocanegra, Town Manager, pulled item 8C for public hearing. Councilmember Simon pulled item 8B, asked that appointments to the committees be made before the consent agenda, added item 13A9 entitled Televising Council Meetings, and requested to be added as a co-sponsor to item 8E. Councilmember Meador requested to be added as a co-sponsor to item 8E.

Councilmember Lopez made a motion to adopt the agenda as amended. The motion received a second from Councilmember Simon and all were in favor.

7. COMMITTEE REPORTS:

Elderly Affairs Committee:

Luis Collazo, Committee Chairman, presented the Elderly Affairs Committee report.

8. CONSENT AGENDA:

A. Approval of Minutes:

November 10, 2009 LPA Meeting

November 10, 2009 Regular Council Meeting

Councilmember Meador made a motion to approve the minutes. The motion received a second from Councilmember Simon and all were in favor.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA CREATING A CHARITABLE FOUNDATION TRUST; PROVIDING FOR COMMITTEE MEMBERSHIP; PROVIDING FOR DUTIES; PROVIDING FOR COMMITTEE RULES; AND PROVIDING FOR AN EFFECTIVE DATE. (Pizzi)

Town Attorney, Mitch Bierman read the title of the resolution.

Mayor Pizzi made a motion to adopt the resolution. The motion received a second from Councilmember Simon and all were in favor.

C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, CO-DESIGNATING 82nd AVENUE/MONTROSE ROAD BETWEEN NORTHWEST 154TH STREET AND OAK LANE AS 82nd AVENUE/"BOY SCOUT" ROAD; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO DESIGNATE THE ROAD; DIRECTING THE CLERK TO NOTIFY THE UNITED STATES POST OFFICE; AND PROVIDING FOR AN EFFECTIVE DATE. (Pulido)

Town Attorney, Mitch Bierman read the title of the resolution.

The Mayor opened the public hearing. There being no one wishing to speak, the Mayor closed the public hearing. Councilmember Pulido made a motion to adopt the resolution. The motion received a second from Councilmember Simon and all were in favor.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, SUPPORTING A STATE BAN ON THE USE OF ANY ELECTRONIC COMMUNICATION DEVICE IN SCHOOL ZONES WHILE OPERATING A MOTOR VEHICLE AND TEXT MESSAGING WHILE OPERATING A MOTOR VEHICLE OR ALTERNATIVELY SUPPORTING STATE LEGISLATION PERMITTING LOCAL MEASURES TO BAN TEXT MESSAGING AND THE USE OF ELECTRONIC COMMUNICATION DEVICES WHILE OPERATING A MOTOR VEHICLE; AND PROVIDING FOR AN EFFECTIVE DATE. (Collins/Pizzi)**

Town Attorney, Mitch Bierman read the title of the resolution.

Miami Lakes Middle School's Project Citizen Class spoke in favor of the item. Mayor Pizzi made a motion to adopt the resolution and directed the Project Citizen Students to engage in educational efforts with local schools. The motion received a second from Councilmember Simon and all were in favor.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, DESIGNATING THE BOUNDLESS PLAYGROUND LOCATED AT MIAMI LAKES OPTIMIST PARK (THE "BOUNDLESS PLAYGROUND") AS THE "MATTHEW PALACIOS PLAYGROUND"; AUTHORIZING IMPLEMENTATION BY TOWN OFFICIALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Pizzi/Collins)**

Town Attorney, Mitch Bierman read the title of the resolution.

Mercy Palacios and Mr. Palacios thanked the Town Council and spoke in favor of the resolution. Mayor Pizzi made a motion to adopt the resolution. The motion received a second from Councilmember Simon and all were in favor.

9. ORDINANCES – FIRST READING:

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING SECTION 21-27.3 OF THE CODE OF ORDINANCES, PERTAINING TO SOLICITATION AND PEDDLING; AMENDING PURPOSE AND INTENT; AMENDING DEFINITIONS; PROVIDING PERMIT APPLICATION REQUIREMENTS; PROVIDING FOR PERMIT APPLICATION FEES; PROVIDING FOR PERMIT APPROVAL, DENIAL AND REVOCATION; PROVIDING FOR BACKGROUND CHECKS; PROVIDING FOR APPEAL OF PERMIT DENIAL OR REVOCATION; PROVIDING FOR NOTICE REGULATING SOLICITING; PROVIDING DUTY OF SOLICITORS; PROHIBITING UNINVITED SOLICITING IF NOTICE POSTED; PROVIDING TIME LIMITS FOR SOLICITATION; PROVIDING AGE**

LIMITATIONS; PROVIDING RESTRICTIONS ON METHODS OF SOLICITATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Lopez)

Town Attorney, Mitch Bierman read the title of the ordinance.

Councilmember Lopez made a motion to adopt the ordinance on first reading. The motion received a second from Councilmember Simon.

Kathy Mehaffey, Town Attorney, answered questions posed by the Council.

The Town Clerk called the roll and the motion passed 6-0.

10. ORDINANCES – SECOND READING (PUBLIC HEARING):

A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING SECTION 21-28, NOISES, UNNECESSARY AND PROHIBITED, OF THE TOWN'S CODE OF ORDINANCES TO MODIFY THE NOISE REGULATIONS ON JULY 4TH AND DECEMBER 31ST OF EACH YEAR IN THE TOWN OF MIAMI LAKES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Simon)

Town Attorney, Mitch Bierman read the title of the ordinance.

The Mayor opened the public hearing. There being no one wishing to speak, the Mayor closed the public hearing.

Councilmember Simon made a motion to adopt the ordinance on second reading. The motion received a second from Councilmember Meador.

The Town Clerk called the roll and the motion passed 6-0.

B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ARTICLE 9, DIVISION 9.4, SIGNS ADDITIONAL REQUIREMENTS, OF THE TOWN'S LAND DEVELOPMENT CODE TO MODIFY FLAG AND FLAGPOLE STANDARDS FOR INDUSTRIAL AND BUSINESS ZONED PROPERTIES WHEN ABUTTING THE PALMETTO FRONTAGE ROAD EXPRESSWAY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Pizzi)

Town Attorney, Mitch Bierman read the title of the ordinance.

The Mayor opened the public hearing.

Bill Riley, on behalf of Potamkin Chevrolet, spoke in favor of the ordinance.

There being no one else wishing to speak, the Mayor closed the public hearing.

Mayor Pizzi made a motion to adopt the ordinance on second reading. The motion received a second from Councilmember Simon.

The Town Clerk called the roll and the motion passed 6-0.

C. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING SECTION 33-151, HOURS AND DAYS OF SALE, OF THE TOWN'S CODE OF ORDINANCES TO MODIFY THE HOURS AND DAYS OF SALE FOR PACKAGE LIQUOR SALES IN THE TOWN OF MIAMI LAKES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Pizzi)

Town Attorney, Mitch Bierman read the title of the ordinance.

The Mayor opened the public hearing. There being no one wishing to speak, the Mayor closed the public hearing.

Councilmember Simon made a motion to adopt the ordinance on second reading. The motion received a second from Councilmember Meador.

The Town Clerk called the roll and the motion passed 6-0.

11. RESOLUTIONS:

A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF GREGORY B. TAYLOR ON BEHALF OF JP MORGAN CHASE BANK TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2008-1338; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Bocanegra)

Town Attorney, Mitch Bierman read the title of the resolution. The Town Manager presented the staff's recommendation.

Gregory Taylor, representing the JP Morgan Chase, spoke in favor of reducing the fine.

David Ofstein, Planning, Zoning, and Code Compliance Director, answered questions posed by Council.

Mayor Pizzi made a motion to approve staff's recommendation. The motion received a second from Vice Mayor Perdomo.

Mayor Pizzi withdrew his motion.

Mayor Pizzi made a motion that no reductions be granted on items 11A, B, C, and D. The motion received a second from Vice Mayor Perdomo and all were in favor.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF GREGORY B. TAYLOR ON BEHALF OF JP MORGAN CHASE BANK TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2008-0731; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Bocanegra)

Mayor Pizzi made a motion that no reductions be granted on items 11A, B, C, and D. The motion received a second from Vice Mayor Perdomo and all were in favor.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF GREGORY B. TAYLOR ON BEHALF OF JP MORGAN CHASE BANK TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2008-0361; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Bocanegra)**

Mayor Pizzi made a motion that no reductions be granted to items 11A, B, C, and D. The motion received a second from Vice Mayor Perdomo and all were in favor.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF GREGORY B. TAYLOR ON BEHALF OF JP MORGAN CHASE BANK TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2008-0245; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Bocanegra)**

Mayor Pizzi made a motion that no reductions be granted on items 11A, B, C, and D. The motion received a second from Vice Mayor Perdomo and all were in favor.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF JAVIER BUSTO AND TANIA BUSTO TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2008-0854; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Bocanegra)**

Town Attorney, Mitch Bierman read the title of the resolution. The Town Manager presented the staff's recommendation.

Javier Bustos, the homeowner, asked Council to eliminate his fine.

David Ofstein, Planning, Zoning, and Code Compliance Director, answered questions posed by Council.

Councilmember Pulido made a motion to reduce the fine to \$380.94. The motion received a second from Councilmember Simon and all were in favor.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF JULIO A. BURGOS AND KATHLEEN BURGOS TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2008-0609; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Bocanegra)**

Town Attorney, Mitch Bierman read the title of the resolution. The Town Manager presented the staff's recommendation.

Julio Burgos, the homeowner, explained the violations.

Mayor Pizzi made a motion that the fine be reduced to \$1,000.68 and paid within 90 days. The motion received a second from Councilmember Lopez and all were in favor.

G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF CLAUDIA SPETSOTIS TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2005-1510; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Bocanegra)

Town Attorney, Mitch Bierman read the title of the resolution. The Town Manager presented the staff's recommendation.

Claudia Spetsiotis, the homeowner, spoke in favor of reducing the fine. Councilmember Pulido made a motion to reduce the fine to \$5,476.12. The motion received a second from Councilmember Simon.

David Ofstein, Planning, Zoning, and Code Compliance Director, answered questions posed by Council.

Councilmember Pulido withdrew the motion.

Mayor Pizzi called for recess at 10:16 p.m.

The Mayor called the meeting to order at 10:29 p.m.

Town Clerk, Marjorie Tejada called the roll and the following Councilmembers were present: Robert Meador, Richard Pulido, Nancy Simon, Vice Mayor Nick Perdomo, and Mayor Michael Pizzi. Councilmembers George Lopez and Mary Collins were absent.

Councilmember Simon made a motion to reduce the fine to \$1,457.48. The motion received a second from Councilmember Pulido.

Councilmember Simon withdrew the motion.

Councilmember Meador made a motion to defer the item. Mayor Pizzi seconded the motion and asked staff to present an explanation on the incurred legal fees. The Town Clerk called the roll and all were in favor.

Vice Mayor Perdomo left the meeting at 10:58 p.m.

12. NEW BUSINESS:

A. Council Rules and Procedures (Pulido) Deferred

B. Resident Involvement and Opinion Campaign (Perdomo) Deferred

C. Adopt a Street by Young Marines (Meador)

Kenneth D. Ottley, commanding Officer of the National Young Marines program, spoke in favor of the item.

Councilmember Meador made a motion to allow the Young Marines to adopt 154th Street. The motion received a second from Councilmember Simon and all were in favor.

D. Local Economy Stimulation and Infrastructure Improvement (Pizzi) Deferred

- E. Tax Payer Protection Act (Lopez) Deferred**
- F. Autism Awareness Month (Pulido) Deferred**
- G. Quarterly Budget Reports for Council (Perdomo) Deferred**
- H. Town of Miami Lakes Census 2010 (Pizzi) Deferred**
- I. Beautification Committee Reorganization (Lopez) Deferred**
- J. Police Appreciation Event (Pulido)**
 Councilmember Pulido made a motion directing staff to identify funds and to coordinate the event. The motion received a second from Councilmember Simon and all were in favor. Councilmembers George Lopez, Mary Collins, and Vice Mayor Nick Perdomo were absent.
- K. Veteran's Day Parade Committee (Pizzi) Deferred**
- L. Ways that the Town can Increase Revenue (Lopez) Deferred**

13. REPORTS:

A. MAYOR AND COUNCILMEMBER REPORTS:

1. Appointments

Mayor Pizzi nominated Sandra Phagan and George Lopez to the Beautification Advisory Committee; Alina Bosch, Paul Villazon, and Karla Colbrook to the Elderly Affairs Committee; Nicole Green, Vanessa Long, Sergio Torres, and Audrey Alpizar to the Youth Activities Task Force; and Clarisell De Cardenas to the Cultural Affairs Committee.

Councilmember Simon made a motion to accept the nominations. The motion received a second from Mayor Pizzi and all were in favor.

- 2. Area Schools Overcrowding (Pulido) Deferred**
- 3. Funding for Pedestrian Crosswalk Signals (Perdomo) Deferred**
- 4. Project Citizen Health and Safety Initiatives Including Lowering of Speed Limits (Pizzi)**
 Mayor Pizzi reported on this item simultaneously with item 8D.
- 5. Town Committees (Pulido) Deferred**
- 6. Blocking the Box Statistics (Perdomo) Deferred**
- 7. Background Check Policy (Pulido)* Deferred**
- 8. Police K-9 (Pulido)* Deferred**
- 9. Televising Council Meetings (Simon) Deferred**

* Requires waiver of Section 6.7 of Town Council Meeting Rules

B. MANAGER'S REPORT:

C. ATTORNEY'S REPORTS:

14. FUTURE MEETINGS:

January 12, 2010 Regular Meeting, 6425 Miami Lakeway N, Miami Lakes 6:30 p.m.
 February 9, 2010 Regular Meeting, 6425 Miami Lakeway N, Miami Lakes 6:30 p.m.

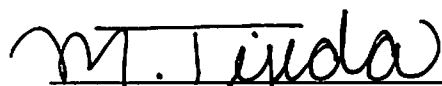
15. **ADJOURNMENT:** There being no further business to come before the meeting, it adjourned at 11:00 p.m.

Approved this 12th day of January, 2010.



Michael Pizzi, Mayor

Attest:



Marjorie Tejeda, Town Clerk