

# TOWN OF MIAMI LAKES, FLORIDA

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## 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

June 8, 2010

6:30 PM

Royal Oaks Park Community Center

16500 NW 87 Avenue

Miami Lakes, Florida 33018

1. **CALL TO ORDER:** Mayor Michael Pizzi called the meeting to order at 6:47 p.m.

2. **ROLL CALL:** Marjorie Tejeda, Town Clerk, called the roll with the following Councilmembers present: Richard Pulido, Robert Meador, Nancy Simon, Mary Collins, George Lopez, Vice Mayor Nick Perdomo, and Mayor Michael Pizzi.

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

4. **PLEDGE OF ALLEGIANCE:** The Mayor led the Pledge of Allegiance.

Tony Lopez, Assistant Manager and Director of Parks, gave a presentation on All America City.

Mayor Pizzi presented Nelson Rodriguez, Miami Lakes K-8 Center PTA President, with an award and a Key to the Town.

The Mayor moved item 12A to be heard first on the agenda with no objection from the Council.

## 5. PUBLIC COMMENTS:

Lynn Matos, Chair of the Youth Activities Task Force, spoke about the Miami Lakes Rocks event.

Angelo Garcia spoke about blasting issues in the town.

Alan Rigermann spoke about planning within the town.

Ray Vaughn spoke about the town's hurricane preparedness plan.

Mirtha Mendez spoke about Council term limits, election date being brought before the voters in the next election.

Pedro Carballo spoke about the start time of the Council meetings, hurricane preparedness, privacy issues, executive sessions, and senior mobility issues.

Tom McGrath spoke about hurricane preparedness.

Adrian Chiron spoke about the Beatification Committee, and travel for the All America City event.

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

Councilmember Collins withdrew item 13A2. Mayor Pizzi deferred item 8B. Councilmember Simon pulled items 8D, 8E, and 8C. Councilmember Meador pulled item 8A. Vice Mayor Perdomo requested to co-sponsor item 12B. Councilmember Pulido requested to add item 12J, entitled Child and Youth Safety Program.

Councilmember Collins made a motion to adopt the agenda as amended. Mayor Pizzi seconded the motion and all voted in favor.

Councilmember Simon made a motion to approve the consent agenda. The motion received a second from Councilmember Collins and all voted in favor.

Mayor Pizzi made a motion to reconsider item 8F. The motion received a second from Councilmember Meador and all voted in favor.

Mayor Pizzi called for a recess at 9:10 p.m.

Mayor Pizzi called the meeting to order at 9:26 p.m. The Town Clerk called the roll and all Councilmembers were present.

**7. COMMITTEE REPORTS: No reports.**

**8. CONSENT AGENDA:**

#### **A. Approval of Minutes:**

**May 11, 2010 Regular Meeting**

**May 13, 2010 Special Call Meeting**

Councilmember Meador requested that item 12D of the May 11, 2010 minutes be revised. Vice Mayor Perdomo made a revision to item 12E of the May 11, 2010 minutes.

Councilmember Pulido made a motion to defer the May 11, 2010 minutes.

The motion received a second from Mayor Pizzi and all voted in favor.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, DIRECTING LEGAL COUNSEL AND STAFF TO TAKE ALL NECESSARY STEPS TO ENFORCE THE MOST RESTRICTIVE POLICY IN ORDER PROTECT OUR CHILDREN FROM PREDATORS; AND PROVIDING FOR AN EFFECTIVE DATE. (Pizzi)**

Deferred by Mayor Pizzi.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING AN ADMINISTRATIVE POLICY REGARDING TRAVEL AND RELATED REIMBURSEMENTS; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THE POLICY; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein)**

Councilmember Simon made a motion to amend the policy as follows: 1) section 1 and 2 to replace Deputy Town Manager with Town Manager. 2) Add the language "as long as there are available funds" to section 3. The motion received a second from Mayor Pizzi and the motion passed 6-1 with Councilmember Meador voting in opposition.

Councilmember Pulido made a motion to eliminate section 4 and amend section 3 to include Town officials (elected and appointed) must submit a travel request through the Council assistant for confirmation by the Town Manager based on the availability of budgeted funds or other available funding sources provided that the Mayor and/or Councilmember(s) provides a report to the Town Council no later than seventy-two hours upon their return.

Mayor Pizzi amended the motion to include the following language to section 3, with a limit not-to-exceed \$2,000.00 provided that the Mayor and/or Councilmember(s) provides a report to the Town Council no later than seventy-two hours upon their return. In the circumstance that the travel budget is exceeded, the Town Manager will use his/her discretion to identify available funds.

Councilmember Simon made a motion to adopt as amended. The motion was seconded by Councilmember Collins and all were in favor.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF MARCELO M. MERLO TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2006-0669; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein)**

David Ofstein gave staff's presentation and recommendation.  
Mr. Marcelo Merlo requested that the Council reduce the fine.  
Mayor Pizzi made a motion to reduce the fine to the Town's cost. The motion received a second from Councilmember Pulido and all voted in favor.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF MARCELO L. MERLO TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2006-0670; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein)**

David Ofstein gave staff's presentation and recommendation.  
Mr. Marcelo Merlo requested that the Council reduce the fine.  
Mayor Pizzi made a motion to reduce the fine to the Town's cost. The motion received a second from Councilmember Pulido and all voted in favor.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF ARNALDO A. GONZALEZ AND MARICELA GONZALEZ TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2008-0867; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein)**

David presented staff's recommendation. Mr. Gonzalez requested that Council eliminate the fine.

Councilmember Collins made a motion to eliminate the fine. The motion received a second from Mayor Pizzi. After further discussion on the item, Councilmember Collins withdrew her motion.

Councilmember Collins made a motion to reduce the fine to the Town's cost. The motion received a second from Mayor Pizzi and all were in favor.

**9. ORDINANCES – FIRST READING:**

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 09-110; ADOPTING A REVISED BUILDING PERMIT FEE SCHEDULE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein)**

Mitch Bierman, Town Attorney read the ordinance.

Councilmember Collins made a motion to adopt the ordinance. The motion received a second from Councilmember Simon. The motion passed 7-0 with all Councilmembers voting in favor.

**10. ORDINANCES – SECOND READING (PUBLIC HEARING):**

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE 05-67 PERTAINING TO THE TOWN'S FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Ofstein)**

Mitch Bierman, Town Attorney, read the title of the ordinance. Ms. Sue Hopfensperger from the Insurance Services Office gave a presentation on National Flood Insurance Programs and Community Rating Systems.

Councilmember Collins made a motion to adopt the ordinance on second reading. The motion received a second from Councilmember Simon. The ordinance passed 7-0 with all Councilmembers voting in favor.

**11. RESOLUTIONS:**

**12. NEW BUSINESS:**

**A. Senior Mobility (Pizzi)**

Jan and Jerry Schneider spoke in favor of senior mobility in order for the elderly and disabled to have transportation.

Anne Van Eyten spoke in favor of the bus driver keeping his job and asked the Council to keep the bus transportation active.

Luis Collazo presented the Council with a report on senior transportation and planning initiatives.

Lynn Matos spoke in favor of the on-demand bus service.

Maggie Suazo spoke in favor of the bus for the elderly and handicapped.

Cesar Mestre spoke about the rights of the elderly and disabled and asked that the Council vote in favor of keeping the bus service.

Mayor Pizzi made a motion to establish a permanent town committee to make recommendations to the Council which would address senior mobility issues and that Councilmembers appoint 1 (one) member to the committee; assign the case Bennett vs. Town of Miami Lakes to Mr. Gonzalo Dorta, Town Attorney, to fight the pending litigation, and have the case dismissed. The motion received a second from Councilmember Collins.

Councilmember Pulido made a motion to override the Chair to be able to ask questions directly to the Town Attorney. The motion received a second from Councilmember Simon. The motion failed 4-2.

Councilmembers Simon and Pulido voted in favor. Councilmembers Lopez, Collins, Vice Mayor Perdomo and Mayor Pizzi voted in opposition. Councilmember Meador did not vote and stated that he had a point of order on the previous motion.

The Mayor asked the Town Clerk to call the roll on the original motion to establish a permanent town committee to make recommendations to the Council which would address Senior Mobility issues and that Councilmembers appoint 1 (one) member to the committee; assign the case Bennett vs. Town of Miami Lakes to Mr. Gonzalo Dorta, Town Attorney, to fight the pending litigation; and have the case dismissed. The motion passed 7-0 with all Councilmembers voting in favor.

## **B. Charter Review (Simon and Perdomo)**

Councilmember Perdomo made a motion for term limits to be 2 consecutive 4 year terms and for the question to be placed on the October election ballot.

Councilmember Simon seconded the motion.

Councilmember Meador amended the motion to include an amendment on the October election ballot changing the Town's election date to coincide with the County's General November election. The motion passed 5-2 with Councilmember Mary Collins and Richard Pulido voting in opposition.

**C. Passport (Lopez)**

Councilmember Lopez made a motion directing staff to contact Mario Diaz Balart's office to pursue a passport agency system for the Town. The motion received a second from Councilmember Collins and all voted in favor.

Councilmember Collins excused herself from the meeting at 11:00P.M.

**D. Evaluation of Hurricane Preparedness Procedures (Perdomo)**

Vice Mayor Perdomo made a motion directing the Town Manager to schedule a meeting with Mr. Ray Vaughn to discuss his ideas concerning the Town's hurricane preparedness. Mayor Pizzi asked that this meeting takes place within 7 days and to use the information taken from that meeting to prepare informational packets for the residents. Councilmember Meador would like to see generators used to operate main intersections in the event of a hurricane. The motion received a second from Councilmember Simon and all voted in favor.

**E. Town Travel Policy (Pulido)**

No action taken

**F. Fiscal responsibility and Budget Reductions (Pizzi)**

No action taken

**G. Posting Council Meetings and Workshops (Simon)**

No action taken

**H. Sex Offender Residency Restrictions (Pulido)**

No action taken

**I. Rental Dwelling within the Town (Lopez)**

No action taken

**J. Child and Youth Safety Programs (Pulido)**

No action taken

Councilmember Pulido directed staff to carry over his items from Reports and New Business to the next meeting.

**13. REPORTS:**

**A. MAYOR AND COUNCILMEMBER REPORTS:**

1. Appointments - No action taken
2. David Bennett & Concerned Citizens Vs Frank Bocanegra - and the Town of Miami Lakes (Collins) - No action taken
3. Media and Public Relations Policy (Pulido) - No action taken

**B. MANAGER'S REPORT:**

No Report

**C. ATTORNEY'S REPORTS:**

- 1. Request for Executive Session**  
No Report


**14. FUTURE MEETINGS:**

June 15, 2010 Planning and Zoning Board Meeting, 16500 NW 87 Avenue, 6:30 PM  
July 13, 2010 Regular Council Meeting, 16500 NW 87 Avenue, 6:30 PM

**15. ADJOURNMENT:**

There being no further business to come before the Council, the meeting adjourned at 11:02 p.m.

Approved this 14<sup>th</sup> day of Sept., 2010.

  
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Michael Pizzi  
Mayor

Attest:

  
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Marjorie Tejada  
Town Clerk