

# 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

September 14, 2010

6:30 PM

Royal Oaks Park Community Center

16500 NW 87 Avenue

Miami Lakes, Florida 33018

## PRESENTATIONS

Officer David Calles was presented with the Officer of the Month Award.

1. **CALL TO ORDER:** The Mayor called the meeting to order at 6:38 p.m.
2. **ROLL CALL:** Marjorie Tejada, Town Clerk, called the roll with the following Councilmembers present: George Lopez, Richard Pulido, Robert Meador, Mary Collins, Nancy Simon, Vice Mayor Nick Perdomo and, Mayor Michael Pizzi.
3. **INVOCATION/MOMENT OF SILENCE:** The Mayor called for a moment of silence.
4. **PLEDGE OF ALLEGIANCE:** The Mayor led the Pledge of Allegiance.

Vice Mayor Perdomo requested a point of personal privilege. The Mayor accepted his request. Vice Mayor Perdomo presented a gift to Councilmember Meador in recognition of his last regular council meeting and for his years of dedication to public service.

Councilmember Simon requested a moment of personal privilege and the Mayor recognized her request. Councilmember Simon thanked Councilmember Meador for his years of service.

## 5. PUBLIC COMMENTS:

Mirtha Mendez thanked Councilmember Meador for his service. She expressed her concerns about the Town Hall Meeting held on September 13, 2010.

Lynn Matos, Youth Activities Task Force Committee Chair, requested that \$1,500 from left over funds from the FY 09-10 budget be allocated toward the Just Run Program.

Josh Dieguez commended Councilmember Meador on his years of service and spoke about Council civility.

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

Councilmember Collins added item 12M entitled Just Run Program and moved item 12D to be heard under Committee Reports. Vice Mayor Perdomo moved items 12F and 12I to be discussed under the Committee Reports. Councilmember Meador requested that item 12B be heard first.

Vice Mayor Perdomo made a motion to limit Council discussion to 4 minutes with a one minute rebuttal and an extension of time to be given at the discretion of the Chair. The Mayor seconded the motion. The motion failed 4-3 due to a lack of a super majority vote. Councilmembers Mary Collins, George Lopez, Vice Mayor Nick Perdomo, and Mayor Michael Pizzi voted in favor. Councilmembers Robert Meador, Richard Pulido, and Nancy Simon voted in opposition.

**7. COMMITTEE REPORTS:**

**8. CONSENT AGENDA:**

Mayor Pizzi made a motion to approve the consent agenda. The motion received a second from Councilmember Meador and all voted in favor.

**A. Approval of Minutes:**

February 10, 2009 Regular Council Meeting  
March 10, 2009 Regular Council Meeting  
July 14, 2009 Regular Council Meeting  
September 8, 2009 Regular Council Meeting  
May 11, 2010 Regular Council Meeting  
June 8, 2010 Regular Council Meeting  
July 12, 2010 Special Call Meeting  
July 22, 2010 Special Call Meeting  
September 2, 2010 Special Call Meeting  
Item passed on consent.

**B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, REQUESTING THE CHIEF JUDGE TO APPOINT PERLA TABARES-HANTMAN TO THE TOWN CANVASSING BOARD PURSUANT TO SECTION 102.141(1)(d), FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey) Item passed on consent.**

**C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE SELECTION OF HOMESTEAD CONCRETE & DRAINAGE, INC. FOR TRAFFIC CALMING**

**IMPROVEMENTS FOR NW 162 STREET; APPROVING THE CONTRACT BETWEEN HOMESTEAD CONCRETE & DRAINAGE, INC. AND THE TOWN; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey) Item passed on consent.**

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE AGREEMENT FOR REMOVAL AND REPLACEMENT OF DAMAGED CONCRETE SIDEWALK BETWEEN HOMESTEAD CONCRETE & DRAINAGE, INC. AND THE TOWN OF MIAMI LAKES; AUTHORIZING TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE FIRST AMENDMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey) Item passed on consent.**

**9. ORDINANCES – FIRST READING:**

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

- 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. (Meador/ Rey)**

The Town Attorney, Mitch Bierman, read the title of the ordinance into the record.

Mayor Pizzi opened the public hearing. Being that no one wished to speak, the Mayor closed the public hearing.

Councilmember Meador made a motion to adopt the ordinance on second reading. Councilmember Collins seconded the motion.

Mayor Pizzi amended the motion to reduce the fee to \$100.00 and direct staff to explore the option to waive the fee completely. Councilmember Meador accepted the amendment.

Eliezer Palacio, Building Official, answered questions posed by the Council.

Councilmember Meador made a motion to defer the item. The motion received a second from the Mayor. Councilmember Collins amended the motion to direct staff to keep Councilmember Meador informed and that he

be kept the sponsor of this item. Town Clerk, Marjorie Tejeda, called the roll and the ordinance was adopted unanimously.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 08-104; AMENDING THE TOWN'S BUDGET FOR THE 2008-2009 FISCAL YEAR; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey) attorney read. The Town Attorney, Mitch Bierman, read the title of the ordinance into the record.**

Mayor Pizzi opened the public hearing. Being that no one wished to speak, the Mayor closed the public hearing.

Mayor Michael Pizzi made a motion to adopt the ordinance on second reading. Vice Mayor Nick Perdomo seconded the motion.

Samuel Reiner, representing Mr. Gus Abella, spoke in opposition to the adoption of the ordinance.

Town Clerk, Marjorie Tejeda, called the roll and the ordinance was adopted unanimously.

#### **11. RESOLUTIONS:**

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF SOUTHWEST FL LAND DEVELOPERS & INVESTORS, INC. TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2008-0729; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

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

Jhon Ballesteros spoke in favor of reducing the fine.

Councilmember Collins made a motion to accept staff's recommendation.

Vice Mayor Perdomo seconded the motion and all voted in favor.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF PATKY CHANGKACHITH AND CHRISTINA TAN-CHANGKACHITH TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2007-0375; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

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

Mr. Changkachith requested the Council reduce the fine to staff's cost.

Councilmember Simon made a motion to reduce the fine to the Town's cost. The motion received a second from Councilmember Meador. The motion passed 6-1 with Councilmember Lopez voting in opposition.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF PATKY CHANGKACHITH AND CHRISTINA TAN-CHANGKACHITH TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2008-0604; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

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

Mr. Changkachith requested the Council reduce the fine to staff's cost.

Councilmember Simon made a motion to reduce the fine to the Town's cost. The motion received a second from Councilmember Meador. The motion passed 6-1 with Councilmember Lopez voting in opposition.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF ALBERTO LLEONART AND MIRTA LLEONART TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2007-0884; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Mitch Bierman, Town Attorney read the resolution.

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

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF ALBERTO LLEONART AND MIRTA LLEONART TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2009-0467; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Mitch Bierman, Town Attorney read the resolution.

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

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF ALBERTO LLEONART AND MIRTA LLEONART TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2009-1027; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Mitch Bierman, Town Attorney read the resolution.

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

## **12. NEW BUSINESS:**

### **A. Tax Payer Relief (Lopez)**

Jorge De Apodaca thanked the Council for their leadership and fiscal accountability.

Joshua Dieguez spoke in favor of the item.

Mirtha Mendez spoke in favor of the item and the Town rolling back the millage rate. She expressed her concerns on the implementation of the rebate process.

Karen Sanders spoke about several spending options regarding the rebate funds.

Councilmember Lopez made a motion to return the surplus from the FY 08-09 to the residents. Vice Mayor Perdomo seconded the motion.

Mayor Pizzi made a friendly amendment to the motion directing the Town Manager to examine the logistics, legalities and the cost of refunding the rebate; and to calculate the correct amount of the rebate, bringing back a recommendation detailing the best way to disburse the surplus of up to \$600,000 to the property owners. Councilmember Lopez accepted the Mayor's friendly amendment.

Councilmember Meador made an amendment to include commercial and business property owners. Councilmember Lopez accepted the friendly amendment.

The motion passed 6-1 with Councilmember Pulido voting in opposition.

Mayor Michael Pizzi called for a short recess at 9:20 p.m.

The Mayor called the meeting to order at 9:47 p.m. Town Clerk, Marjorie Tejeda, called the roll with the following Councilmembers present: George Lopez, Richard Pulido, Robert Meador, Vice Mayor Nick Perdomo and Mayor Michael Pizzi. Councilmembers Nancy Simon and Mary Collins were absent.

### **B. Proposed Residential Code changes (Meador)**

Sergio Campos thanked Councilmember Meador for his outstanding service. He spoke about revisions to the code such as: commercial vehicles in residential areas, utility sheds, imposing a color palette and tree removal.

Councilmember Meador made a motion directing staff to research Mr. Campos' proposed provisions to be added to the Town's Code and to

come back to the Council with a recommendation to include any other proposals that staff and/or council may have. The motion received a second from Mayor Michael Pizzi and all voted in favor.

**C. Tax Payer Protection Act/ Council Expense Reductions (Pulido)**

Councilmember Pulido expressed his concern on non-budgeted items particularly the committees.

**D. Orange Bowl Committee (Collins)**

Mitch Moral, Orange Bowl Committee representative, spoke in favor of designating 77<sup>th</sup> Court to Orange Bowl Way.

Councilmember Collins made a motion directing staff to bring back a resolution at the October Meeting designating 77<sup>th</sup> Court to Orange Bowl Way. Mayor Michael Pizzi seconded the motion. The motion passed 6-0 with Vice Mayor Perdomo absent from the dais.

**E. Traffic Relief on the Royal Oaks Park Area (Simon)**

Mayor Pizzi presented the item on behalf of Councilmember Simon.

Jorge De Apodaca spoke about the successful results of the previous nights Town Hall Meeting. Major Alvarez answered questions posed by the Council.

**F. Prime Security Measures (Perdomo)**

Major Ignacio Alvarez spoke about the positive aspect of implementing this system.

Todd Agges, Sensys America representative, gave a presentation on the automated license recognition system and answered questions posed by Council.

Vice Mayor Perdomo made a motion directing the Town Manager to meet with Sensys and the Police Major; to come back to the Council with a recommendation to include a cost analysis; to include proposals from other companies and that the item be brought back before the Council at the next Council Meeting. The motion was seconded by Councilmember Collins and all voted in favor.

**G. Miami Lakes Emergency Communications System (Pizzi)**

Andrew Korge from Atlantic Radio Network explained that his company builds small radio stations which can be used for emergency and informative purposes. The Mayor made a motion directing staff to meet with Mr. Korges and come back to the Council with a recommendation to include a contract or utilize the bid process for implementation of a radio station.

**H. Council Rules and Procedures (Pulido)**

Councilmember Pulido made a motion redirecting staff to schedule this item and Robert's Rules of Order to be discussed at a Council Workshop

within 60 days. The motion received a second from Vice Mayor Perdomo. The Mayor called for the vote and the motion passed 5-0. Councilmembers Mary Collins and Nancy Simon were absent.

**I. Extension of Line Item Expenditure Approvals (Perdomo)**

Vice Mayor Perdomo made a motion to extend the current procedure in place and that the Council continue to receive quarterly budget reports. Mayor Pizzi seconded the motion. The Mayor amended the motion that this item be discussed at Thursday night's Budget Hearing. The Vice Mayor accepted the amendment. The Mayor called for the vote and all were in favor. Councilmembers Mary Collins and Nancy Simon were absent.

**J. Shutter Usage Regulation (Lopez)**

Councilmember Lopez made a motion to bring back an ordinance regulating the time limit that shutters are utilized. The Mayor seconded the motion.

Mayor Pizzi amended the motion directing staff to research and to bring back more information at the next council meeting. Councilmember Lopez accepted his amendment. The Mayor called for the vote and all were in favor. Councilmembers Mary Collins and Nancy Simon were absent.

**K. Town of Miami Lakes "No One Gets Left Behind Program" (Pizzi)**  
Mayor Pizzi deferred this item to next month's council meeting.

**L. Town Committee/Boards (Pulido)**

Councilmember Pulido made a motion that the Planning and Zoning Board Ordinance be brought back at the next Council meeting to amend the criteria for membership. Councilmember Meador seconded the motion. The motion passed 5-0. Councilmembers Nancy Simon and Mary Collins were absent.

**M. Just Run Program (Collins)**

Mayor Pizzi made a motion that \$1,500 from the Youth Activities Task Force be allocated toward the Just Run Program. Councilmember Lopez seconded the motion. The motion passed 5-0. Councilmembers Nancy Simon and Mary Collins were absent.

Mayor Pizzi made a motion to defer item 13. Vice Mayor Perdomo seconded the motion and the motion passed 5-0. Councilmembers Nancy Simon and Mary Collins were absent.

**13. REPORTS:**

**A. MAYOR AND COUNCILMEMBER REPORTS:**



1. Appointments Item Deferred
2. Town Media Policy (Pulido) Item Deferred

**B. MANAGER'S REPORT:**

1. D.A.R.E. Program Item Deferred

**C. ATTORNEY'S REPORTS:**

1. Sexual Offender Restrictions Item Deferred

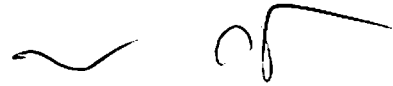
**14. FUTURE MEETINGS:**

September 16, 2010 First Budget Hearing, 16500 NW 87 Avenue, 5:01 p.m.

September 28, 2010 Second Budget Hearing, 16500 NW 87 Avenue, 5:01 p.m.

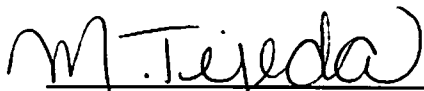
**15. ADJOURNMENT:** There being no further business to come before the Council, the meeting adjourned at 11:05 p.m.

Approved this 12<sup>th</sup> day of October, 2010.



Michael Pizzi, Mayor

Attest:

  
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Marjorie Tejada, Town Clerk