

TOWN OF MIAMI LAKES, FLORIDA

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AGENDA
Regular Council Meeting
October 9 2012
6:30 PM
Royal Oaks Park Community Center
16500 NW 87th Avenue
Miami Lakes, Florida 33018

1. CALL TO ORDER:

Mayor Michael Pizzi called the meeting to order at 6:38 p.m.

2. ROLL CALL:

Marjorie Tejeda, Town Clerk, called the roll and the following Councilmembers were present: Mary Collins, Nelson Hernandez, Nick Perdomo, Richard Pulido, Tim Daubert, Vice Mayor Ceasar Mestre and Mayor Michael Pizzi.

3. INVOCATION/MOMENT OF SILENCE:

Reverend Peter Lambert, Our Lady of the Lakes Catholic Church, gave the invocation.

4. PLEDGE OF ALLEGIANCE:

The Mayor asked Councilmember Nick Perdomo to lead the Pledge of Allegiance.

5. PUBLIC COMMENTS:

The Mayor proclaimed October as (Breast Cancer Awareness Month)

Gabriel Nitti spoke in favor of item 10(A).

Jose Soberon spoke about not being informed of the dangers posed in Alamanda Avenue.

Bobby Costa spoke about the project effecting all residents in Alamanda Avenue.

Isabel Benavides spoke about the notification process and was thankful for the safety measures that will take place in Alamanda Avenue.

Eugenio Ochoa spoke in favor of item 10(A).

Pablo Uribasterra spoke about the notification process.

Karen Sanders requested a public hearing regarding item 10(A), with a 30 day notice prior to the hearing.

Tony Lama spoke in favor of item 10(A).

Maggie Van Gelder and Emilio Izquierdo, from the Cuban American Patriots and Friends, presented Mayor Michael Pizzi with an award for his legal advise on their projects.

Hope Reynolds thanked Councilmember Daubert for inviting her to the Florida League of Cities Conference; she thanked Vice Mayor Mestre for his economic initiatives and spoke about a database for resumes; she spoke about automatic response.

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

Mayor Pizzi requested to discuss item 10(A) first. Councilmember Pulido pulled item 8 (i). The Town Manager withdrew item 8(A) and the Mayor deferred item 9(b) to the November Regular Council Meeting. Councilmember Collins made a motion to accept the agenda as amended and it received a second from the Mayor. All were in favor.

Mayor Pizzi made a motion to adopt the remaining items on the consent agenda. The motion received a second from Vice Mayor Mestre and all were in favor.

7. COMMITTEE REPORTS:

No Committee Reports.

8. CONSENT AGENDA:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM EDUARDO BLANCO OF 5 DIAMOND MANAGEMENT & REAL ESTATE ON BEHALF OF DEUTSCHE BANK NATIONAL TRUST COMPANT AS TRUSTEE FOR AMERICAN HOME MORTGAGE ASSETS TRUST 2006-5 TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2006-0654 AND C2012-0377; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

The Town Manager withdrew item 8(A) from the agenda. Councilmember Collins made the motion and it received a second from Mayor Pizzi.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM SELECT PORTFOLIO SERVICING, INC. ON BEHALF OF U.S. BANK NATIONAL ASSOCIATION TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2011-1013 AND C2004-0258; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Passed on consent.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING THE REQUEST OF NOEL MELO AND MARIA MELO TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2012-0119; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Passed on consent.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING THE REQUEST OF PIONEER INVESTMENT ENTERPRISES, INC. TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2010-1641; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Passed on consent.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE A WORK ORDER PROPOSAL TO BERMELO**

**AJAMIL AND PARTNERS, INC, FOR A TOWN-WIDE BEAUTIFICATION MASTER PLAN, IN THE AMOUNT OF \$48,426; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
(Rey)**

Passed on consent.

**F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING THE REQUEST OF AURORA LOAN SERVICES, LLC. TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2012-0727; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.
(Rey)**

Passed on consent.

**G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO EXECUTE A WATER AND SEWER AGREEMENT WITH MIAMI-DADE COUNTY FOR THE OPTIMIST PARK, AND TO GRANT THE NECESSARY EASEMENTS FOR THE MAINTENANCE OF THE WATER AND SEWER SYSTEMS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
(Rey)**

Passed on consent.

H. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE AWARD OF CONTRACT FOR ITB 2012-35, INSTALLATION OF PLAYGROUND EQUIPMENT, IN THE AMOUNT OF \$101,093.85 TO J.B. BUILDERS & CONTRACTORS, INC. D/B/A BALLARENA CONSTRUCTION; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on consent.

I. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE AWARD OF CONTRACT FOR ITB 2012-49, CONSTRUCTION OF YOUTH CLUB CENTER AT PARK EAST, IN THE AMOUNT OF \$1,078,560 TO J.B. BUILDERS & CONTRACTORS, INC. D/B/A BALLARENA CONSTRUCTION; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Mayor Pizzi made a motion to adopt the resolution. Councilmember Perdomo seconded the motion and all were in favor.

- J. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER TO APPLY FOR A GRANT FROM THE US SOCCER FOUNDATION GRANT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO SATISFY THE REQUIREMENTS OF THE GRANT APPLICATIONS; PROVIDING COMMITMENT OF MATCHING FUNDS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Passed on consent.

- K. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXERCISE THE OPTION TO PURCHASE eMARKUP, AN ELECTRONIC PLAN REVIEW MODULE OF CRW'S TRAKit SOFTWARE, PER THE AGREEMENT DATED SEPTEMBER 12, 2011, TO BE PAID IN THREE INSTALLMENTS OVER A THREE YEAR PERIOD AT \$15,000 PER YEAR, AT A TOTAL COST OF \$45,000; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PURCHASE; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Passed on consent.

9. ORDINANCES-SECOND READING (PUBLIC HEARING):

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES PROVIDING FOR TREE REMOVAL PERMIT APPLICATIONS, REQUIREMENTS, REVIEW, FEES, AND CRITERIA FOR REMOVAL; PROVIDING FOR TREE REPLACEMENT AND PROTECTION, APPEAL CRITERIA, FINES, ENFORCEMENT, PENALTIES AND REMEDIES; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, PROVIDING FOR INCLUSION IN THE TOWN'S CODE, PROVIDING FOR EFFECTIVE DATE. (Rey)**

Town Attorney, Joseph Geller, read the title of the ordinance into the record. Mayor Pizzi opened the public hearing.

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

Councilmember Collins made a motion to adopt the ordinance on second reading and amend that Royal Poinciana Trees must be added to the Tree Replacement and Protection. The motion was seconded by Mayor Pizzi and all were in favor.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING ARTICLE IX, SIGN CODE, OF CHAPTER 13, LAND DEVELOPMENT CODE, OF THE TOWN'S CODE BY AMENDING SECTION 13-1902, DEFINITIONS, SECTION 13-1903, GENERAL REQUIREMENTS FOR ALL SIGNS, AND SECTION 13-1904, ADDITIONAL REQUIREMENTS FOR SIGNS; TO CLARIFY DEFINITIONS; TO PROVIDE REGULATIONS FOR BANNERS AND TEMPORARY SIGNS; CHANGING REGULATIONS FOR SIGNS IN THE RIGHT-**

OF-WAY; TO AMEND REGULATIONS FOR BOX SIGNS; TO PROVIDE REGULATIONS FOR PROMOTIONAL EVENTS; PROVIDE FOR OPTING OUT OF CERTAIN PROVISIONS OF THE MIAMI-DADE COUNTY CODE RELATING TO HEIGHT OF POINT OF SALE SIGNS IN PROTECTED AREAS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Mestre)

Councilmember Collins made a motion to defer item 9(B) to the November Town Council Meeting. The motion was seconded by Mayor Pizzi and all were in favor.

10. NEW BUSINESS:

A. Traffic on Alamanda Avenue (Pizzi)

Mayor Pizzi made a motion directing staff to meet with residents and gather residents input regarding the traffic situation on Alamanda Avenue, prior to the traffic study being completed by Miami Dade County. Once the traffic study is completed by Miami Dade County, staff must take action to protect the people of the area. Councilmember Hernandez amended the motion to direct staff to look into the placing of a traffic circle at the intersection of Silveroak and Alamanda Avenue. Mayor Pizzi accepted the amendment. Councilmember Collins amended the motion to place a speed radar reader machine in Alamanda Avenue to tell people how fast they are driving. Mayor Pizzi accepted the amendment. The motion received a second from Councilmember Perdomo and all were in favor.

B. 5 Point Plan: Beautification: Tree Replacement Plan (Hernandez)

Councilmember Hernandez made a motion directing staff to create a procedure allowing residents to remove and replace trees on their property that are causing problems for them, at their own cost. Residents must replace an existing tree on their property with an approved tree congruent to the town's Beautification Master Plan. This motion was seconded by Councilmember Perdomo and all were in favor.

C. Foreclosures and Liens on Non-Homestead Properties (Pizzi)

Mayor Pizzi made a motion directing staff to consider adopting a policy option for the Town of Miami Lakes to foreclose a property and recuperate it as an investment, only in those extreme circumstances where the property is completely abandoned, not homestead and considered a public safety hazard for the Town of Miami Lakes. Staff must come back with a set of criteria and a legal analysis as to whether or not the Town should adopt this policy. The motion was seconded by Vice Mayor Mestre and all were in favor.

D. Duck Awareness and Protection (Hernandez)

Councilmember Hernandez made a motion directing staff to come back with a cost effective plan or procedure in which duck awareness signs are implemented. The motion was seconded by Mayor Pizzi. The motion passed 6-1 with Councilmember Perdomo voting in opposition.

11. REPORTS:

A. MAYOR AND COUNCIL MEMBER REPORTS:

1. Florida League of Cities Conference (Daubert)

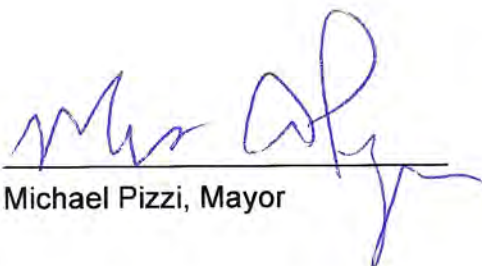
Councilmember Daubert reported on the Florida League of Cities Conference that he

attended from August 23 to August 25, 2012.

ADJOURNMENT:

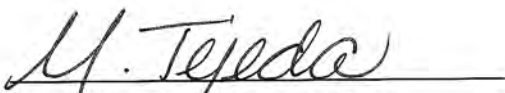
There being no further business to come before the Council, the meeting adjourned at 8:40 p.m.

Approved this 11th day of December, 2012.



Michael Pizzi, Mayor

Attest:



Marjorie Tejada, Town Clerk