

TOWN OF MIAMI LAKES, FLORIDA

**MINUTES
Regular Council Meeting
February 12 2013
6:30 PM
Royal Oaks Park Community Center
16500 NW 87th Avenue Miami Lakes, FL 33018
Miami Lakes, Florida 33018**

1. CALL TO ORDER:

Mayor Michael Pizzi called the meeting to order at 6:44 p.m.

2. ROLL CALL:

Town Clerk, Marjorie Tejeda, called the roll with the following Councilmembers present: Nelson Hernandez, Tony Lama, Tim Daubert, Manny Cid, Nelson Rodriguez, Vice Mayor Mestre and Mayor Michael Pizzi.

3. INVOCATION/MOMENT OF SILENCE:

Officer Juan Rodriguez led the invocation.

4. PLEDGE OF ALLEGIANCE:

Nicole Singletary led the Pledge of Allegiance.

5. PUBLIC COMMENTS:

The Mayor presented a Certificate of Excellence in Achievement in Karate to Valentina Vega.

The Mayor presented a Certificate for Excellence in Achievement in Karate to Eric Lamedes.

The Mayor presented the Certificate of Completion award to Councilman Manny Cid in honor of his completion of the 3 day educational program in the 2013 Institute of Elected Municipal Officials.

Alex Ariano spoke on behalf of an ex-political cuban prisoner who recently visited the Town of Miami Lakes and was welcomed with love and support from the Town of Miami Lakes and its residents. Mr. Ariano also spoke about the great job the Town of Miami Lakes is doing regarding the cleaning of the streets, the green canopy and the wonderful people who reside in the Town.

Hope Reynolds spoke on behalf of a hearing impaired man who is seeking a part time job in the Town of Miami Lakes. She also thanked the Town of Miami Lakes for protecting the

minors, the elderly, for keeping the Town clean and well informed. She also requested the name of the Code Enforcement Department be changed to Code Encouragement Department.

Cyndi Byer spoke in favor of the Town of Miami Lakes and thanked the Police for protecting the Windmill Gate community.

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

Councilman Daubert pulled item 8E. Councilman Rodriguez moved 10E to be discussed after the consent agenda. Mayor Pizzi made a motion to adopt the agenda as amended and it received a second from Vice Mayor Mestre and all were in favor.

7. COMMITTEE REPORTS:

Economic Development Committee

Vice Mayor Mestre deferred the report to next month.

8. CONSENT AGENDA:

A. Approval of Minutes: January 22, 2013 Regular Council Meeting

Passed on consent.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM MARTA I. MACHINA TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2010-1627; 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 A REQUEST FROM EDWARD F. GROSS AND DOROTHY A. GROSS TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2010-1270; 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, APPROVING TENTATIVE SETTLEMENT TERMS BETWEEN THE TOWN OF MIAMI LAKES AND FX FARREY, JR. AND MARIANNE FARREY IN CONNECTION WITH CODE ENFORCEMENT CIVIL PENALTIES PROCEEDINGS (CITATION NO. C2012-0523); DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

(Rey)

Passed on consent.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF PROPOSED AMENDMENTS TO THE TOWN CHARTER; SUBMITTING PROPOSED CHARTER AMENDMENTS TO ARTICLE II OF THE TOWN CHARTER, ALLOWING AT-LARGE ELECTIONS INSTEAD OF RESIDENTIAL DISTRICT ELECTIONS; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORATE; CALLING A SPECIAL ELECTION ON THE PROPOSED AMENDMENTS TO THE TOWN CHARTER TO BE HELD ON _____; PROVIDING FOR MAIL BALLOT ELECTION; PROVIDING FOR NOTICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR RELATED MATTERS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR AN EFFECTIVE DATE. (Pizzi)

Mayor Pizzi made a motion to adopt the resolution and it received a second from Councilman Lama. The Town Clerk called the roll and the resolution passed with a vote of 6-1, with Councilman Daubert voting in opposition.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO AWARD A CONTRACT TO SUPERIOR LANDSCAPING & LAWN SERVICE, INC., FOR FDOT GROUND MAINTENANCE SERVICES; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY 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.

- G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO PURCHASE INFORMATION TECHNOLOGY EQUIPMENT THROUGH AN EXISTING NATIONAL JOINT POWERS ALLIANCE COOPERATIVE; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY 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 WAIVE PROCUREMENT ORDINANCE AND DELEGATE THE AUTHORITY TO THE TOWN MANAGER TO AWARD CONTRACT FOR LOW VOLTAGE WIRING, PROVIDED IT IS THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER, IN AN AMOUNT NOT TO EXCEED \$50,000; 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, URGING SUPPORT OF HB 113, DISTRIBUTION OF MATERIALS HARMFUL TO MINORS, ADDRESSING VIOLATIONS REGARDING SCHOOL SECURITY POLICIES; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THIS RESOLUTION; DIRECTING THE STATE LOBBYIST TO IMPLEMENT THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE. (Pizzi)

Passed on consent.

9. ORDINANCES-SECOND READING (PUBLIC HEARING):

A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AND IMPLEMENTING FLORIDA CONSTITUTIONAL AMENDMENT 11, WHICH PROVIDES AN ADDITIONAL TAX EXEMPTION FROM COUNTY AND MUNICIPAL TAXES FOR CERTAIN QUALIFIED SENIOR CITIZENS, PURSUANT TO ARTICLE VII, SECTION 6(d) OF THE FLORIDA CONSTITUTION; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Pizzi)

The Town Clerk read the title of the ordinance. Mayor Pizzi opened the public hearing. There being no one wishing to speak, the Mayor closed the public hearing. Mayor Pizzi thanked State Representative Jose R. Oliva for his support in Tallahassee regarding the additional tax exemption.

Mayor Pizzi made a motion to adopt the ordinance on second reading and it was seconded by Councilman Cid. The Town Clerk called the roll and the motion passed unanimously.

B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 12-150; AMENDING THE TOWN'S BUDGET FOR THE 2012-13 FISCAL YEAR; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING FOR CONFLICTS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

The Town Clerk read the title of the ordinance.

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

Councilman Lama made a motion to amend the ordinance to reduce the managers line item to \$1,500 per year. Councilman Lama withdrew the motion. Councilman Lama made a motion to defer the \$30,000 of bonuses to be discussed at the Strategic Planning Session. Vice Mayor Mestre seconded Councilman's Lama amendment and all were in favor.

Councilman Cid made a motion to allocate the \$30,000 to the webcasting and to withdraw the request for funding the e-library. Councilman Hernandez seconded the motion. The Town Clerk called the roll and the motion passed 5-2 with Mayor Pizzi and Councilman Lama voting in opposition.

Councilman Cid made a motion to adopt the ordinance with the following amendments: to move \$30,000 to the reserves and for the staff bonuses to be discussed at the Strategic Planning Retreat, to allocate \$30,000 to the webcasting and for the Town Manager to send quarterly reports to the Town Council regarding all transactions done. The motion received a second from Vice Mayor Mestre. The Town Clerk called the roll and the motion passed 6-1 with Mayor Pizzi voting in opposition.

10. NEW BUSINESS:

A. Travel Policy for Mayor and Council (Pizzi)

Mayor Pizzi made a motion for the Mayor or the designee to be able to travel under the Charter provisions and that the Mayor or designee must present a detailed report to the Town Council at the next Council Meeting. Each councilmember will be able to travel with no oversight once a year with a \$1,500 cap limit. Any other travel requested by councilmembers must be included in an Agenda meeting to be presented to the Town Council. Vice Mayor Mestre made a friendly amendment, requesting councilmembers to also present a detailed report about the trip taken and to present it to the Town Council at the next Council meeting. Mayor Pizzi accepted the amendment. The Town Manager made a friendly amendment, requesting one trip per department per year for staff employees or they can get approval by including it in the travel budget for staff. Staff must also present a report to the Council at the next Council Meeting. Vice Mayor Mestre seconded the motion and all were in favor.

B. Amendment of Art. 5, section (b) 1(a) of the Land Development Code (Mestre)

Mr. Luis Alvarez spoke about not being able to put a perimeter wall on his corner lot property due to the Land Development Code, unless he applies for a variance.

Vice Mayor Mestre made a motion to amend Art. 5, section (b) 1(a) of the Land Development Code, only applying to specific neighborhoods. Mayor Pizzi seconded the motion and all were in favor.

Mayor Pizzi called for a short recess at 8:41 p.m.

Mayor Pizzi called the meeting to order at 8:56 p.m.

Marjorie Tejeda, Town Clerk, called the roll and all Councilmembers were present.

Mr. Cyril Nzerue, spoke regarding Case No. 2012-1589 fine reduction case that was passed on the consent agenda at the December 11, 2012 Council Meeting. He stated that he did not have an opportunity to speak on said meeting. Mayor Pizzi requested a status report on this case for the March Council Meeting.

C. Miami Lakes Twitter Account (Lama)

Councilman Lama made a motion to leave it to the P.I.O. and to the Committee Coordinator to be responsible for making the "tweets" and to delegate to the Town Manager the ability to disable the system immediately and report to the Town Council, if in his discretion, he thinks that comments are being harmful and damaging. Mayor Pizzi seconded the motion and all were in favor.

D. Vox Populi - Voice of the People (Cid)

This item was simultaneously discussed with item 9B.

E. Candy Flavored Cigarettes (Rodriguez)

Miami Lakes K-8 Center SWAT group students made a presentation regarding the sale of Candy flavored cigarettes and requested the enactment of some protective legislation banning the sale of these cigarettes. Mayor Pizzi asked Councilman Rodriguez to work with staff on a Resolution and to discuss this further on the March Council Meeting. All were in favor.

F. 5 Point Plan: Fiscal Responsibility (Hernandez)

Councilman Hernandez deferred this item to the Economic Development Committee.

G. Health Insurance Plans (Mestre)

Vice Mayor Mestre made a motion for staff to reach out to different health insurance companies that might be more cost effective for employees and Council, while maintaining the same benefits of our current health insurance. Vice Mayor Mestre will provide staff

within 30 days, a list of health insurance companies for the Town of Miami Lakes to solicit information. Mayor Pizzi seconded the motion and all were in favor.

H. Miami Lakes Community Center East - Steve Blake & James Jones (Cid)

Councilman Cid made a motion to designate a wall on the new Youth Center as the Miami Lakes Athletic Hall of Fame. Nominees will come before the Town Council. The motion was seconded by Mayor Pizzi and all were in favor.

I. Special Needs Program for Children (Hernandez)

Councilman Hernandez made a motion for the staff to provide programs for special needs children and to start working with vendors to explicitly and exclusively provide programs tailored to children with special needs. Councilman Hernandez will also make a presentation to the Special Needs Committee. The motion was seconded by Mayor Pizzi and all were in favor.

J. The Town of Miami Lakes Citizen Survey (Cid)

Councilman Cid made a motion for the staff to implement a bi-annual survey for residents to voice their opinion regarding how the Town of Miami Lakes is doing. Mayor Pizzi asked for the Town Manager to provide a cost estimate for the survey, to report on how this survey works in conjunction with the website and the twitter implementation and provide what is the criteria to be used on this survey. Staff must bring back this information back to the Council on the March Council Meeting. This motion was seconded by Mayor Pizzi and all were in favor.

11. REPORTS:

A. MAYOR AND COUNCIL MEMBER REPORTS:

1. Appointments

Mayor Pizzi appointed Mary Collins to the Veteran's Committee, Youth Activities Task Force and to the Cultural Affairs Committee.

Fabian Ospina to the Veteran's Committee.

Leticia Delgado to the Youth Activities Task Force Committee.

Martha Diaz removed from the Economic Development Committee.

Scott Van Putten to the Economic Development Committee.

Jonathan De La Torre to the to Public Safety Committee.

Esther Garcia appointed to the Youth Activities Task Force Committee.

Lissette Alvarez appointed to the Cultural Affairs Committee.

Esther Garcia appointed to the Youth Activities Task Force.

Francisco Mingo appointed to the Police Department Review Task Force.

Jessica Fernandez appointed to the Cultural Affairs Committee.

Lisa Rodriguez appointed to the Cultural Affairs Committee.

Mike Anchia appointed to the Police Department Review Task Force.

2. 87th Avenue (Pizzi)

Mayor Pizzi stated that the construction of 87th Avenue has already started and moving forward.

3. Institute for Elected Municipal Officials (Cid)

Councilman Cid gave a report on the 2013 Institute for Elected Municipal Official 3 day educational program. The training was scheduled for January 25-27, 2013.

4. Expediting of County, Federal and State Projects in Miami Lakes (Pizzi)

Mayor Pizzi met with Miami-Dade County, Mayor Carlos A. Gimenez and asked him to allow the Town of Miami Lakes to move forward with some Town projects and for them to reimburse us later. Mayor Gimenez denied our petition.

B. MANAGER'S REPORT:

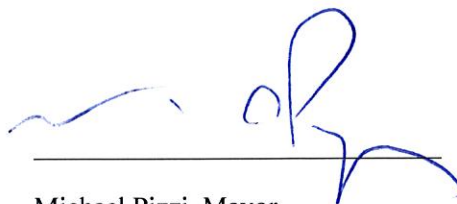
1. Approval of Financing Approach for 154th Street

Alex Rey, Town Manager, gave a financial report on the completion of the crossroad of 154th Street.

ADJOURNMENT:

There being no further business to come before the Council, the meeting adjourned at 10:10 p.m.

Approved this 12 day of March, 2013.



Michael Pizzi, Mayor

Attest:



Marjorie Tejeda, Town Clerk