

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** **January 12, 2010** **6:30 PM**

Miami Lakes Middle School
6425 Miami Lakeway North
Miami Lakes, Florida 33014

PRESENTATIONS:

Vice Mayor Perdomo presented the Mayor, Sgt. Eduardo Ruesga, Town of Miami Lakes Police Department, and several firefighters with plaques of appreciation for their act of heroism.

1. CALL TO ORDER:

The Mayor called the meeting to order at 6:42 p.m.

2. ROLL CALL:

Marjorie Tejeda, Town Clerk, called the roll with the following Councilmembers present: Nancy Simon, Mary Collins, Robert Meador, George Lopez, Richard Pulido, 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:

Mayor Pizzi led the Pledge of Allegiance.

5. PUBLIC COMMENTS:

Abel Fernandez thanked the Council for their continued service and support.

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

Mayor Pizzi pulled item 8C. Councilmember Collins added item 13 (7) entitled Tenth Anniversary Cultural Events and requested to co-sponsor item 12K. Councilmember Meador requested to be added as a co-sponsor to item 12D and pulled item 8B. Frank Bocanegra, Town Manager, deferred items 11C

and 11D, and added item 11F. Councilmember Lopez requested to add item 12P, entitled Tax Payer Protection Act, which was four day ruled according to our Council Procedures. Motion to approve the agenda as revised was made by Councilmember Collins. The motion received a second from the Mayor and all were in favor.

Vice Mayor Perdomo made a motion to limit discussion to three (3) minutes with one (1) minute rebuttals per Councilmember. The motion received a second from Councilmember Collins. The Town Clerk called the roll and the motion passed 6-1 with the following Councilmembers voting in favor: Robert Meador, George Lopez, Mary Collins, Richard Pulido, Vice Mayor Nick Perdomo and Mayor Michael Pizzi. Councilmember Nancy Simon voted in opposition.

7. COMMITTEE REPORTS:

No report was given.

8. CONSENT AGENDA:

A. Approval of Minutes:

December 8, 2009 Regular Council Meeting

Councilmember Collins 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, APPROVING THE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF MIAMI LAKES FOR THE TOWN'S SCHOOL RESOURCE OFFICER PROJECT; 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; AND PROVIDING FOR AN EFFECTIVE DATE. (Bocanegra)

Motion to approve the agreement with Miami Dade County was made by Mayor Pizzi. 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, APPROVING THE SELECTION OF PETRIZZO STRATEGIC GROUP, INC. FOR FEDERAL LEGISLATIVE CONSULTING AND LOBBYING SERVICES; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AN AGREEMENT BETWEEN PETRIZZO STRATEGIC GROUP, 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 AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (Bocanegra)

Mayor Pizzi made a motion to approve the resolution and authorize the Manager to negotiate an agreement with Petrizzo Strategic Group, Inc. The motion was amended by Mayor Pizzi authorizing the Manager to negotiate an agreement with Petrizzo Strategic Group, Inc within the budgeted amount for these services. In the event that an agreement cannot be reached, the Manager will bring this item back before the Council for approval. The motion received a second from Councilmember Collins and all were in favor.

9. ORDINANCES – FIRST READING:

10. ORDINANCES – SECOND READING (PUBLIC HEARING):

- 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)**

Mitch Bierman, Town Attorney, 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. The motion received a second from Councilmember Lopez. Councilmember Meador amended the motion to include Miami Lakeway North, Miami Lakeway South, and NW 89th Avenue. Kathy Mehaffey, Town Attorney, answered questions posed by Council. Mayor Pizzi made a second amendment to section E of the ordinance to include "No Solicitation Signs". The Ordinance passed with all Councilmembers in favor.

11. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING THE REQUEST OF BATTLE & KEEN TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2005-0458; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Bocanegra)**

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

David Ofstein, Director of Planning and Zoning and Code Enforcement provided the Council with some history on the case and presented staff's recommendation.

A motion to reduce the code compliance fine to \$9,612.38 was made by Councilmember Collins. The motion received a second from Councilmember Meador and all were in favor

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING THE REQUEST OF BATTLE & KEEN TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2006-0321; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Bocanegra)**

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

David Ofstein, Director of Planning and Zoning and Code Enforcement, presented staff's recommendation.

A motion to reduce the code compliance fine to \$2,633.48 was made by Councilmember Collins. 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 ALBERTELLI LAW ON BEHALF OF WELLS FARGO BANK, N.A. AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2008-0176; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Bocanegra)**

Deferred by the Town Manager.

D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF ALBERTELLI LAW ON BEHALF OF WELLS FARGO BANK, N.A. AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2008-0507; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Bocanegra)

Deferred by the Town Manager.

E. 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)

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

David Ofstein, Director of Planning and Zoning and Code Enforcement provided the Council with the case history and presented staff's recommendation.

Claudia Spetsiotis spoke in favor of the fine reduction.

A motion was made by Councilmember Pulido to reduce the fine to \$1,569.86. 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 WAIVING PROCUREMENT PROCEDURES; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AN AGREEMENT; AUTHORIZING TOWN OFFICIALS TO IMPLEMENT THE AGREEMENT; AUTHORIZING THE EXECUTION OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (Addition by Bocanegra, Town Manager)

A motion to approve the resolution was made by Vice Mayor Perdomo. The motion received a second from Councilmember Collins and all were in favor.

12. NEW BUSINESS:

A. Preserving our Public Swale Areas on Heavily Traveled and/or Major Roads (Meador)

A motion was made by Councilmember Meador to direct staff to look at these areas and come up with a plan and suggestions on beautifying the town. The motion received a second from Councilmember Collins and all were in favor.

The Mayor called for a recess at 9:00 p.m.

The Mayor called the meeting to order at 9:15 p.m. Marjorie Tejeda, Town Clerk, called the roll with the following Councilmembers present: Nancy Simon, Mary Collins, Robert Meador, George Lopez, Richard Pulido, Vice Mayor Nick Perdomo and Mayor Michael Pizzi.

B. Council Rules and Procedures (Pulido)

Councilmember Richard Pulido directed staff to prepare a workshop within 60 days on Rules and Procedures to discuss Rules and Protocol. The motion was seconded by Councilwoman Simon. Vice Mayor Perdomo made a motion to prepare a Resolution to amend the Council Rules to allow for three (3) minute debates and one (1) minute rebuttals during the Council Meetings. The motion was seconded by Councilmember Lopez. The motion was withdrawn by Vice Mayor Perdomo.

C. Televising Council Meetings (Simon)

A motion was made by Councilmember Simon to direct staff, in coordination with herself, to investigate the costs involved in televising and/or webcasting the Council Meetings. The motion received a second from Councilmember Pulido. The motion passed 6-1 with Vice Mayor Perdomo voting in opposition.

**D. Care Packages for Troops
(Collins/Pizzi/Perdomo/Lopez/Pulido/Simon)**

The item was supported by the entire Council, and all were in favor.

E. Town Committees (Lopez)

A motion was made by Councilmember Lopez that: 1. The Committee Chairs form a permanent Committee that meets on a regular basis and consist of all Committees, and that the Town fund this committee with \$10,000 to expend at the discretion of the Committee's Chairs. 2. That the Beautification Advisory Committee be renamed to Beautification and Environmental Sustainability Committee and be assigned environmental initiatives. 3. That all public events be assigned to the Town Committees as follows: Bike Rodeo to Youth Activities Task Force Committee; Police Appreciation Day to the Public Safety Committee; Mayor's Gala to Committee Chairs Committee; Holiday Reading to the Cultural Affairs Committee; Earth Day to Beautification Advisory and Environmental Sustainability Committee. The motion received a second from Councilmember Collins.

Lynn Matos spoke in support of the item.
Adrienne Chiron spoke in opposition of renaming the Beautification Advisory Committee.
Maggie Suazo spoke in favor of the item.

A friendly amendment was made by Councilmember Collins to allow a maximum of three (3) Councilmembers to serve per Committee. The amendment was accepted by Councilmember Lopez.

A second friendly amendment was made by Mayor Pizzi to withdraw the allocation of \$10,000 from the Committee Chairs Committee and to allow the different Committees to come before the Council to request needed funds. The amendment was accepted by Councilmember Lopez.

The Town Clerk called the roll and the motion passed 5-2 with the following Councilmembers voting in favor: Robert Meador, George Lopez, Mary Collins, Vice Mayor Perdomo and Mayor Pizzi. Councilmembers Nancy Simon and Richard Pulido voted in opposition.

F. Resident Involvement and Opinion Campaign (Perdomo)

Vice Mayor Perdomo made a motion to direct the Town Manager and staff to implement a campaign for resident involvement called "Miami Lakes Residents Make a Difference Campaign" which should include an ad in the Miami Laker, a survey on our Town's webpage, with the content of the survey to be discussed in a workshop.

A friendly amendment was made by the Mayor directing staff to prepare a cost analysis for this project and to report back to the Council. The motion received a second from Councilmember Collins and all were in favor.

G. Autism Awareness Month (Pulido)

A motion was made by Councilmember Pulido directing staff to identify funding and to organize an event for Autism Awareness Month in cooperation with the Hope for Autism Group, with a maximum expenditure amount of \$1,000.00. The motion received a second from the Mayor and all were in favor.

H. Town Police Services (Lopez)

Juan Valiente spoke in favor of the Miami Dade Police Department.

Mayor Pizzi made a motion directing the Town Manager to continue with the Workshop and the County negotiations without expending funds, and to simultaneously conduct a study with the pros\cons, and cost liability to open the Town's own Police Department. The motion

received a second from Vice Mayor Perdomo. The motion passed 4-3 with the following Councilmembers voting in favor: Robert Meador, George Lopez, Vice Mayor Perdomo and Mayor Pizzi. Councilmembers Richard Pulido, Mary Collins and Nancy Simon voted in opposition.

I. Funding for Pedestrian Crosswalks (Perdomo)

Action was taken on item 11F.

J. Town of Miami Lakes Census 2010 (Pizzi)

The Mayor made a motion to direct the Manager and staff to engage in a plan of action and a budget for presentation to the Council. The motion received a second from Councilmember Simon and all were in favor.

K. Council Meetings at Royal Oaks Park (Simon)

Councilmember Simon made a motion to start conducting all Council Meetings at the Royal Oaks Park Community Center. The motion received a second from Councilmember Collins and all were in favor.

L. Earth Day 2010 (Pulido)

Councilmember Pulido made a motion to direct the Town Manager to work in conjunction with the Committees to coordinate Earth Day 2010. The motion received a second from the Mayor and all were in favor.

M. Ways that the Town can Increase Revenue (Lopez)

Councilmember Lopez made a motion that staff research the legality of implementing different ways of generating revenue. The motion received a second from Mayor Pizzi.

Ron Van Eyk, Public Works Director, spoke about advertising on trolleys.

Mayor Pizzi made a motion to extend the meeting five (5) more minutes until 11:05 p.m. to allow Mr. Van Eyk to conclude his presentation. The motion received a second from Councilmember Meador and all were in favor.

Mayor Pizzi made a motion to extend the meeting two (2) more minutes until 11:08 p.m. The motion received a second from Councilmember Collins and all were in favor.

N. Government Center (Pizzi)

No action taken

O. QNIP/Park Funding (Pizzi)*

No action taken

* Requires waiver of Section 6.9 of Town Council Meeting Rules

13. REPORTS:

A. MAYOR AND COUNCILMEMBER REPORTS:

1. **Appointments** No action taken
2. **Area Schools Overcrowding (Pulido)** No action taken
3. **Peer Review Juvenile Court (Pizzi)** No action taken
4. **Town Committees (Pulido)** No action taken
5. **Background Check Policy (Pulido)*** No action taken
6. **Police K-9 (Pulido)*** No action taken

* Requires waiver of Section 6.7 of Town Council Meeting Rules

B. MANAGER'S REPORT:

1. **Media Policy** No action taken

C. ATTORNEY'S REPORTS:

1. **Request for Executive Session**
Mitch Bierman, Town Attorney, requested approval to conduct an Executive Session. All Councilmembers were in favor.

14. FUTURE MEETINGS:

February 9, 2010 Regular Council Meeting, 6425 Miami Lakeway N, 6:30 PM
March 9, 2010 Regular Council Meeting, 6425 Miami Lakeway N, 6:30 PM

15. ADJOURNMENT:

There being no further business to come before the Council, the meeting adjourned at 11:10 p.m.

Approved this 9 day of Feb., 2010.



Michael Pizzi, Mayor

Attest:



Marjorie Tejeda, Town Clerk