

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Michael Pizzi

Vice Mayor Nick Perdomo

Councilmember Mary Collins

Councilmember Tim Daubert

Councilmember Nelson Hernandez

Councilmember Ceasar Mestre

Councilmember Richard Pulido

MINUTES

TOWN COUNCIL MEETING

April 12, 2011

6:30 PM

Royal Oaks Park Community Center

16500 NW 87 Avenue

Miami Lakes, Florida 33018

1. **CALL TO ORDER:** Mayor Pizzi called the meeting to order at 7:00 p.m.
2. **ROLL CALL:** Town Clerk, Marjorie Tejeda, called the roll with the following Councilmembers present: Richard Pulido, Ceasar Mestre, Tim Daubert, Mary Collins, Nelson Hernandez, Vice Mayor Nick Perdomo, and Mayor Michael Pizzi.
3. **INVOCATION/MOMENT OF SILENCE:** Done during the LPA Meeting.
4. **PLEDGE OF ALLEGIANCE:** Done during the LPA Meeting.
5. **PUBLIC COMMENTS:**

Anthony Lama thanked the Council for opening Northwest 87th Avenue.

Alan Riggerman thanked David Ofstein for his professionalism and spoke about the blocking of the driveway of Fire Station 1.

David Bennett spoke on the spending limitations of item 11A.

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

Councilmember Hernandez deferred item 12D. Councilmember Daubert pulled item 8E and moved item 12C to be discussed with item 11A. Councilmember Collins pulled item 8B. Councilmember Mestre moved item 12B to be discussed with item 11A. The Town Manager deferred item 13B1 and pulled item 8C.

Mayor Pizzi made a motion to move the agenda as amended. The motion received a second from Vice Mayor Perdomo and all were in favor.

7. COMMITTEE REPORTS: No Committee Reports

8. CONSENT AGENDA:

A. Approval of Minutes:

March 8, 2011 Regular Council Meeting

March 28, 2011 Special Call Meeting

Approved on consent.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA CREATING A SPECIAL NEEDS COMMITTEE; PROVIDING FOR COMMITTEE MEMBERSHIP; PROVIDING FOR DUTIES; PROVIDING FOR MEETING REQUIREMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Pizzi)

Councilmember Collins made a recommendation that the Special Needs Committee create a concept for a hotline that would redirect special needs residents to the correct organization and/or department. The hotline could be run by a volunteer.

Councilmember Pulido proposed an amendment to section 3 to include that Councilmembers may submit recommendations to the Office of the Mayor for appointment. The Mayor accepted the amendment. Councilmember Collins made a motion to adopt the resolution as amended. The motion received a second from Mayor Pizzi. The motion passed 6-0 with Vice Mayor Perdomo absent.

C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, REJECTING ALL RESPONSES TO ITB NO. 2011-01; WAIVING COMPETITIVE BIDDING; APPROVING THE AGREEMENT FOR SERVICES WITH CNC MANAGEMENT GROUP INC.; APPROVING THE AGREEMENT FOR SERVICES WITH GROUNDKEEPERS, INC.; AUTHORIZING TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENTS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Carlos Vasquez, representative of CNC Group, Inc., spoke about the bid.

Andy Gonzalez, representative of Groundkeepers, Inc., spoke about the bid.

Councilmember Pulido made a motion to approve Groundkeepers according to the resolution not to exceed \$7,170.00; to authorize the Town Manager to negotiate and award not to exceed the amount of \$66,500 and to reject and waive competitive bidding. The motion received a second from Mayor Pizzi and all were in favor.

D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING THE REQUEST OF ROLANDO PRIETO TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2010-0211; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey) Approved on consent.

E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, OPPOSING CYBER STALKING; DIRECTING STAFF TO PURSUE LEGISLATIVE AND POLICY SOLUTIONS TO PROTECT THE CITIZENS OF THE TOWN OF MIAMI LAKES FROM UNWANTED AND UNSOLICITED CYBER STALKING; AND PROVIDING FOR AN EFFECTIVE DATE. (Collins)

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

Jan Schneider spoke in favor of the item.

Jerome Schneider spoke in favor of the item.

Kevin Morejon spoke in favor of the item.

Bob Madden spoke against police officers ticketing in front of the fire station and asked that cyber stalking be defined.

David Bennett asked for clarification on the item.

Mirtha Mendez spoke about the procedures and costs pertaining to this item. Councilmember Collins made a motion to adopt the resolution. The motion received a second by Mayor Pizzi. The resolution passed 6-1 with Councilmember Daubert voting in opposition.

F. 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 FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S RECREATIONAL TRAILS PROGRAM ("RTP") FOR THE DEVELOPMENT OF THE NW 170TH STREET GREENWAY PHASE II; AUTHORIZING TOWN OFFICIALS

TO TAKE ALL STEPS NECESSARY TO SATISFY THE REQUIREMENTS OF THE GRANT APPLICATION; PROVIDING COMMITMENT OF MATCHING FUNDS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)
Approved on consent.

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

9. ORDINANCES – FIRST READING:

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING ARTICLE 9, SIGN CODE, OF THE TOWN'S LAND DEVELOPMENT CODE BY AMENDING DIVISION 9.5, PRE-EXISTING, NON-CONFORMING SIGNS AND ADMINISTRATION, TO PROVIDE REGULATIONS FOR NONCONFORMING BOX SIGNS AND NONCONFORMING CABINET SIGNS, IN AN IU, BU OR RO DISTRICT ON PROPERTIES FRONTING THE STATE ROAD-826 LIMITED ACCESS EXPRESSWAY; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE. (Pizzi)**

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

Councilmember Collins made a motion to adopt the ordinance on first reading. The motion received a second from Mayor Pizzi. The Town Clerk called the roll and all were in favor.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING CHAPTER 33 "ZONING" BY AMENDING THE DEFINITIONS AND BY AMENDING THE ZONING REGULATIONS RELATED TO THE REGULATION OF PAIN MANAGEMENT CLINICS, DRUG STORES, MEDICAL OFFICES AND CLINICS, MEDICAL AND DENTAL LABORATORIES, PHARMACIES AND USES WHICH INCLUDE PHARMACIES; AMENDING ARTICLE 6 "SUPPLEMENTARY REGULATIONS" OF THE TOWN'S LAND DEVELOPMENT CODE, BY PROVIDING NEW REGULATIONS FOR PAIN MANAGEMENT CLINICS, DRUG STORES, MEDICAL OFFICES AND CLINICS, MEDICAL AND DENTAL LABORATORIES, PHARMACIES AND USES WHICH INCLUDE PHARMACIES; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE. (Mestre)**

PUBLIC HEARING

Town Attorney Mitch Bierman 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 Mestre made a motion to adopt the Ordinance on first reading. The motion received a second from Councilmember Collins and all were in favor.

10. ORDINANCES – SECOND READING (PUBLIC HEARING):

11. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, MODIFYING DEPARTMENTAL LINE ITEMS IN THE TOWN'S BUDGET FOR THE 2010-2011 FISCAL YEAR; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Councilmember Mestre made a motion adopt the resolution and to replace the strategic plan update line item with the branding project. The motion received a second from Councilmember Perdomo and all were in favor.

12. NEW BUSINESS:

A. Town Attorneys/Legal Fees (Pizzi)

Mayor Pizzi made a motion to terminate the agreement with Weiss Serotta Helfman under the termination clause; and to appoint a committee consisting of the Town Manager, Ceasar Mestre, Mary Collins, Anthony Dieguez, Gloria Garces, Jorge De Apodaca, and Ladd Howell to compare in house, outside counsel, and the issue of outside litigation counsel. The Committee is to come back and make a public recommendation at a public meeting. The Mayor appointed Joe Geller as interim counsel for \$150 an hour. The motion received a second from Councilmember Collins. The motion passed 4-3 with the following Councilmembers voting in favor: Mary Collins, Ceasar Mestre, Vice Mayor Nick Perdomo, and Mayor Michael Pizzi. Councilmembers Tim Daubert, Richard Pulido, and Nelson Hernandez voted in opposition.

B. Town of Miami Lakes Branding (Mestre) Item heard with 11A.

C. Additional Lighting (Daubert) Item heard with 11A.

D. Fiscal Responsibility-Town efficiency (Hernandez) Deferred.

E. Charter Amendment (Perdomo)

Anthony Lama asked the Council to consider disclosure of party affiliations for candidates running for office in the Town of Miami Lakes.

Vice Mayor Perdomo made a motion directing staff to prepare language for an amendment to the Charter that would make all Councilmember Seats At-Large Seats. Vice Mayor Perdomo withdrew the motion.

Mayor Pizzi called for a recess at 9:48 p.m.

Mayor Pizzi called the meeting to order at 10:17 p.m.

The Town Clerk called the roll and all were present.

F. Parks and Recreations (Pulido)

Councilmember Pulido made a motion directing the Town Manager to meet with officials from the Optimist Club and Shula's Athletic Club to coordinate a joint-effort flag football program at one of the Towns parks. The motion received a second from Councilmember Collins.

Councilmember Pulido withdrew the motion.

G. Drug Awareness Program (Mestre)

Jessie Fortich spoke in support of the item.

Town Commander Richard Amion spoke in support of the item and presented the details of the program to the Council. The Town Manager directed the Town Commander to proceed with the program at the mill and consensus of the Council.

H. Gift Ban (Pizzi) Deferred by Mayor Pizzi

I. Government Efficiency (Perdomo)

Vice Mayor Perdomo made a motion directing staff to set up an official Town Hall meeting to be held once every six months to include HOA's, community leaders, business community, police, State Representatives, and residents. The meetings are to be presided over by the entire Council with full staff support. The motion was seconded by Mayor Pizzi. The motion passed 6-1 with Councilmember Daubert voting in opposition.

J. Campaign Finance Reform (Pulido)

Councilmember Pulido made a motion directing the Town Manager to schedule a workshop to discuss and improve accountability for the 2012 Town Election. The motion received a second from Councilmember Collins and all were in favor.

13. REPORTS:

A. MAYOR AND COUNCILMEMBER REPORTS:

1. **Appointments:** No appointments were made.
2. **Police Services (Pulido)**

Councilmember Pulido clarified the Town's intent of privatizing the Police Department.

3. **Town Code of Ethics (Pulido)** Deferred by Councilmember Pulido.


B. MANAGER'S REPORT:

1. **Facebook and Twitter** Deferred by the Town Manager.

C. ATTORNEY'S REPORTS: No report.

- 14. ADJOURNMENT:** There being no further business to come before the Council, the meeting adjourned at 10:49 p.m.

Approved this 10th day of May, 2011.



Michael Pizzi, Mayor

Attest:



Marjorie Tejada, Town Clerk