

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

October 11, 2011

6:30 PM

Royal Oaks Park Community Center

16500 NW 87 Avenue

Miami Lakes, Florida 33018

1. **CALL TO ORDER:** Mayor Michael Pizzi called the meeting to order at 6:31 p.m.
2. **ROLL CALL:** The Town Clerk, Marjorie Tejeda, called the roll and the following Councilmembers were present: Nelson Hernandez, Richard Pulido, Mary Collins, Ceasar Mestre, Tim Daubert, Vice Mayor Perdomo and Mayor Michael Pizzi.
3. **INVOCATION/MOMENT OF SILENCE:** The Mayor called for a moment of silence.
4. **PLEDGE OF ALLEGIANCE:** Mayor Pizzi led the Pledge of Allegiance.

The Mayor and Council presented Miami Lakes Middle School with a proclamation in recognition of National School Bus Safety Week.

5. **PUBLIC COMMENTS:**

Senator Rene Garcia recognized the importance of Project Citizen, and gave a report on the House Bill that was proposed regarding Assisted Living Facilities.

Mirtha Mendez spoke about the new chairs in the Community Center.

Alex Ariano spoke about the building inspection process.

Cindy Byer spoke about the overgrowth of weeds on Lake Ruth, and the extermination of animal life in the canal behind Windmill Gate.

The Town Manager will deliver a report on the incident at the canal behind Windmill Gate.

Hope Reynolds spoke about the review of the Town Charter, meeting times, and budget line item control.

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

Mayor Pizzi pulled item 8D from the consent agenda. Councilmember Daubert deferred item 12E and requested that items 12C and 13A.2 be discussed simultaneously. Councilmember Mestre pulled item 8G from the consent agenda.

Mayor Pizzi made a motion to adopt the agenda as amended. Councilmember Collins seconded the motion and all were in favor.

7. COMMITTEE REPORTS: No Committee Reports.

8. CONSENT AGENDA:

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

A. Approval of Minutes:

**September 13, 2011 LPA Meeting
September 13, 2011 Regular Council Meeting
September 13, 2011 First Budget Hearing
September 20, 2011 Special Call Meeting
September 30, 2011 Special Call Meeting
September 30, 2011 Final Budget Hearing**

Passed on consent.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA TO AUTHORIZE THE TOWN MANAGER TO CANCEL THE CONTRACT WITH FEDERAL LEGISLATIVE CONSULTING SERVICES; AUTHORIZING TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE CANCELLATION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on consent.

C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE THE AWARD OF CONTRACT ITB 2011-17, TO PRECISION ROOFING, CORP FOR THE REPLACEMENT OF THE

WEST PARK RESTROOM AND MULTIPURPOSE BUILDINGS ROOF REPLACEMENT, AND A FIVE (5) YEAR MAINTENANCE CONTRACT, IN AN AMOUNT NOT TO EXCEED \$18,800.00, AND AUTHORIZE THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT, TO EXPEND BUDGETED FUNDS, AND TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on consent.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO APPROVE AMENDING THE TOWNS CRIMINAL BACKGROUND CHECK POLICY, ADMINISTRATIVE ORDER #07-01, TO INCLUDE AN APPEAL PROCESS FOR YOUTH SPORT VOLUNTEERS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Claudia Luces spoke in opposition to the item.

Marilyn Ruano spoke in opposition to the item.

Alex Penelas, President of Miami Lakes Optimist Club, spoke in favor of the resolution, and answered questions posed by the Council.

Tony Lopez, Director of Community and Leisure Services, answered questions posed by the Council.

Alex Rey, Town Manager, answered questions posed by the Council.

Alex Penelas will meet with the Town Manager and staff to discuss the appeal process and come back to the Council with a report.

No action taken by the Council.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AWARD A TEMPORARY CONTRACT UNDER SECTION 2.H.(1) OF THE PROCUREMENT CODE TO ENVIROWASTE SERVICES GROUP FOR STORMWATER DRAIN MAINTENANCE SERVICES FOR A PERIOD OF FIVE (5) MONTHS, IN AN AMOUNT NOT TO EXCEED \$58,000.00, AS AN INTERIM PROVISION UNTIL THE TOWN PURCHASES A VAC-CON TRUCK; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING 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 A REQUEST FROM FERNANDO ALPERN TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2005-0036 AND C2010-0893; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

David Ofstein, Director of Planning, Zoning & Code Compliance, presented the staff recommendation to the Council.

Fernando Alpern requested that the fine be further reduced.

Mayor Pizzi made a motion to reduce the fine to \$2,000.00 plus the Town's cost of \$618.26. The motion received a second from Councilmember Daubert. The motion passed 6-1 with Councilmember Pulido voting in opposition.

- G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM SUGEIL PEREZ TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2011-0168; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey) Pulled by Mestre**

David Ofstein, Director of Planning, Zoning & Code Compliance, presented the staff recommendation to the Council.

Sugeil Perez requested that the fine be further reduced.

Councilmember Mestre made a motion to reduce the fine to \$453.24. The motion received a second from Councilmember Pulido. The motion passed 6-1 with Councilmember Collins voting in opposition.

Mayor Pizzi made a motion to reconsider the passage of the consent agenda to reconsider item 8F. The motion received a second from Councilmember Pulido and all were in favor.

Mayor Pizzi called for a recess at 8:11 p.m.

The Mayor called the meeting to order at 8:23 p.m.

The Town Clerk called the roll and all were present.

9. ORDINANCES – FIRST READING:

No Ordinances on First Reading.

10. ORDINANCES – SECOND READING (PUBLIC HEARING):

A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING ARTICLE 9 “SIGNS” OF THE TOWN’S LAND DEVELOPMENT CODE TO PROVIDE FOR AMENDED ZONING REGULATIONS RELATED TO THE REGULATION OF SIGNS FOR COMMERCIAL AND INDUSTRIAL ZONED PROPERTIES THAT ABUT RED ROAD (NW 57 AVE), STATE ROAD 826 (THE PALMETTO EXPRESSWAY) AND INTERSTATE 75 (I-75); PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE. (Pizzi)

Joseph Geller, 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 Pulido made a motion to adopt the ordinance on second reading. The motion received a second from Mayor Pizzi. The Town Clerk called the roll and the motion passed unanimously.

11. RESOLUTIONS:

No Resolutions.

12. NEW BUSINESS:

A. Planning and Zoning Board (Pizzi)

George Lopez, Planning and Zoning Board Member, spoke about reviewing and amending the Land Development Code.

Javier Vazquez spoke in opposition to the Planning and Zoning Board creation process and suggested that the criteria, powers, qualifications and training for board membership be modified.

Mayor Pizzi made a motion directing staff to come back before the Council with an ordinance amending the Planning and Zoning Board ordinance. The revised ordinance would include legislation abolishing the hardship standard and replacing it with a simple majority practical difficulty vote. The Council

would act as an appeal board on some issues. New appointees or re-appointees are to meet a Blue Ribbon Advisory Panel criterion. The motion received a second from Councilmember Collins. The Town Clerk called the roll and the motion passed unanimously.

B. Public Safety Issue (Mestre)

Councilmember Mestre made a motion directing staff to come back with an ordinance establishing placement criteria and uniformity for newspaper racks on the Public Right of Ways and also requiring that they be bolted to the ground. The staff is to use the Coral Gables ordinance entitled “News Racks on Public Right of Ways” as a guide. The motion received a second from Mayor Pizzi and all were in favor.

C. Budget Amendment (Daubert)

Councilmember Daubert reported on his attendance of the Institute for Municipal Elected Officials.

Councilmember Daubert withdrew his request for items 12C and 13A.2.

D. Council Rules and Procedures (Pulido)

Councilmember Pulido made a motion to eliminate the regularly scheduled monthly workshop and to establish a second monthly Council meeting to be set to the fourth Tuesday of the month. The meeting would take place on an as needed basis. The motion received a second from Councilmember Daubert. Councilmember Pulido withdrew the motion.

Councilmember Pulido made a motion directing staff to setup a workshop for the Council on Robert’s Rules of Order. The motion received a second from Mayor Pizzi and all were in favor.

E. Budget Line Item Control (Daubert)

Deferred by Councilmember Daubert.

13. REPORTS:

A. MAYOR AND COUNCILMEMBER REPORTS:

1. Appointments

Mayor Pizzi appointed Lucy Almeda, Jonathan De La Torre, Gina Shierman, Brian Del Torro, and Arturo Bora to the Youth Activities Task Force; Patricia Rose to the Beautification Advisory Committee;

Arlene Florit and Daniel Rios to the Public Safety Committee; Arturo Borre and Jane Garcia to the Cultural Affairs Committee; and Lorenzo Cobiella to the Elderly Affairs Committee. The motion received a second from Councilmember Collins and all were in favor.

2. Elected Officials Municipal Institute (Daubert)

Item discussed with item 12C.

3. Lake Meeting (Pizzi)

Deferred by Mayor Pizzi.

4. Town Public Relations Policy (Pulido)

Deferred by Councilmember Pulido.

5. 9/11 Event (Pizzi)

Deferred by Mayor Pizzi.

6. Town Charter (Pulido)

Deferred by Councilmember Pulido.

B. MANAGER'S REPORT:

1. Park Lighting

Tony Lopez, Director of Community and Leisure Services, gave a report on lighting options for tot lots. A small pilot project will be implemented at a particular park to introduce solar lighting into the park system.

Councilmember Hernandez requested that the project be first implemented at the park on Palmetto Palm Avenue.

The Town Manager will check the record to see if it can be implemented without final approval from the Council.

C. ATTORNEY'S REPORTS:

No Attorney's Report.

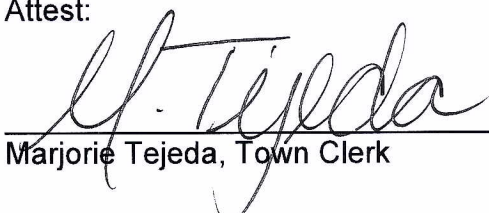
- 14. ADJOURNMENT:** There being no further business to come before the meeting, the meeting adjourned at 9:50 p.m.

Approved this 14 day of Feb., 2012.



Michael Pizzi, Mayor

Attest:



Marjorie Tejeda, Town Clerk