

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Michael Pizzi

Vice Mayor Ceasar Mestre

Councilmember Mary Collins

Councilmember Tim Daubert

Councilmember Nelson Hernandez

Councilmember Nick Perdomo

Councilmember Richard Pulido

Minutes

TOWN COUNCIL MEETING

December 13, 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 7:16 p.m.
2. **ROLL CALL:** The Town Clerk, Marjorie Tejeda, called the roll and the following Councilmembers were present: Nelson Hernandez, Mary Collins, Tim Daubert, Richard Pulido, Nick Perdomo, Vice Mayor Ceasar Mestre, and Mayor Michael Pizzi.
3. **INVOCATION/MOMENT OF SILENCE:** The Mayor called for a moment of silence.
4. **PLEDGE OF ALLEGIANCE:** Alex Rey, Town Manager, led the Pledge of Allegiance.
5. **PUBLIC COMMENTS:**

Councilmember Collins spoke about the Veteran's Memorial Brick Purchase Project.

Nelson Rodriguez spoke about parks and commended the Public Works Department.

Terry Murphy spoke about destination casino gambling.

David Bennett spoke about the proposed changes to the Planning and Zoning Board.
6. **ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS):**

Vice Mayor Mestre deferred item 9B. Councilmember Daubert pulled item 8E.

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:**

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.

A. Minutes for Approval:

November 8, 2011 Regular Council Meeting

Approved on consent.

B. 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)

Approved on consent.

C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AWARD A CONTRACT TO KIMLEY-HORN AND ASSOCIATES, INC., IN THE AMOUNT OF \$19,000, WORK AUTHORIZATION NO. 11/12-02, TO PROVIDE ENGINEERING SERVICES FOR THE DESIGN OF STORM SEWER CONNECTION AT 79TH AVENUE; 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)

Approved on consent.

D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, VACATING PORTIONS OF THOSE CERTAIN FIFTEEN

(15) FOOT AND TEN (10) FOOT UTILITY EASEMENTS LOCATED ON A VACANT PARCEL OF LAND, LOCATED AT 6601 MAIN STREET, IN THE TOWN OF MIAMI LAKES, FLORIDA (FOLIO NUMBER 32-2013-001-0432) AS RECORDED IN OFFICAL RECORDS BOOK 21062, AT PAGE 1541 IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID EASMENTS LYING EASTERLY OF AND BOUNDED BY THE EASTERLY LINE OF TRACT C OF MIAMI LAKES TOWN CENTER TWO – EAST (PLAT BOOK 159 PAGE 67) AND LYING WESTERLY OF AND BOUNDED BY THE WESTERLY LINE OF TRACT "B" OF MIAMI LAKES TOWN CENTER ONE - EAST (PLAT BOOK 153 PAGE 50)." IN ACCORDANCE WITH DIVISION 6.9 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE (THE "TOWN LDC"), FLORIDA; PROVIDING FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Approved on consent.

- E. A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, TO MODIFY THE BUDGET FOR THE END-OF-YEAR GENERAL FUND, STORMWATER, SPECIAL REVENUE AND CAPITAL PROJECT FUNDS FOR FISCAL YEAR 2010-2011; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITION OF THIS RESOLUTION; PROVIDING FOR INCORPORATION OF RECITAL; PROVIDING FOR AN EFFECTIVE DATE (Rey)**

Alex Rey, Town Manager, answered questions posed by Councilmember Daubert.

Councilmember Daubert made a motion to adopt the resolution. The motion received a second from Councilmember Collins and all were in favor.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF HSBC BANK USA TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2009-0387; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Approved on consent.

- G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF JUAN MOURIN AND RENATA MOURIN TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2010-1048; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Approved on consent.

- H. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING/DENYING THE REQUEST OF HSBC BANK USA TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2011-0181; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Approved on consent.

9. ORDINANCES – FIRST READING:

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 10-125 TO AMEND THE TOWN'S END-OF-YEAR BUDGET FOR FISCAL YEAR 2010-2011; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)**

Joseph Geller, Town Attorney, read the title of the ordinance into the record.

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

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 33 "ZONING" OF THE TOWN CODE OF ORDINANCES, BY CREATING ARTICLE XI.A "NEWSRACKS" PROVIDING FOR DEFINITIONS; PROVIDING FOR REGULATIONS RELATING TO NEWSRACKS WITHIN THE TOWN PUBLIC RIGHTS-OF-WAY AND UPON PRIVATE PROPERTY; PROVIDING FOR NONCONFORMING NEWSRACKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Mestre)**

Deferred by Vice Mayor Mestre.

- C. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ARTICLE 2, DECISION MAKING AND ADMINISTRATIVE BODIES, ARTICLE 3, DEVELOPMENT APPROVAL PROCEDURES AND ARTICLE 12, FEES; AMENDING THE MEMBERSHIP AND QUALIFICATION REQUIREMENTS FOR MEMBERS OF THE PLANNING AND ZONING BOARD; PROVIDING FOR DESIGNATION OF THE PLANNING AND ZONING BOARD AS "LOCAL PLANNING AGENCY" (LPA) PURSUANT TO F.S. 163.3174; PROVIDING FOR AMENDMENT OF**

THE CRITERIA FOR APPROVAL OF REQUESTED VARIANCES; PROVIDING FOR ELIMINATION OF SUPERMAJORITY VOTE REQUIREMENTS FOR APPROVAL OF A VARIANCE; PROVIDING FOR DELEGATION OF CERTAIN ADDITIONAL REVIEW AUTHORITY TO THE TOWN MANAGER OR HIS DESIGNEE; PROVIDING FOR ESTABLISHMENT OF A LIMITED PARKING WAIVER PROCESS; PROVIDING FOR REVIEW OF CERTAIN CONDITIONAL AND UNUSUAL USE REQUESTS BY THE TOWN COUNCIL; PROVIDING FOR AN ANNUAL REVIEW OF CERTAIN CONDITIONAL USE, UNUSUAL USE AND LIMITED PARKING WAIVER REQUESTS; AND, PROVIDING FOR FEES FOR ANNUAL CONDITIONAL USE RENEWALS AND LIMITED PARKING WAIVER REQUESTS AND RENEWALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Pizzi, Rey)

Joseph Geller, Town Attorney, read the title of the ordinance into the record.

Mayor Pizzi made a motion to adopt the ordinance on first reading. The motion received a second from Councilmember Collins. The Town Clerk called the roll and the motion passed 4-3 with the following Councilmembers voting in favor: Mary Collins, Nick Perdomo, Vice Mayor Caesar Mestre and Mayor Michael Pizzi. Councilmembers Tim Daubert, Nelson Hernandez and Richard Pulido voted in opposition.

- D. AN ORDINANCE OF THE TOWN OF MIAMI LAKES FLORIDA, AMENDING AND RESTATING ORDINANCE NO. 09-115 PERTAINING TO PROCUREMENT PROCEDURES; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE REVISED RULES AND REGULATIONS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Pizzi, Rey)**

Joseph Geller, Town Attorney, read the title of the ordinance into the record.

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

10. ORDINANCES – SECOND READING (PUBLIC HEARING):

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO IMPLEMENT AN INVESTMENT POLICY FOR THE TOWN'S SURPLUS FUNDS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE INVESTMENT POLICY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING**

FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

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 Collins 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.

- B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AMEND ORDINANCE NO 07-93; ADOPTING REVISION TO THE TOWN PARK RULES AND REGULATIONS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE REVISED RULES AND REGULATIONS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Collins, Rey)**

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 Collins 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. NEW BUSINESS:

A. Tax Payer and Business Relief (Pizzi)

Mayor Pizzi made a motion directing staff to take proactive measures to modify the permit notification process to be less harsh and to take any possible steps to lessen the financial burden on residents. Staff is to come back to the Council with a resolution to include a comprehensive proposal to lessen the financial burden on affected residents. The motion received a second from Councilmember Daubert and all were in favor.

Mayor Pizzi called for a recess at 8:15 p.m.

The Mayor called the meeting to order at 8:29 p.m.

The Town Clerk called the roll and all were present.

B. One-Stop Shopping for Residents (Perdomo)

Councilmember Perdomo made a motion directing staff to research the possibility of acquiring a designated phone line to address infrastructure complaints and to come back to Council with a report. The motion received a second from Mayor Pizzi and all were in favor.

C. Street Signs Beautification (Pulido)

Councilmember Pulido made a motion directing staff to come back to the Council with a comprehensive analysis of all the streets signs in the Town of Miami Lakes and an action plan for those owned by government at the federal, state, county and municipal level. The motion received a second from Vice Mayor Mestre and all were in favor.

D. 5 Point Plan Fiscal Responsibility: Revenue Recalculation (Hernandez)

Councilmember Hernandez made a motion directing the Town Manager to start creating a plan to look into implementing user fees in the future and to eliminate revenues derived from the fees from the millage rate. The motion received a second from Councilmember Pulido.

Councilmember Hernandez withdrew the motion.

E. Town Protocol Policy (Pulido)

Councilmember Pulido made a motion directing the Town Manager and staff to create a Town Council Protocol Procedure Guideline. The guideline is to address the following areas: Town events, notices to the Council, invitation policy, proclamations, certificates and the inclusion of all Councilmembers in event pictures sent to the media. The motion received a second from Councilmember Daubert.

No action taken by Council.

F. 5 Point Plan – Beautification (Hernandez)

Councilmember Hernandez made a motion directing the Town Manager to create a long term plan establishing a priority system for olive tree replacement. Mayor Pizzi made a friendly amendment to the motion directing

the Town Manager to meet with Councilmember Hernandez to come back with a cost estimate on the proposal. Councilmember Hernandez accepted the amendment. All were in favor.

12. REPORTS:

A. MAYOR AND COUNCILMEMBER REPORTS:

1. Appointments:

Mayor Pizzi appointed John Collins, Gilberto Mojica, Dr. David Bennett, Jose Braniella, Tony Lopez, Angel Luis Vasquez, William Niffin, Gary Gardenas and David Rodriguez to the Veteran's Ad Hoc Committee; Nilla Diaz and Robin Biemann to the Education Advisory Board; Julio Lopez and Odalys Lopez to the Cultural Affairs Committee.

Councilmember Perdomo left the meeting at 9:42 p.m.

2. Town Attorney (Pulido)

Councilmember Pulido asked about the status of the appointment of a Town Attorney.

Mayor Pizzi stated that a permanent recommendation will be brought back before the Council after the first of the year.

3. Personnel Guidelines (Pulido)

Councilmember Pulido requested job descriptions for Town personnel.

Councilmember Collins left the meeting at 9:51 p.m.

B. MANAGER'S REPORT:

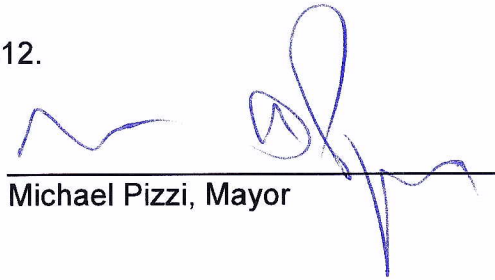
No Manager's Report.

C. ATTORNEY'S REPORTS:

No Attorney's Report.

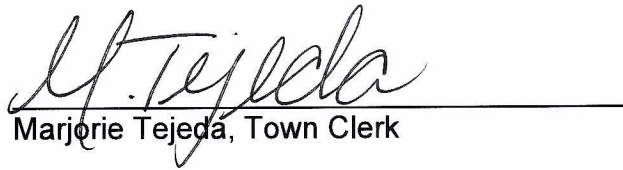
14. ADJOURNMENT: There being no further business to come before the Council, the meeting adjourned at 10:01 p.m.

Approved this 14 day of Feb., 2012.



Michael Pizzi, Mayor

Attest:



Marjorie Tejada, Town Clerk