

TOWN OF MIAMI LAKES, FLORIDA

MINUTES

**Regular Council Meeting
September 10, 2013
6:30 PM
Government Center
6601 Main Street, Miami Lakes, FL 33014**

1. CALL TO ORDER:

Mayor Ceasar Mestre called the meeting to order at 6:34 p.m.

2. ROLL CALL:

The Town Clerk, Marjorie Tejada, called the roll with the following Councilmembers present: Nelson Rodriguez, Tim Daubert, Councilman Tony Lama attended the meeting via skype, Nelson Hernández, Vice Mayor Manny Cid and Mayor Ceasar Mestre.

3. INVOCATION/MOMENT OF SILENCE:

Major Mestre called for a moment of silence.

4. PLEDGE OF ALLEGIANCE:

Marjorie Tejada, Town Clerk, led the Pledge of Allegiance.

5. PUBLIC COMMENTS:

Robin Beaman spoke in opposition of items 10(D) and 10(G). She also spoke in favor of the New Government Center.

Jose Quintero spoke in favor of Item 8(O).

Lorenzo Cobiella spoke in favor of Item 8(O).

Ricardo Briz, spoke in favor of Item 8(O).

Christine Bello-Quintero spoke in favor of Item 8(O).

Mayor Mestre, Town Council, Councilwoman Mary Collins and Senator Rene Garcia presented a Certificate of Achievement to all the students from Mrs. Liza DeYarza's class who participated in the Miami Lakes Middle School's Project Citizen. Mrs. DeYarza was given an award in recognition for leading her students to success at the District, State and National Project Citizen competition for 6th consecutive years.

Mayor Mestre, Town Council and Town Manager Alex Rey presented a Proclamation to Major Richard Amion, honoring him for the three years of policing and public service in the Town of Miami Lakes.

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

Councilman Hernández made a motion to waive the 4 day rule and allow item 8(N) and 8(O) be added to the Consent Agenda. The motion received a second from Councilman Rodriguez and all were in favor. Councilman Hernández made a motion to waive section 6.9 and allow item 10(I) to be added to the consent agenda. The motion received a second by Councilman Rodriguez and all were in favor. Councilman Daubert pulled Items 8(F) and 8(J) and Vice Major Cid pulled Item 8(O).

Councilman Hernández made a motion to adopt the remaining items on the consent agenda. Councilman Daubert seconded the motion and all were in favor.

7. COMMITTEE REPORTS:

No Committee Reports.

8. CONSENT AGENDA:

- A. Approval of Minutes: July 9, 2013 Regular Council Meeting;
July 30, 2013 Special Call Meeting;
August 8, 2013; Special Call Meeting;
August 13, 2013 Special Call Meeting.

Passed on Consent.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM DALEYSIS OLIVA TO REDUCE PREVIOUSLY ASSESSED BUILDING CODE COMPLIANCE FINES FOR CASE NO. C2012-0390; 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 PEDRO A. TORRES TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2011-2466 AND CASE NO. C2011-0237; 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; ACCEPTING A REQUEST FROM HSL PROPERTY HOLDINGS IV LLC TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2011-3038 AND C2009-0158; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on consent.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM STEVEN R. CUIFFO AKA 2000DK HOLDING CORP TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2011-0132 AND C2005-1349; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND 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 ADRIANA MUNERA TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2012-0529 AND C2012-0528; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Councilman Daubert made a motion to reduce the Code Compliance Fine Reduction in accordance with staff's recommendations and to include in the language of the resolution that the fine reduction is applied to the current owner, Mr. Carlos Enrique Barrillas. The motion received a second from Councilman Hernández and all were in favor.

- G. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AWARD TWO SEPARATE CONTRACTS FOR ITB 2013-31, TREE AND PALM PURCHASE, INSTALLATION, REMOVAL AND RELOCATION, TO TROPIC LANDSCAPING AND LAWN MAINTENANCE, INC., AND SOUTH FLORIDA MAINTENANCE, FOR TREE REMOVAL SERVICES, FOR A PERIOD NOT TO EXCEED 48 MONTHS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACTS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on consent.

H. RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO RATIFY THE CONTRACT FOR IT SERVICES, TO GOMEZ TECHNOLOGY SOLUTIONS, 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; 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, TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT A HIGHWAY BEAUTIFICATION GRANT, AND ENTER INTO A HIGHWAY BEAUTIFICATION COUNCIL GRANT, LANDSCAPE CONSTRUCTION, AND MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE HIGHWAY BEAUTIFICATION AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on Consent.

J. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT A HIGHWAY BEAUTIFICATION GRANT, AND ENTER INTO A HIGHWAY BEAUTIFICATION COUNCIL GRANT, LANDSCAPE CONSTRUCTION, AND MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE HIGHWAY BEAUTIFICATION AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Councilman Daubert made a motion to adopt the resolution authorizing the Town Manager to apply to the Federal Department of Transportation Florida Highway Beautification Council Grant Program, but to redirect the scope of the resolution for it to allocate funds for lights. The motion received a second from Vice Mayor Cid and all were in favor.

K. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, REQUESTING THE CHIEF JUDGE TO APPOINT JUDGE NURIA SAENZ TO THE TOWN CANVASSING BOARD PURSUANT TO SECTION 102.141(1)(e), FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on Consent.

- L. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, REQUESTING THE CHIEF JUDGE TO APPOINT PERLA TABARES-HANTMAN TO THE TOWN CANVASSING BOARD PURSUANT TO SECTION 102.141(1)(d), FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on Consent.

- M. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, MODIFYING THE BUDGET FOR FY 2012-2013; ODIFYING CERTAIN BUDGETED LINE ITEMS; AUTHORIZING THE TOWN MANAGER TO TAK ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; PROVIDING FOR INCORPORATION OF RECITALS;AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on Consent.

- N. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM WILLIAM B. WILLIFORD AND EVA E. WILLIFORD TO EXTEND THE DEADLINE FOR PAYMENT FOR PREVIOUSLY REDUCED ASSESSED CODE COMPLIANCE FINE CASE NO. C2018-0442; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Passed on Consent.

- O. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, REQUESTING THE COUNTY MAYOR TO DIRECT THE COUNTY PUBLIC WORKS DEPARTMENT TO AUTHORIZE THE PLACEMENT OF A SCHOOL ZONE SURROUNDING THE PERIMETER OF OUR LADY OF THE LAKES CATHOLIC SCHOOL (Mestre) (Cid) (Lama) (Rodriguez) (Daubert) (Hernández)

Vice Mayor Cid made a motion to adopt the resolution and all councilmembers co-sponsored the motion. The motion received a second from Councilman Hernández and all were in favor.

9. ORDINANCES-SECOND READING (PUBLIC HEARING):

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ARTICLE I, SECTION 13-1(A), ADDING AND AMENDING DEFINITIONS, AMENDING ARTICLE II, SECTION 13-204, ADMINISTRATIVE OFFICIAL, AMENDING ARTICLE III, SECTION 13-304, SITE PLAN APPROVAL, AMENDING ARTICLE IV, DIVISION 8, RO-13 LOW DENSITY RESIDENTIAL/OFFICE DISTRICT, SECTIONS 13-545 AND 13-546,

AMENDING ARTICLE IV, DIVISION 9, RO-50 HIGH-DENSITY RESIDENTIAL/OFFICE DISTRICT, SECTIONS 13-565 AND 13-566, AMENDING ARTICLE IV, DIVISION 12, BU-1 NEIGHBORHOOD BUSINESS DISTRICT, SECTIONS 13-609 AND 13-614 THROUGH 13-617, AMENDING ARTICLE IV, DIVISION 13, BU-1A, LIMITED BUSINESS DISTRICT, SECTIONS 13-625, 13-627, AND SECTIONS 13-631 THROUGH 13-634, AMENDING ARTICLE IV, DIVISION 14, BU-2, SPECIAL BUSINESS DISTRICT, SECTIONS 13-641 THROUGH 13-643, SECTION 13-647 THROUGH 13-650, AMENDING ARTICLE IV, DIVISION 15, BU-3, LIBERAL BUSINESS DISTRICT, SECTIONS 13-653, 16-658, 13-660, AND 13-664 THROUGH 13-667, AMENDING ARTICLE IV, DIVISION 16, IU-1, INDUSTRIAL, LIGHT MANUFACTURING DISTRICT, SECTIONS 13-673, 13-674, 13-678, 13-685 THROUGH 13-687, AMENDING ARTICLE IV, DIVISION 17, IU-2, HEAVY MANUFACTURING DISTRICT, SECTIONS 13-693, 13-694, 13-700, AND 13-701, AMENDING ARTICLE IV, DIVISION 18, IU-3, INDUSTRIAL UNLIMITED DISTRICT, SECTIONS 13-708, 13-709, 13-713, 13-718.1 AND 13-718.2, AMENDING ARTICLE IV, DIVISION 19, IU-C, INDUSTRIAL DISTRICT, CONDITIONAL, SECTIONS 13-721, 13-730, 13-731, 13-734, 13-737, 13-739 AND 13-740, AMENDING ARTICLE IV, DIVISION 20, BUSINESS, COMMERCIAL AND INDUSTRIAL USE MASTER LIST, SECTIONS 13-745 AND 13-748, AMENDING ARTICLE IV, DIVISION 21, ADDITIONAL BUSINESS, COMMERCIAL, INDUSTRIAL AND OTHER USE REGULATIONS, SECTIONS 13-750, 13-752 THROUGH 13-755, 13-757, 13-762 THROUGH 13-766, 13-769, 13-770, 13-774, 13-775, 13-777 THROUGH 13-779, 13-781 THROUGH 13-790, 13-794 AND 13-796 THROUGH 13-799.3, AMENDING ARTICLE VI, SECTION 13-1601, AND ADDING ARTICLE VI, SECTION 13-1617, SPECIAL EVENTS, OF THE TOWN'S LAND DEVELOPMENT CODE; AMENDING ARTICLE I, SECTION 16-1, UNNECESSARY AND EXCESSIVE NOISES, OF CHAPTER 16 OF THE TOWN CODE; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Joseph Geller, Town Attorney, read the title of the ordinance into the record. Mayor Mestre opened the public hearing. There being no one wishing to speak, the Mayor closed the public hearing. Brandon Schaad, Senior Planner presented the significant changes proposed in the ordinance.

Vice Mayor Mestre made a motion to adopt the ordinance on second reading. The motion was seconded by Councilman Hernández. The Town Clerk called the roll and all were in favor.

10. NEW BUSINESS:

A. Land Boundary Revisions or Changes (Mestre)

Mayor Mestre made a motion for an ordinance to be drafted to include that proposed changes to the Town's boundaries shall be presented to the qualified voters of the Town and receive a super majority of the qualified voters. Said ordinance shall expire once it goes to a charter vote at the Town's next schedule election, which will be in November 2014.

B. Council Rules and Procedures (Lama)

Councilman Lama made a motion to amend section 7.2 of the Council Rules and Procedures for it to state that new business items and councilmembers reports shall be submitted four (4) calendar days prior to the current date and that the Town Clerk shall provide all councilmembers all new business items and reports by 6 p.m. of that same day. The motion received a second from Vice Mayor Cid and all were in favor.

C. Miami Lakes TV (Cid)

Vice Mayor Cid made a motion directing staff to begin broadcasting the Town Council's meetings via PEG-TV, as soon as possible and with no costs being imposed on taxpayers. The motion received a second by Councilman Lama and all were in favor.

Vice Mayor Cid made a motion for the Mayoral Debate to be held at the Government Center on September 18th or any next subsequent date and for the Town Manager to have full discretion on the selection of the moderator.. The motion received a second from Councilman Hernández and all were in favor.

D. Assistant to the Mayor's Office (Mestre)

Mayor Mestre made a motion for an ordinance to be drafted limiting the Mayor's office to having one (1) full time assistant. The motion received a second from Councilman Hernández and all were in favor.

E. Public Information Officer (Lama)

Councilman Lama made a motion for the Public Information Officer to no longer be tied to the Office of the Mayor and that the PIO's workplace should be separated from the Mayor's office. The motion received a second from Councilman Daubert and all were in favor.

F. I-tree: www.itreetools.org (Cid)

Vice Mayor Cid made a motion asking staff to direct the IT Department to start utilizing the I-Tree software and to quantify the value of the Town's beautification efforts..

G. Charter Change (Lama)

Councilman Lama tabled Item 10G.

H. Miami Lakes Has A Right To Know (Cid)

Vice Mayor Cid spoke about the Town of Miami Lakes creating a page within the website that allows the public to view contracts and payments. No action was taken by Town Council.

I. Ethics Rule (Lama)

Councilman Lama made a motion for the Town of Miami Lakes to adopt an ethics rule that all elected officials must sign prior to taking office; that is, a pledge to abide by the Town's rules on ethics behavior and for staff to schedule an annual training to be conducted by the Ethics Commission for Elected Officials and members of our committees. The motion received a second by Councilman Hernandez and all were in favor.

11. REPORTS:

A. MAYOR AND COUNCIL MEMBER REPORTS:

1. Appointmernts

Mayor Mestre appointed Rudy Lloredo to the Neighborhood Improvement Committee and to the Economic Development Committee.

2. Zip Code (Cid)

Vice Mayor Cid explained that the United States Postal Service denied the Town's petition regarding the Zip Code Boundary Review. Vice Mayor Cid explained that a survey asking residents to petition for a zip code could be a good idea.

B. MANAGER'S REPORT:

1. Status on Park Construction

Gregory Netto, Public Works Director, gave a report on the status of the parks and renovations.

ADJOURNMENT:

There being no further business to come before the Council, the meeting adjourned at 9:37 p.m.

Approved this 8 day of October, 2013.



Wayne Slaton, Mayor

Attest:

A handwritten signature in blue ink, reading "M. Tejeda-Castillo", is written over a horizontal line.

Marjorie Tejeda-Castillo, Town Clerk