

MINUTES
Regular Council Meeting
September 1, 2015
6:30 PM
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Mayor Pizzi called the meeting to order at 6:30 p.m.

2. ROLL CALL:

The Town Clerk, Gina M. Inguanzo, called the roll with the following Councilmembers present: Frank Mingo, Ceasar Mestre, Tony Lama, Nelson Rodriguez, Tim Daubert, and Mayor Michael Pizzi. Vice Mayor Manny Cid joined the meeting at 6:33 pm.

3. MOMENT OF SILENCE

The Mayor called for a moment of silence

4. PLEDGE OF ALLEGIANCE:

Mr. Abel Fernandez, resident and Miami Dade Fire Rescue Chief, led the Pledge of Allegiance.

5. SPECIAL PRESENTATION:

The Mayor and Council presented Vice Mayor Manny Cid with the Home Rule Advocate Award from the Florida League of Cities.

The Mayor and Council presented Jan Schneider with a certificate of appreciation for her volunteerism and participation on town committees.

The Mayor and Town Council presented certificates of recognition to the winners of the website photo contest.

6. PUBLIC COMMENTS:

Miami Dade County Fire Department's Battalion Chief, Abel Fernandez, presented statistics for the Town, January 1st thru July 31st, and stated that he will be presenting an updated report quarterly.

Mario Sierra spoke in favor of item, the Miami Lakes Soccer Club's activities taking place in Miami Lakes.

Ricardo Machado spoke in favor of item 13F, supporting that the Miami Lakes Soccer Club practice within town boundaries.

Rachel Tourgeman from Florida National University spoke in favor of item 13G, bringing awareness to human trafficking issues.

Carolina Naveiras from Florida National University spoke in favor of item 13G, bringing awareness to human trafficking issues.

Joel Castellanos spoke in favor of item 13F.

Sean Schwinghammer spoke about the overcrowding issue at Miami Lakes K-8 Center.

Luigi Valdiero, from Florida National University spoke in favor of item 13G, bringing awareness to human trafficking issues.

Maria Kramer spoke about the negative media and Mayor Pizzi's legal fees.

Kevin Morejon spoke about the possibility of removing a right turn only sign located in the Lake Patricia area and spoke in favor of the Public Safety Committee's budget requests.

Mirtha Mendez spoke about the Mayor's authority to sign town checks.

Claudia Luces spoke about Mayor Pizzi's legal fees.

Nancy Simon spoke Mayor Pizzi's legal fees.

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

Mayor Pizzi pulled items 10.C, 10.F, and 10.D from the consent agenda. The Mayor requested that items 13.B, 13.C, 13.E, 13.F, 14.B, and 14.D be added to the agenda. Councilman Lama requested that item 13.F be heard directly following Order of Business. Councilman Mingo requested that item 16.B be heard prior to the consent calendar. Mayor Pizzi made a motion to accept the agenda as amended. The motion was seconded by Councilman Lama and all were in favor.

8. APPOINTMENTS:

No appointments were made.

9. COMMITTEE REPORTS:

No Committee Reports were presented.

10. CONSENT CALENDAR:

A. Approval of Minutes:

July 21, 2015, Regular Council Meeting

Approved on consent

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, MODIFYING THE ROUTE OF THE MIAMI LAKES MOOVER CIRCULATOR SYSTEM; PROVIDING DIRECTION TO THE TOWN CLERK; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Approved on consent.

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING A CHANGE ORDER UNDER CONTRACT No. 2012-47, FOR HANDYMAN AND GENERAL MAINTENANCE/REPAIR SERVICES, WITH SFM SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$37,300 FOR FISCAL YEAR 2014-2015 AND INCREASING THE CONTRACT VALUE TO \$80,000 YEARLY FOR THE SUBSEQUENT OPTION TO RENEW YEARS UNDER THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CHANGE ORDER; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE (Rey)

The Town Attorney read the title of the resolution.

Councilman Mestre made a motion to approve the resolution. Councilman Rodriguez seconded the motion. The Mayor called for the vote and the resolution was adopted 6-1 with Mayor Pizzi voting in opposition.

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, MODIFYING THE BUDGET APPROVED FOR FISCAL YEAR 2014-2015 BY ORDINANCE NO. 14-174, AS AMENDED BY ORDINANCE NO. 15-181 AND 15-182; MODIFYING BUDGETED LINE ITEMS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; PROVIDING FOR INCORPORATION OF

RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Councilman Rodriguez made a motion directing staff to transfer \$2,500 from the Senior Luau to Senior Programs, subject to the approval of the Elderly Affairs Committee, and the Council to discuss appropriating funds for Senior Programs thru the Strategic Planning process. The motion received a second from Councilman Mingo.

Mayor Pizzi amended the motion that if the committee does not approve the transfer of the funds, the he will personally donate \$2,500.

The Mayor called for the vote and all were in favor.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, EXPRESSING THE TOWN'S OPPOSITION TO DIPLOMATIC RELATIONS WITH CUBA AND THE OPENING OF A CONSULATE OR DIPLOMATIC OFFICE IN MIAMI-DADE COUNTY; REQUESTING THAT THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS FORMALLY JOIN THE TOWN IN ITS OPPOSITION; PROVIDING AUTHORIZATION TO TOWN OFFICIALS; DIRECTING THE CLERK TO PROVIDE A COPY OF THIS RESOLUTION TO THE ENTIRE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS AND COUNTY MAYOR; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Cid)

Approved on consent.

- F. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING A CHANGE ORDER UNDER CONTRACT No. 2015- 63, FOR THE PAVING AND STRIPING OF THE NEW PARKING LOT AND WALKWAY, WITH AMERICAN ASPHALT EQUIPMENT CORP., IN AN AMOUNT NOT TO EXCEED \$15,000 FOR THE PAVING OF THE NEW BASKETBALL COURT, INCREASING THE CONTRACT VALUE FROM \$47,500 TO \$62,500; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CHANGE ORDER; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Councilman Rodriguez made a motion to adopt the resolution. Councilman Mestre seconded the motion. The Mayor called for the vote and the resolution was adopted 6-1 with the Mayor voting in opposition. The Mayor made a motion to approve all remaining items on the consent agenda. The motion received a second from

Councilman Rodriguez and all were in favor..

11. ORDINANCES-SECOND READING (PUBLIC HEARING):

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ARTICLE I, SECTION 13-1; AMENDING ARTICLE IV, DIVISION 20, SECTIONS 13-745 AND 13-748; AMENDING DIVISION 21, SECTIONS 13-749, 13-755, 13-762, 13-770, 13-771, 13-772, 13-775, 13-782, 13-788, 13-796, 13-799.1 AND 13-799.3; ADDING NEW SECTIONS 13-799.5 AND 13-799.6; ADDING NEW DIVISION 26, SECTIONS 13-862 THROUGH 13-882; AMENDING ARTICLE VIII, SECTION 13-1801; AMENDING ARTICLE IX, SECTIONS 13-1903 AND 13-1904; AMENDING THE OFFICIAL ZONING MAP TO REZONE A 153.05 +/-ACRE AREA LOCATED EAST AND WEST OF NORTHWEST 67TH AVENUE BETWEEN MIAMI LAKES DRIVE AND MIAMI LAKEWAY NORTH, FROM THE RM-50, HIGH DENSITY RESIDENTIAL DISTRICT AND BU-2, SPECIAL BUSINESS DISTRICT TO THE TC, TOWN CENTER DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR FINDINGS; PROVIDING FOR DIRECTION TO THE ADMINISTRATIVE OFFICIAL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION OF SOME PORTIONS IN CODE; PROVIDING FOR EXCLUSION OF SOME PORTIONS FROM CODE; AND PROVIDING FOR AN EFFECTIVE DATE (Rey)

The Town Attorney, Raul Gastesi, read the title of the ordinance into the record.

Mayor opened the public hearing. Being that no wished to speak, the Mayor closed the public hearing.

The Town Attorney read the quasi-judicial procedures: Please be advised that the following items on the Board's agenda are quasi-judicial in nature. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be either cross-examined or sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Board to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Any person presenting documents to the Board should provide the Town Clerk with a minimum of 10 copies. Further details of the quasi-judicial procedure may be obtained from the Clerk.

The Town Clerk sworn in anyone wishing to speak.

Councilman made a motion to adopt the ordinance. Councilman Rodriguez seconded the motion.

Vice Mayor Cid made a motion to include the following 5 amendments to the ordinance to encourage active ground floor uses on Main Street:

1. Live/Work units be permitted by requiring that all townhouse units that face Main Street have ten feet high ceilings;
2. Require specific active use on the ground floor facing Main Street which will allow seven story buildings;
3. All new apartments built on Main Street are required to have ground floor units to be ten and a half feet slab to ceiling and slab be nonstructural;
4. Allow additional signs to face Ludlam Road;
5. Additional 10% reduction in parking requirements for active uses that front Main Street.

The motion received a second from Councilman Mestre and the motion passed 6-0 with Councilman Rodriguez not present. Councilman Mestre made a motion to adopt the ordinance on second reading as amended. The motion received a second from Vice Mayor Cid. The Town Clerk called the roll and all were in favor.

12. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA REPEALING AND REPLACING RESOLUTION NO. 04-195 TO AUTHORIZE THE TOWN MANAGER OR HIS/HER DESIGNEE TO REDUCE CIVIL PENALTIES AND ADMINISTRATIVE COSTS PERTAINING TO PENDING CODE COMPLIANCE MATTERS; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

The Town Attorney read the title of the resolution.

Councilman Mestre made a motion to adopt the resolution. Councilman Lama seconded the motion.

Councilman Mestre accepted a friendly amendment from the Mayor that the language be modified to designate the Planning Director as the Town Manager's designee.

The Mayor called for the vote and all were in favor.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING SECTIONS 5 AND 6 OF THE SPECIAL RULES OF ORDER OF THE TOWN OF MIAMI LAKES F/K/A THE TOWN COUNCIL MEETING RULES AND PROCEDURES; PROVIDING FOR

INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rodriguez)

The Town Attorney read the title of the resolution.

Councilman Rodriguez made a motion to adopt the resolution. The motion received a second from Councilman Lama. The Mayor called for the vote and the motion passed 6-1 with the Mayor voting in opposition.

C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA ADOPTING POLICY AS TO USE OF TOWN RESOURCES FOR COMMUNICATING OFFICIAL TOWN EVENTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Lama)

The Town Attorney read the title of the resolution.

Councilman Lama made a motion to adopt the resolution. The motion received a second from Councilman Rodriguez. The Mayor called for the vote and the motion passed 6-1 with the Mayor voting in opposition.

13. **NEW BUSINESS:**

A. Miami Lakes Fairness Act (Cid)

Vice Mayor Cid made a motion to discuss action that can be taken to compensate approximately 40 residents that complied with the at the AC enclosure requirement at the upcoming AC Enclosure Workshop.

B. Farmer's Market (Pizzi)

* This item requires waiver of Section 7.2 of the Special Rules of Order of the Town of Miami Lakes

There was no action taken on this item.

C. Over Population at Miami Lakes Schools (Lama / Pizzi)

* This item requires waiver of Section 7.2 of the Special Rules of Order of the Town of Miami Lakes

There was no action taken on this item.

D. Business Tax Receipt Transparency (Cid)

Vice Mayor Cid made a motion directing staff to send an email to all BTR

recipients with town information and updates.

E. Mayor's Gala (Pizzi)

* This item requires waiver of Section 7.2 of the Special Rules of Order of the Town of Miami Lakes

Mayor Pizzi deferred this item.

F. Miami Lakes United Soccer Club (Lama)

* This item requires waiver of Section 7.2 of the Special Rules of Order of the Town of Miami Lakes

Councilman Lama made a motion directing staff to work with Miami Lakes Soccer Club to address parking issues, the facilities required to accommodate the children, and that all practices be conducted in the Town of Miami Lakes. The motion received a second from Mayor Pizzi and all were in favor.

G. Creation of Town ordinance related to Human Trafficking (Cid)

Vice Mayor Cid made a motion directing staff to prepare an ordinance to address Human Trafficking. The motion was seconded by Mayor Pizzi and all were in favor.

14. MAYOR AND COUNCILMEMBER REPORTS:

A. Sen. Marco Rubio - Zip Code Update (Cid)

Vice Mayor Cid reported that Senator Rubio wrote a letter to the Post Master General supporting Miami Lakes in obtaining our own zip code.

B. Letter from School Board on Senior Funding and Update on Fundraising

Efforts (Pizzi)

* This item requires waiver of Section 7.2 of the Special Rules of Order of the Town of Miami Lakes

Mayor Pizzi reported that he wrote a letter to Miami Dade County Public Schools' Chairwoman Perla Tabares-Hantman regarding the funding of Senior Programs.

C. Roberto Alonso / Royal Oaks Park Shade Canopy (Cid)

Vice Mayor Cid reported that there are more families attending the park due to the shade canopy.

D. State of the Town (Pizzi)

*This item requires waiver of Section of 7.2 of the Special Rules of Order of the Town of Miami Lakes

The Mayor reported that it will take place in October at Town Hall in the Council Chamber.

E. Florida League of Cities Annual Conference (Cid)

Vice Mayor Cid reported that he attended the Florida League of Cities Annual Conference and participated on the Resolution Committee.

15. MANAGER'S REPORT:

A. Craigslist Sales in Police Parking Lots

Vice Mayor Cid made a motion that the Town Police Station serve as a safe haven for Craigslist transactions, Monday thru Friday 9:00 a.m. to 5:00 p.m. Vice Mayor Cid withdrew his motion.

Councilman Rodriguez made a motion that Craigslist transactions be conducted at the Miami Dade County Northwest District Police Station and that the Town advertise this service. The motion was seconded by Councilman Mestre and all were in favor.

B. Senior Programs

This item was simultaneously discussed with item 10.D.

C. Oct.7th Walk to School Day

The Manager reported that October 7th is Walk to School Day and that Miami Dade County School Board is promoting Miami Lakes K-8 for this event.

16. ATTORNEY'S REPORT:

A. Gastesi & Associates, P.A. Fees to the Town of Miami Lakes

This item was discussed simultaneously with item 16.D.

The retainer payment of \$12,500 will only require one signature.

Mayor made a motion to authorize the Vice Mayor as a second signature on checks over \$5,000 which relate to legal fees for cases related to the Mayor. Councilmember Lama seconded the motion and all were in favor.

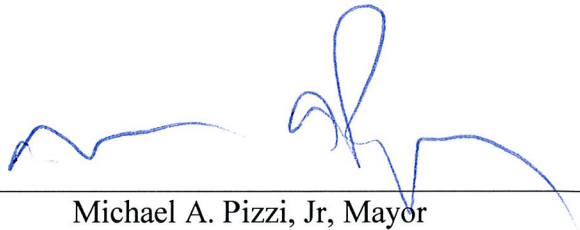
B. Status on Pizzi Litigation

Raul Gastesi, Town Attorney, informed the Council that the Town has received 2 lawsuits from Mayor Pizzi. Mr. Gastesi requested an executive session.

17. ADJOURNMENT:

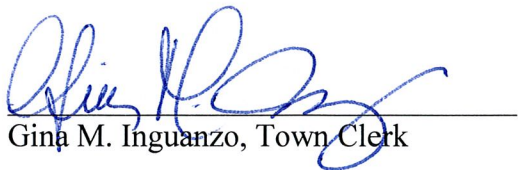
There being no further business to come before the Council, the meeting adjourned at 10:59 p.m.

Approved this 6 day of Oct 2015.



Michael A. Pizzi, Jr, Mayor

Attest:



Gina M. Inguanzo, Town Clerk