

**TOWN OF MIAMI LAKES, FLORIDA
COUNCIL MEETING
MINUTES**

MARCH 13, 2001
MIAMI LAKES MIDDLE SCHOOL
6245 MIAMI LAKEWAY NORTH
MIAMI LAKES, FL 33014

1. **CALL TO ORDER:** The meeting of the Town of Miami Lakes Council was called to order by Mayor Wayne Slaton at 7:00 p.m. on Tuesday, March 13, 2001.
2. **ROLL CALL:** The following Members were also present at roll call: Vice Mayor Roberto Alonso, and Council Members Mary Collins, Robert Meador, Michael Pizzi, Nancy Simon, and Peter Thomson. The following interim staff were also present: Acting Town Attorney: Weiss, Serota, Helfman, Pastoriza & Guedes, P.A. Attorneys Nina Boniske, Alison Bieler & Richard Jay Weiss and Acting Town Clerk Beatris M. Arguelles
3. **PLEDGE OF ALLEGIANCE:** The Mayor led the Pledge.
4. **INVOCATION:** Pastor David Southwell of the Christian Faith and Fellowship Church gave the invocation.
5. **APPROVAL OF THE MINUTES** – February 28, 2001 – The minutes of February 28, 2001 were amended as follows: Representative Ralph Arza was included as one of the Public Officials present at the meeting.

Commissioner Collins noted for the record that she did not officially withdraw her motion on item 15(a)(7) and that it was the person who seconded the motion that withdrew the second.

The minutes were accepted unanimously as amended following a motion by Councilman Thomson, seconded by Councilwoman Collins.

6. **ORDER OF BUSINESS (DEFFERRALS/ADDITIONS/DELETIONS)**

Councilman Meador moved to add in item 9N a discussion about the "Neighborhood Pride" program. Councilwoman Collins seconded the motion, which carried unanimously.

Councilwoman Simon asked that future Agenda list the sponsor of each particular item. The Council agreed by consensus.

Councilwoman Collins moved to approve the Agenda as amended. Vice Mayor Alonso seconded the motion.

7. PRESENTATIONS:

- A. COMMUNICATION FROM COMMISSIONER SEIJAS** – Terry Murphy, Commissioner Seijas' Chief of Staff congratulated the Council. He announced that the \$300,000 advance payment to the Town is item 9(a)(1) on the County Commission Agenda for the March 20, 2001 meeting. He noted that the item could not be heard at the previous meeting due to delays in preparing the item for the County Agenda.

Mr. Murphy stated that Commissioner Seijas has agreed to sponsor any items to go before the County, adding that these items should be presented to Commissioner Seijas, bearing in mind the County's four-day rule and other procedural matters. He extended an invitation to the Council to contact Commissioner Seijas with any matter that they feel she can be of assistance with on at the County Commission level.

8. PUBLIC COMMENTS: The following members of the public were heard:

Mirta Mendez – commented that there should have been more Council Member participation at the Opa-Locka Airport Workshop Meeting held by the Miami Dade Aviation Department.

Michael Pike – urged the Council not to increase taxes, citing item 10(b) (*at the request of the Mayor, Richard Weiss advised that the tax is currently being collected and sent to the County and noted that the Ordinance on the Agenda was merely to have the dollars come to the Town of Miami Lakes rather than the County.*) Mr. Pike also opined that the County is "Pulling the wool over our eyes" with regard to the commercialization of Opa-Locka Airport.

Hector Alemen – asked the Council to consider a possible noise ordinance, citing an increased incidence of construction beginning early on Sunday mornings.

Many Gonzalez – congratulated the Council Members for having been elected. He urged the Council to look into the Lake Belt area problems specifically regarding the blasting that is cracking residents' homes. Regarding the Opa-Locka Airport, he expressed concern that it appeared to be a done deal.

Irene Berkman – expressed concern over the commercialization of Opa-Locka Airport and urged that there be communication between the parties involved and the Miami Lakes Town Council.

Angel Gonzalez – urged the Council as well as the residents of Miami Lakes to oppose the Airport recommending that a Task Force be appointed to investigate. He cited a

D.O.T. Internet website, reported that the City of Opa-Locka has requested a \$2.7 million grant to design and construct a terminal building at the Airport site. He expressed concern over signs erected around the airport soliciting to build/lease "hanger" space. He urged the Council to develop a task force to counteract the airport expansion.

Jose Enriquez – regarding the airport, urged the Council to counteract any expansion and suggested that Senator Graham be contacted for his opinion and to solicit his help. On the matter of the Town Seal, he suggested that students from Hialeah-Miami Lakes and Barbara Goldman High School and Miami Lakes Middle School and other area schools be asked to participate, perhaps having a design contest.

Jose Quintero – asked if public comments would be listed on future agenda and whether the Council will be taking public comment on each item.

Diane Dominguez – urged the Council to annex the land West of I-75. She also urged the Council to consider improvements on 87th avenue and asked that more be done to make residents west of 87th Avenue feel like they are part of the new Town.

Deborah Robinson – asked the Council to consider placing a crossing guard at 67th Avenue and Miami Lake Way.

Pedro Carballo - suggested that the public comment be made after each item on the agenda. He agreed with Ms. Dominguez regarding the 87th Avenue west residents and improvements. He also urged the Council to adopt a no smoking police at meetings and in public facilities.

Jackie Santana – expressed concern over blasting, citing that the matter is of utmost concern to the affected residents and that the blasting appears to be getting stronger and louder.

Oswaldo Guerra – Representing Representative Ralph Arza urged the Council to communicate with the representative and offered that Rep. Arza is available to assist in any way he can.

9. DISCUSSIONS AND/OR ACTION ITEMS:

A. ADOPTION OF PARLIAMENTARY PROCEDURES – Councilman Thomson moved to adopt Roberts Rules of Order as the Town's parliamentary procedures at all Town Meetings. The motion was seconded by Councilwoman Collins and carried unanimously.

B. MIAMI-DADE COUNTY DAYS – Councilwoman Collins reported that Miami-Dade County Days are an opportunity for local government officials to go to Tallahassee to talk to legislators about local issues. She urged that at least one Councilmember be appointed to attend.

Following discussion wherein Mayor Slaton recommended it advisable for all members of the Council to attend, Councilman Pizzi moved to have the Town of Miami Lakes send Mayor Slaton and any other Council Member that wished to attend to Dade Days in Tallahassee, April 4-5, 2001; that council members be reimbursed for travel not to exceed \$600 per member and that a discussion regarding legislative priorities be placed on the March 27th Agenda. The motion was seconded by Councilwoman Collins and carried unanimously.

- C. TOWN MANAGER** – The Mayor announced that he received information from the City Managers' Association(s) regarding the hiring of a Town Manager. He cited various means by which a Manager is recruited (i.e.: Search Firm, Advertising in various governmental publications, etc.) The Mayor stated he is looking into various search firms and that he will bring back to the Council a recommendation for consideration. He noted that the process could take anywhere from 60 to 90 days according to the various sources.
- D. VOLUNTEERS** – Councilwoman Collins gave a brief statement commenting that there are a number of functions that must be performed in order to operate a "Town Hall" adding that Angela Garrison has been performing the duties of a full time coordinator and recommended that the Council appoint Ms. Garrison to a position of Interim Administrative Coordinator.

Thomson moved to appoint Angela Garrison as an Interim Administrative Coordinator at a salary of \$1,500. Councilwoman Collins seconded the motion.

Discussion ensued among the Council Members. Councilman Alonso questioned what was done in other recently incorporated municipalities. Richard Weiss advised that in the City of Aventura, his firm performed all the duties until the Manager was on board, that in Key Biscayne, a semi-retired Trustee (Councilman) was appointed to handle the Administration, and that in another City, they hired a paralegal-type team to do the work. Nina Boniske reported that the Marathon assigned three of its council members to perform specific duties but that they hired a retired manager who worked for approximately \$100 per day. In Marathon she added that they hired a Management team for over \$2,000 per week.

Councilman Pizzi and Councilman Meador expressed concern regarding the need to have some one perform the duties in the most cost-effective way. Councilmen Meador and Pizzi volunteered to perform some of the services that would be required.

Lengthy discussion ensued regarding the salary for the interim position of Coordinator. Councilman Meador asked that the Attorney clarify the difference between a Coordinator and a Town Manager with respect to duties and salary. Mr. Weiss advised that the position of Town Manager would have to be nominated by the Mayor to be approved by the Council and that the position

being discussed is that of an interim administrative Coordinator. In answer to the average salary of a recently appointed Town Manager, Mr. Weiss advised that the salary of the Town Managers of Key Biscayne, Aventura, Homestead and Bal Harbor are all in the \$100,000 range with Key Biscayne upwards of \$150,000. He equated the position of Interim Administrative Coordinator with that of a qualified legal secretary making anywhere between \$35,000-\$50,000 per year.

Councilman Thomson urged the Council to consider that an interim, full time, person is needed to do the work that is required and expressed concern that a volunteer might have a full time job that would take precedence over a non-compensation position. He stated that there must be some one appointed to coordinate what volunteer is doing what and when.

Councilwoman Collins expressed opposition to having Elected Officials being involved as volunteers because of the Sunshine Law and the possibility that the law may be violated, even if accidentally. She suggested that if Ms. Garrison would accept less, she would amend the motion to be \$1,000 per week.

At the suggestion of Councilwoman Simon, Councilman Pizzi moved to allow the public to speak on the matter before the Council vote. Councilman Meador seconded the motion. The motion carried 6-1 with Councilwoman Collins dissenting.

The Mayor opened the floor for public comment regarding the question of salary for the position of Interim Administrative Coordinator and the following residents spoke:

Jose Quintero – suggested that résumés be collected and that drug tests be performed for the applicants. With regard to the salary being considered he suggested \$500 per week would be adequate for the "clerical" position.

Pedro Carballo – expressed concern that the motion on the floor was to compensate employees, yet the item under which it came up was entitled "volunteers."

Magaly Cooling – commented that the salary paid should be commensurate with the time and effort that is put in. She stated that she is a volunteer.

Mercedes Gomez – suggested that the Council hire both Magaly Cooling and Angela Garrison and that compensation be split among them.

Jackie Quintana – offered her time as a volunteer and suggested the possibility of hiring three people to perform the duties. She recommended having people apply for the positions and vie for the salaries.

Irene Berkman – urged the Council and the public to take into consideration that an Interim Administrative Coordinator will be performing more than 40 hours per week worth of work and that should this person hire a Temp to perform clerical duties, that temp would be paid between \$8 - \$10 per hour and that the person telling the temp what to do should be compensated at a higher rate than the person she/he hires. She opined that a hired, compensated, individual that is required to be there will get much more accomplished than one that is only committed as a volunteer.

Neil Robinson – commented that a person must be placed in-charge of running the day-to-day operation of the Town until such time as a Manager is appointed. He noted that there are several administrative things that need to be done and that person appointed to the position of Interim Administrative Coordinator will be charged with coordinating the administration of the Town as well as organizing the volunteers that wish to help, adding that the person will be in charge of getting the Town operational being both responsible and responsive to the Community. He urged the Council to consider that if the Council believes that Ms. Garrison has been performing the duties adequately, then she should be compensated commensurate with the job that needs to be done.

Jose Enriquez – asked that applications be sought for the position and expressed that the requirements of the job be outlined. He also expressed concern that the Council must consider what is an entry level position and asked whether or not employees would be hired at the highest level of pay or the lowest, citing that if this person is hired at a salary of \$75,000 her salary would be over \$150,000 in just a few years. He noted that over 60% of the Dade County School principals make less than \$75,000 per year.

Trish Morgan – stated that she is the President and Owner of a Professional Recruiting Company and offered that for a full-time position that has been described \$1,000 per week is fair. She also pointed out that the position is that of a temporary nature and noted that temporary or free-lance positions are paid at a higher rate because of the temporary status. She urged the Council and audience not to base the salary on an annual computation, since it would not be a position that would be held for that long a term. She urged realism and an understanding of the job market and fairness.

Jose Fuentes – suggested that the Council consider hiring a Management Company on a temporary basis to perform the duties involved until such time as a Manager is appointed. He opined that it would be the most efficient use of taxpayer dollars to appoint such a team, but also encouraged volunteerism.

Councilman Thomson amended his motion to be the appointment of Angela Garrison to the position of Interim Administrative Coordinator at \$1,000 per week compensation. Councilwoman Collins accepted the amendment and seconded the motion.

Following brief discussion the motion failed 4-3 on a voiced vote with each Member voting as follows: Alonso – No; Meador – No; Pizzi – No; Simon – No; Collins – Yes; Thomson – Yes and Mayor Slaton - Yes.

Councilman Pizzi moved that the Salary be set at \$800 per week. On a voiced vote, the motion carried unanimously.

The Mayor recessed the meeting for five minutes. The Meeting re-convened. The Clerk called the roll and all Members were present.

Mayor Slaton announced that with the assistance of volunteers Magaly Cooling and Angela Garrison the Town Hall is taking shape. He announced that with the assistance of Ms. Cooling and her husband and son, the Town has purchased a computer system for the Town office. Additionally a printer, scanner, fax machine and telephone sets have been procured. He announced that through the volunteer effort of Councilman Thomson and a donation from Cordis Corporation's excess storage, the town was donated office furniture, which included desks, chairs, filing cabinets and a conference table. He also announced that office space has been secured at 6853 Main Street and that a telephone has been installed. He invited residents to come in and visit and encouraged participation from the residents. The Mayor commended the work of all the volunteers noting that much was accomplished within a two-week span. He encouraged residents to continue the volunteerism and asked that anyone wishing to volunteer to sign up.

- E. FOUR-DAY RULE FOR AGENDAS** – Interim Attorney Richard Weiss noted that the Miami Dade County Commission requires that all items on the Agenda be action items (in the form of a motion, resolution or Ordinance) and that the Four-Day Rule established by the County Commission establishes that the item (document) must be physically in the Agenda, at least four days prior to the meeting and that if the item has not been placed in the Agenda within the four days, but is added before the meeting, then any one Commissioner can pull the item off of the Agenda. He noted that if no one asserts the rule, then the item can remain on the Agenda and is voted on. Additionally, he noted that if the item is not on the Agenda and not included in the Packet, the signatures of two-thirds of the County Commission Members must sign off so as to include the item on the Agenda. Mr. Weiss stated that the Council could adopt their own rules regarding the Agenda.

Councilwoman Simon urged the Council to adopt the four-day rule in order for the Council and the public to be adequately prepared for the meeting.

Councilwoman Simon moved to adopt a four-day rule that requires that any item for the Agenda must be provided to council members in writing at least four days prior to the Council Meeting. Councilman Thomson seconded the motion for

discussion. He recommended that seven days be considered once the Council is meeting is held on a monthly basis. Following brief discussion wherein it was clarified that the Rule would not apply to Emergency Meetings the question was called and the motion carried unanimously.

Mr. Weiss noted that he would draft a Resolution for Council's consideration at the next meeting.

- F. LAND USE WEST OF I-75/ZONING/ANNEXATION** – Prior to any discussion on this item, Councilman Meador absented himself from the room citing personal conflict of interest as it pertains to the item about to be discussed.

Councilman Pizzi reported that the County Commission considered the Master Plan as it relates to this land, specifically to change the designation of the land from industrial to residential with up to 13 units per acre. He noted that the applications (requests from Builders to develop the land) will be reviewed by the Country Club Community Council and not by the Town of Miami Lakes since the property is out side the Town's boundaries.

Councilman Pizzi noted that the City of Hialeah Gardens has put in an application to annex the land and that the City of Hialeah and the proposed city of Country Club Lakes have expressed interest in including the land within their boundaries. He suggested that the Council may wish to go forward and submit an application for the annexation of the land in order to have a say in how the land is developed and recommended that a Council Member be appointed to look into the issues involved and tasked with the job of reporting to the Council the feasibility of the Town annexing the land

Regarding Zoning, Councilman Pizzi recommended that we look into what zoning requests may be pending at the County, what the possibilities might be for the Town to start hearing these requests. Councilman Pizzi further discussed the need for coordination with Team Metro on Code enforcement issues in the West Lakes area.

Following the report, the Mayor appointed Councilman Pizzi to look into these matters and that the issues be placed on a future Agenda for consideration.

- G. FUTURE OF ROYAL OAKS PARK** – Mayor Slaton noted that funds were allocated for the park and that permits were ready to fill the property. He appointed Councilman Alonso to work with the County Parks Department on matters related to the Park. Specifically, the Master Plan as previously approved by the County and the availability of funds for the completion of the park.

Councilman Alonso reported that there are several lots in the West Lakes that may be appropriate for tot lots. He suggested that anyone wishing to participate in a program to create tot lots similar to the one at Royal Oaks contact him.

Councilwoman Collins asked that the "Adopt-a-Park" program be looked into for the tot-lots. She also asked that the Attorney look into whether or not there are any impact fees that have been collected that may be coming to the Town for the purpose of developing parks facilities.

- H. TOWN SEAL, LOGO, SLOGAN, WEBSITE** – Mayor Slaton appointed Councilwoman Collins to look various ideas. Councilwoman Collins suggested a contest with three categories: Seal, Logo and Slogan. She noted that The Miami Laker has agreed to sponsor such a contest. Councilwoman Collins suggested that the contest be limited to residents of the town. She urged that anyone wishing to assist should contact her.

With regard to the Town Website, Councilwoman Collins announced that plans are in the works for the site.

- I. STREET SIGNAGE** – the Mayor appointed Councilman Thomson to look into signage for the entire town, including uniform entrance/exit signs.
- J. OPA-LOCKA AIRPORT** – Councilwoman Simon urged the Council to hold a meeting, perhaps at Barbara Goldman High School to meet with the Dade County Department of Aviation for a briefing on the Airport situation. Mayor Slaton appointed Councilwoman Simon to look into the matter and come up with an appropriate date for a meeting with the County to discuss the Town's concerns.
- K. 87TH AVENUE IMPROVEMENTS** – The Mayor discussed the need for improvements and beautification along 87th Avenue. He noted that most of the road had four lanes yet was not being used. He indicated that DOT and Public works had projects pending for this area and suggested that we include better street lighting, sidewalks, landscaping, irrigation, and maintenance. Councilman Meador was appointed to look into these items and discuss with DOT and Public works their projects and possible enhancements and report back to the Council.
- L. TRANSITION OF SERVICES WITH MIAMI-DADE COUNTY** – The Mayor stated that he is working closely with the County in effectuating the transition of services.
- M. PUBLIC COMMENTS AT MEETINGS** – by consensus, the Council agreed to have a Public Comments section on the Agenda.
- N. NEIGHBORHOOD PRIDE** – Councilman Meador announced that there would be a meeting with Team Metro on March 20th, 2001 to discuss this annual project.

10. PUBLIC HEARINGS/ORDINANCES – FIRST READING

A. ZONING:

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING AN ORDINANCE CONCERNING ZONING, PURSUANT TO SECTOIN 8.3 AND 3.8 OF THE TOWN CHARTER, AMENDING THE MIAMI-DADE COUNTY ZONING CODE AS APPLICABLE TO THE TOWN OF MIAMI LAKES, TO SUBSTITUTE TOWN COUNCIL FOR COUNTY AGENECIES AND OFFICIALS, DESIGNATING ZONING OFFICIAL, PROVIDING FOR ZONING COMPLIANCE REVIEW, PROVIDING FOR AUTHORITY OF TOWN COUNCIL, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Attorney Nina Boniske read the Ordinance by title. Councilwoman Collins moved to adopt the Ordinance on First Reading. Councilman Meador seconded the motion. On a roll call vote, the motion carried unanimously.

B. Utility Tax:

AN ORDINANCE OF THE TOWN OF MIMAI LAKES, FLORIDA, IMPLEMENTING THE UTILITY TAX AUTHOIRZED BY SECTION 166.231. ET. SEQ., FLORIDA STATUTES, TO LEVY AND IMPOSE UTILITY TAX UPON THE PURCHASE WITHIN THE TOWN OF MIMAI LAKES OF ELECTRICITY, WATER, METERED GAS, GOTTLED GAS, COAL AND FUEL OIL, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Attorney Nina Boniske read the Ordinance by title. Councilwoman Collins moved to adopt the Ordinance on First Reading. Councilman Meador seconded the motion. On a roll call vote, the motion carried unanimously.

11. COMMUNICATIONS:

A. WORKSHOP ON PARLIAMENTARY PROCEDURES: The Mayor and Council agreed to meet at 7:30 p.m. on Thursday, March 22, 2001 at the Whitman Cup Room, Shula's Hotel for a workshop on parliamentary procedures.

12. FUTURE MEETING DATES: The following dates were set for the remainder of March and the month of April: March 27, April 10 and April 24, 2001. The meetings are scheduled to be held at Miami Lakes Middle School, 6245 Miami Lakeway North, Miami Lakes, FL 33014.

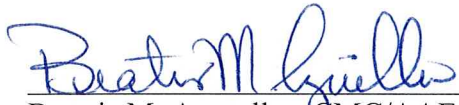
13. ADJOURNMENT: The Mayor adjourned the meeting at 11:00 p.m.

Prepared by:

Beatris M. Arguelles, CMC/AAE

Acting Town Clerk

Approved this 27th day of March, 2001



Beatris M. Arguelles, CMC/AAE
Acting Town Clerk



Wayne Slaton, Mayor