

TOWN OF MIAMI LAKES, FLORIDA

**COUNCIL MEETING
MINUTES**

APRIL 10, 2001

Miami Lakes Middle School
6245 Miami Lakeway North
Miami Lakes, FL 33014

1. **CALL TO ORDER:** The April 10, 2001 meeting was called to order by Mayor Wayne Slaton at 7:15 p.m.
2. **ROLL CALL:** In addition to the Mayor, the following Council members were present at roll call: Vice Mayor Roberto Alonso; Councilwoman Mary Collins; Councilman Robert Meador, II; Councilman Michael Pizzi; Councilwoman Nancy Simon; Councilman Peter Thomson;
3. **INVOCATION:** Al Mandel, Our Lady of the Lakes Deacon offered the invocation.
4. **PLEDGE OF ALLEGIANCE:** The Mayor led the Pledge.
5. **APPROVAL OF THE MINUTES OF MARCH 27, 2001:**
Councilwoman Collins moved to accept the minutes. Councilwoman seconded the motion. Councilman Meador corrected "Robert Thomson" to read "Peter Thomson" and corrected the spelling of Rafael "Ralph" Arza's name. He also requested that a final report on the 87th avenue improvements be substituted for the report included with the minutes. The Mayor suggested that the revised report be submitted as part of this meeting instead. Under New Business Item C, the words "Councilman Thomson" at the end of the paragraph were stricken. The minutes were approved as amended.
6. **ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS):**
Councilwoman Collins moved to adopt the Agenda as presented. Councilman Thomson seconded and the Agenda was approved without objection.
7. **PRESENTATIONS:**
Proclamation in honor of Miami Mud Cats Appreciation Day, April 10, 2001 - On behalf of the Mayor and Council members, Councilman Pizzi recognized the Miami Mud Cats, 26-0, going to the Little League World Series. He read the proclamation and presented it to the team, with each

member of the team accepting a certificate of Proclamation. The Council and the audience congratulated the team on their achievement with applause.

8. PUBLIC COMMENTS: The following persons were heard:

Robert Meyers - regarding campaign finance reform, Mr. Meyers offered that it is likely to increase participation by residents in the election process.

Sean Schwinghammer - suggested that the residents be heard when items come up for discussion. Regarding the Opa-Locka Airport, he encouraged participation by the Council at the airport meetings. Regarding the matter of annexation, he urged that the Town move forward with the annexation process and suggested that a resolution be adopted in order for the Town to have jurisdiction over the area.

John Collins - congratulated the Mud Cats. He welcomed Merrett Stierheim to the Town of Miami Lakes. Regarding campaign finance, Mr. Collins urged caution and recommended that any reform be carefully scrutinized. He spoke neither in favor of nor in opposition to reform and suggested that the State Attorney's Office be contacted regarding violations. He strongly urged that the Council have all candidates sign a waiver of confidentiality for their campaign bank account records. He also recommended the Council formally state that any campaign violations will be taken to the State Attorney or the Grand Jury.

Humberto Garcia - expressed concern over 82nd Avenue and the potholes that have not been patched correctly. He expressed concern that the taxpayers will eventually have to pay to re-repair the streets that contractors are leaving in a state of disrepair.

Angel Gonzalez - thanked the Council for attending the Hialeah Meeting regarding the Opa Locka Airport and encouraged continued participation. He also reported that he received a notice from the County requiring every alarm user in the County to report their Alarm System to the County. He expressed concern over the \$25.00 charge for Alarm calls.

Michael Maldonado - stated that there is great deal of unity against the expansion of Opa Locka Airport. He announced that he has volunteered his services for the creation of a web site geared toward opposition to the Airport adding that there will be a posting area, and that he would provide maintenance, lists, e-mail services, etc.

Neil Robinson - congratulated the Council on the appointment of Merrett Stierheim as the interim Town Manager and welcomed him. Mr. Robinson

requested the Council consider public comment after each item is brought up. He also noted that the campaign finance matter is a timely one and urged that the Council approve the measure. Regarding annexation, he suggested that the Council study all the pros and cons on the matter carefully before making any decisions.

Raul Gastesi - congratulated the Council for hiring Merrett Stierheim. Regarding Campaign Finance reform and annexation, he suggested that the Council should look into other more important matters such as revenues for the town, police and fire, zoning, traffic, and quality of life matters such as the Opa Locka Airport matter.

9. DISCUSSION AND/OR ACTION ITEMS:

A. MAYOR'S REPORT:

- 1. INTERIM TOWN MANAGER** - Mayor Slaton formally introduced Merrett Stierheim and pursuant to the directive from the Council to bring to the table an agreement, recommended that Merrett Stierheim be approved per an agreement (attached hereto these fully executed minutes.). Councilwoman Collins moved (to hire Mr. Stierheim as the interim Town Manager as per the agreement as spelled out on the first two pages of the agreement, including his participation in the Town Manager Search.) Vice Mayor Alonso Seconded the motion. Following brief discussion among the Council and comments from Mr. Stierheim, the motion carried unanimously.

Mr. Stierheim thanked the Council for their comments and for their kind response to his appointment. He briefly reviewed the process outlined in a proposal he put together for the strategic planning process for the Town of Miami Lakes. He noted that the proposal was a compilation of what he believed to be the priorities for the Town and is meant to provide the Council with an opportunity to vision what the Town will look like over a five year period, adding that the vision will become the basis for budgeting, prioritization of programs and policies.

Mr. Stierheim noted that the budgeting process is critical for the Town with a budget for the 2000-2001 budget due by June 1st of this year. He noted that the budget for the 2001-2002 must be adopted for the following fiscal year by September 30, 2001. He noted that there would be several policy

decisions that will be made by the Council and must be provided for in the budget. He added that he hopes that the permanent Manager will be on board by August, allowing enough time for his/her review of the budget and allowing the opportunity for additional input.

The Interim Manager suggested that the Council begin to consider the transition/withdrawal from the County for services and suggested that the recruiting process be initiated for a Finance Director, Building Official, Public Works Director, Planner, etc.

Following brief discussion, Mayor Slaton asked Mr. Stierheim to serve as Chairman of a Search Committee for the various positions and stated that he would appoint members to the Committee accordingly.

Regarding the budget, Mr. Stierheim stated that the process should begin immediately and recommended that the Council approve the process outlined in his plan. He noted that he would be responsible for administrating any and all contracts approved by the Council.

Councilman Thomson moved that the budget process, as outlined by the interim Manager be approved, with the project costs not to exceed \$32,500. Councilwoman Collins seconded the motion. The motion carried unanimously.

Following questions from the Council as to other matters contained in the strategic planning process, no action was taken on: Interim Management Team; Strategic Planning Process, Asset Inventory; and Assessment of Building and Development Process.

Mr. Stierheim urged the Council members call him with any items or issues to be addressed. The Mayor asked the public to address matters directly to the Council members.

2. **TRANSITION OF SERVICES WITH MIAMI-DADE COUNTY:** Mayor Slaton noted that the Manager would be an integral part of the meetings relating to transition services.

B. COUNCIL MEMBER REPORTS:

1. **FUTURE ROYAL OAKS PARK - Councilman Alonso** reported that there has been some illegal dumping by contractors at the Park and that concerned neighbors has been reporting the dumping. He stated that the dumpers have been caught and have been cleaning up the over \$75,000 worth of trash. He suggested the "Family Tree" program as a means by which to raise funds to plant trees at the Park is implemented. He also suggested utilizing sponsors to fund other projects at the park. He noted that the permits for the projects at the park have been pulled. Councilwoman Collins suggested that a softball field be built in the Town.
2. **TOWN SEAL, LOGO, SLOGAN, WEBSITE:** Councilwoman Collins submitted the attached report. She announced that an orientation meeting would be held on Thursday, April 12, 2001.
3. **STREET SIGNAGE -** Councilman Thomson submitted a design for the signs and proposed locations for signage. The Mayor suggested that the first three locations depicted be concentrated on. He directed the Manager to handle the project and bring back a report to the Council for approval. The Council agreed by consensus.
4. **OPA-LOCKA AIRPORT**
 - (a) **Workshop April 17, 2001 - 7:00 p.m. at Barbara Goleman High School.** Councilwoman Simon announced the workshop. She also stated that she has obtained a copy of the Miami Dade Aviation Systems Plans and that the plans will be available at Town Hall for review by the Public. She urged all concerned citizens to attend the meeting on April 17.
5. **87th AVENUE IMPROVEMENTS:** Councilman Meador submitted a written report, attached. He also read a letter from Aristide Rivera, regarding road impact fees; he advised that any improvements or changes would delay the project an additional 2 to 4 months. He suggested the project be turned over to the Town Manager.
6. **CODE ENFORCEMENT:** Councilman Pizzi noted that using volunteers and existing efforts, areas that need to be cleaned up would be looked into. He will be meeting with

Mr. Pena of Team Metro to come up with a plan to educate the residents of regarding what is, and is not, allowed.

Councilman Alonso expressed concern over the fact that Team Metro has not been doing a good job at enforcing the codes. Councilwoman Collins opined that a clean up of the area is different than enforcing the Codes.

7. **ANNEXATION:** Councilman Meador announced that he would recuse himself, citing a conflict of interest as it pertains to the item to be addressed.

Councilman Pizzi disseminated the attached report. He stressed that a decision should be made to assure that the Town of Miami Lakes has a say in the development of the land. He suggested that a workshop be scheduled for Tuesday, May 1, 2001. He recommended that the Manager draft a resolution for approval by the Council that will allow the annexation of the land.

Councilman Pizzi moved to hold a Workshop on May 1, 2001, to discuss annexation issue. The motion carried unanimously.

Pizzi moved that a resolution be noticed and be brought to the Council for approval. Councilman Simon seconded the motion. Thomson expressed that he is uncomfortable with taking a position on the matter without input from the public. The Mayor opined that not enough input has been attained from the public regarding the matter.

The Manager suggested sending a letter indicating that the town is exploring the matter and request that County not take any action until after the workshop is held and the Town makes a determination.

Councilman Pizzi moved that the Mayor, on behalf of the Town, write a letter to the County advising them that the Town is under deliberations and request that the County holds off on making any decision on the property. Thomson seconded. Motion carried unanimously.

8. **DADE DAYS:** Councilwoman Collins issued the attached report, noting that the Tallahassee trip proved to be successful.

C. **NEW BUSINESS:**

1. **Ethics** - Councilwoman Collins requested that the item be deferred until she has had a chance to speak to the manager.
2. **Campaign Finance** - Councilman Pizzi gave a brief report and proposed that the Council adopt the County's Campaign Finance ordinance.

Councilman Pizzi moved to direct the acting City Attorney to place on the next agenda an Ordinance adopting the County's Ordinances regarding corporate and individual contributions as well as the South Miami Ordinance as it pertains to vendor contributions.

The motion carried 4-3 on a roll call vote, with each Member voting as follows: Councilman Pizzi: YES, Councilman Thomson: YES; Councilman Meador: No; Vice Mayor Alonso: No; Councilwoman Simon: Yes; Councilwoman Collins: Yes; Mayor Slaton: No

3. **Town Master Plan** - Councilman Pizzi moved to table.
4. **Hiring Practices** - Councilman Pizzi moved to table.
5. **Bidding Process** - Councilman Pizzi cited that the Town does not have a procurement process in place and would like to see a process be developed. The Mayor noted that the Town has been operating under the 60-day transition, which allows the town to waive certain bidding requirements during the transition. He noted that the 60-day transition period is nearing its end and directed the Manager to formulate a policy for the town. Councilman Pizzi moved that the Manager and Attorney research and propose an ordinance for consideration by the Council. Councilman Meador seconded the motion, which carried unanimously.
6. **City Clerk/Interim Coordinator/Volunteers:** Mr. Stierheim noted that he would be overseeing the administration of the employees and volunteers. With regard to the Clerk, he stated that he would make a recommendation for the appointment. He mentioned that the Interim Clerk has been working pro-bono since her appointment and that he would be scheduling a meeting with her. He noted that the in most governments, the

Clerk is appointed by the governing body and that a very high comfort level must exist between the Clerk and the Council.

7. **Scholarships** - Councilman Meador deferred the item to the next meeting.
8. **Range Rider Program** - No action was taken.

10. RESOLUTIONS:

- D. **A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, OPPOSING COMMERCIAL EXPANSION OF THE OPA-LOCKA AIRPORT AND PROVIDING FOR AN EFFECTIVE DATE:** Councilwoman Simon moved to adopt the resolution. Councilwoman Collins seconded the motion; which carried unanimously.
- E. **A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE SECOND INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF MIAMI LAKES; AUTHORIZING THE MAYOR TO EXECUTE THE SECOND INTERLOCAL AGREEMENT ON BEHALF OF THE TOWN AND PROVIDING FOR AN EFFECTIVE DATE.** Councilwoman Collins moved to adopt the Resolution as read. Councilwoman Simon seconded the motion. Mayor Slaton noted that the Miami Dade County Commission had already approved the Resolution. Following a question from Councilwoman Simon, the Attorney stated that the resolution was of a stopgap nature, maintaining the status quo until the Town is able to assume the responsibility for vital services. The motion carried unanimously.

10. PUBLIC HEARINGS/ORDINANCES - SECOND READING:

- A. **AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING AN ORDINANCE CONCERNING ZONING, PURSUANT TO SECTION 8.3 AND 8.8 OF THE TOWN CHARTER, AMENDING THE MIAMI-DADE COUNTY ZONING CODE AS APPLICABLE TO THE TOWN OF MIAMI LAKES TO SUBSTITUTE THE TOWN COUNCIL FOR COUNTY AGENCIES 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. Attorney Nina Boniske read the Ordinance. The Mayor opened the Public Hearing; Hearing no comments from the public, the Mayor closed the public hearing and reopened the regular meeting. Councilwoman Collins moved to adopt the Ordinance on second reading. Councilwoman Simon seconded the motion. On a roll call vote the motion carried unanimously.

- B. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, IMPLEMENTING THE UTILITY TAX AUTHORIZED BY SECTION 166.231, ET. SEQ., FLORIDA STATUTES, TO LEVY AND IMPOSE UTILITY TAX UPON THE PURCHASE WITHIN THE TOWN OF MIAMI LAKES OF ELECTRICITY, WATER, METERED GAS, BOTTLED GAS, COAL AND FUEL OIL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE: The Mayor opened the Public Hearing and the following residents were heard:

Angel Gonzalez expressed concern over the utility tax requesting clarification as to the amount that will be returned to the Town. The Attorney noted that the Ordinance does not impose a new tax, but rather directs the funds to the Town as opposed to the County.

Mirta Mendez requested clarification as to the amount of tax to be charged for electricity, citing that her FPL Bill was less than 10%.

Neil Robinson - suggested that the Ordinance be tabled until the amount of the tax being charged can be determined.

Following discussion, Councilman Thomson deferred adoption of the ordinance until such time as the percentage to be charged was clarified. Councilwoman Collins seconded the motion. The motion carried unanimously.

11. **FUTURE MEETING DATES:** Mayor Slaton announced the following meetings:
- A. Workshop on Zoning - 7:00 p.m., Wednesday, April 11, 2001, Don Shula's Hotel, Davis Cup Room.
 - B. Town Council Meeting - 7:00 p.m., Tuesday, April 24, 2001, Miami Lakes Middle School.
 - C. Town Council Meeting - 7:00 p.m., Tuesday, May 8, 2001, Miami Lakes Middle School.

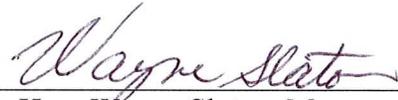
12. **ADJOURNMENT:** The Mayor adjourned the meeting at 11:15 p.m.

Prepared by:

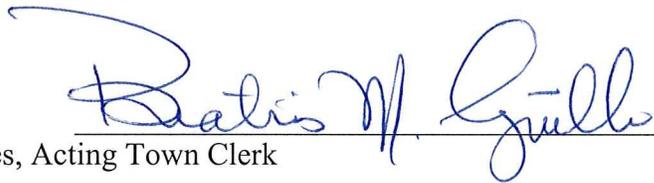
Beatris M. Arguelles

These minutes were accepted on the 24th day of April, 2001

Attest:



Hon. Wayne Slaton, Mayor



Beatris M. Arguelles, Acting Town Clerk