

TOWN OF MIAMI LAKES, FLORIDA

**COUNCIL MEETING
MINUTES**

APRIL 24, 2001

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

1. **CALL TO ORDER:** The meeting was called to order Tuesday, April 24, 2001 by Mayor Wayne Slaton at 7:15 p.m.

2. **ROLL CALL OF MEMBERS:** In addition to the Mayor, the following Council members were present at roll call: Vice Mayor Roberto Alonso, Councilwoman Mary Collins, Councilman Robert Meador, Councilman Michael Pizzi, Councilwoman Nancy Simon, and Councilman Peter Thomson. Staff members present were Interim Town Manager Merrett Stierheim; Acting Town Attorneys Nina Boniske and Allison Bieler, Acting Town Clerk Beatris M. Arguelles and Interim Administrative Coordinator Angela Garrison.

The Mayor reviewed the rules of decorum and asked that all cellular phones and pagers be turned off to avoid interruption during the meeting.

3. **INVOCATION:** Mark Hutchinson, Miami Lakes Baptist Church offered the invocation.

4. **PLEDGE OF ALLEGIANCE:** Mayor Slaton Led the Pledge.

5. **APPROVAL OF THE MINUTES:**

March 22, 2001 - Councilwoman Collins moved to accept the minutes as submitted. Councilman Thomson seconded and the motion carried unanimously.

April 10, 2001 - Councilwoman Collins moved to accept the minutes as submitted. Councilwoman Simon seconded and the motion carried unanimously.

April 17, 2001 - Councilwoman Collins moved to accept the minutes as submitted. Councilman Thomson seconded the motion that carried unanimously.

6. **ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS):** Councilwoman Collins asked that the Mayor draft a letter on behalf of the Town thanking the County Commission for their favorable vote on the Resolution sponsored by Commissioner Alonso calling for cessation of any and all plans to expand Opa Locka Airport. The Council concurred.

Councilman Pizzi announced a Miami Dade County Police Department Open House to be held from 10:00 a.m. to 2:00 P.M.

Councilwoman Collins moved to accept the Agenda as amended. Councilman Thomson seconded the motion that carried unanimously.

7. **PRESENTATIONS:** Lt. Jim Dautel announced that the Police Department would hold an Open House from 10:00 a.m. to 2:00 p.m. on Saturday, April 28, 2001 at the Miami Lakes District, 5975 Miami Lakes Drive. He announced that there would be exhibits (Police helicopter, canine units, etc.) over 50 different vendors, a job fair and tour through the District Station. He encouraged the Council and public to attend.
8. **PUBLIC COMMENTS:** Mayor Slaton outlined a new format for the Council to hear public comments. Members of the public wishing to address a particular item on the Agenda are requested to fill out a public comment card stating the item they wish to address and when the item is up for discussion, the Clerk will call on these persons to address the Council.

He asked for members of the Public wishing to address the Council on any matter not on the Agenda to speak. The following members of the public were heard:

Pedro Carballo - thanked Mayor Slaton, Councilman Meador and Councilman Pizzi for joining with members of the West Lakes Civic Association and other residents of the Town during the Earth Day Clean up. He announced the event was a great success.

Maria Kramer - urged that the Council address education and providing quality public schools in the Town. She recommended planning forums culminating in a cohesive effort to educate the Town's children.

Jose Enriquez - opined favorably to the speaker cards. He also urged the Council to continue to keep an eye on the happenings at the Airport. Regarding the Youth Activities Task Force, he suggested appointing Jim Hamilton to the Task Force. Mr. Enriquez thanked Councilman Pizzi for coordinating the Earth Day cleanup.

Angel Gonzalez - thanked all who attended the County Commission Meeting in the fight against expansion at Opa Locka Airport. He urged continuation of the effort, citing the problem of the Airport has not gone away, citing an increase in jets flying in and out of Opa Locka.

Michael Maldonado - announced a website "StopAirport.com" He thanked all who helped in the effort to combat the Opa Locka Airport issue.

Amy Smith - Regional Coordinator of the Team Metro Northwest Office in Miami Lakes, County Wide Chairperson of the Neighborhood Pride Program and thanked the Town and residents for this year's support of the Program.

Trish Morgan - thanked the Council and residents of the Town for supporting the effort to stop any expansion at Opa Locka Airport. She presented the Council with a token of appreciation, a plant for Town Hall.

9. PUBLIC HEARINGS/ORDINANCES:

A. CAMPAIGN FINANCE (First Reading)

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA CONCERNING ELECTION CAMPAIGN FINANCE; PROVIDING FOR RESTRICTIONS ON POLITICAL CONTRIBUTIONS BY VENDORS, CORPORATIONS, ASSOCIATIONS AND INDIVIDUALS TO CANDIDATES SEEKING ELECTION TO THE MIAMI LAKES TOWN COUNCIL; PROVIDING FOR FINES AND FORFEITURE OF PROHIBITED CONTRIBUTIONS TO THE TOWN'S GENERAL REVENUE FUND; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. City Attorney Nina Boniske read the Ordinance by title. Councilman Pizzi moved adoption of the Ordinance on first reading. Councilwoman Simon seconded the motion.

The following residents addressed the Council in favor of the Ordinance: Ralph Mizrahi, Jose Enriquez and Pedro Carballo.

At the request of Mayor Slaton regarding a recommendation, Interim Town Attorney Nina Boniske advised the Council that the Ordinance was placed on the Agenda at the request of the Council and that as the Town Attorney; they are required to review the legality of measures that come before the Council. She stated that there are only two Ordinances of this sort in Dade County (South Miami and Miami-Dade County) and that the South Miami Ordinance has not been tested legally. She stated that a portion of the Miami-Dade County has been found to be possibly unconstitutional. She stated that as a consequence, the Legislature has pending legislation (SB 1982) which revises F.S. 106 Campaign Finance that if adopted as drafted would pre-empt any County or Municipal Ordinance as it pertains to Campaign Finance and that it would void any Ordinance in place. Ms. Boniske opined that the possibility exists that some of the language contained in the Ordinance (that which parrots the Miami Dade County Ordinance) may be found to be in flux as to its constitutionality. She suggested that if the Ordinance is passed on First Reading, it be reviewed and a legal opinion on the areas in question be drafted. She advised that the Ordinance could be revised to address these issues.

Lengthy discussion and debate ensued, in which Councilman Pizzi urged adoption of the Ordinance. Councilman Alonso expressed concern over several questions

that should be addressed prior to adoption of the Ordinance. Councilman Meador urged that the Council be fully informed on all the issues. Councilman Thomson urged that more information is needed. Councilwoman Collins suggested licensing of Campaign Managers and having candidates waive confidentiality in Campaign bank accounts as a possible alternative to passing an Ordinance. Councilwoman Simon went on record as supporting the Ordinance in its entirety. Mayor Slaton supported the concepts contained in the Ordinance, but suggested deferring the matter until all the issues are ironed out.

Following the discussion, the motion failed on a 2 to 5 roll call vote with each Council member voting as follows: Alonso: No; Collins: No; Meador: No; Pizzi: Yes; Simon: Yes; Thomson: No; Slaton: No.

B UTILITY (Second Reading)

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. City Attorney Nina Boniske read the Ordinance by title. Councilman Thomson moved adoption of the Ordinance on Second Reading. Councilwoman Collins seconded the motion.

The Mayor opened the Public Hearing. Hearing no residents in opposition to or in favor of the Ordinance the Mayor Closed the Public Hearing and Reopened the Regular Commission Meeting.

Interim Manager Merrett Stierheim noted for the record that the tax is 10% according to both Florida Power & Light and the County and that the Town would not be increasing the level of taxation by adopting the Ordinance.

Councilwoman Collins suggested that once the Town's budget is prepared that the percentage amount be reviewed to see if a one-~~cent~~^{2%} reduction would be appropriate.

The question was called and the motion carried unanimously on a roll call vote with each Council member voting as follows: Alonso: Yes, Collins: Yes, Meador: Yes, Pizzi: Yes, Simon: Yes, Thomson: Yes and Slaton: Yes.

10. RESOLUTIONS:

A. YOUTH ACTIVITIES TASK FORCE:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, CREATING THE “YOUTH ACTIVITIES TASK FORCE”; AND PROVIDING FOR AN EFFECTIVE DATE. Councilwoman Collins moved adoption of the Resolution. Councilwoman Simon seconded the motion.

Councilwoman Collins read a prepared statement (*attached to these fully executed minutes*). Councilman Pizzi suggested increasing the number of members of the task force to nine with each Member of the Council making a recommendation for appointment. The Mayor urged the Council to recommend as many members they would like. Councilwoman Collins had no objection to the increase and amended the motion accordingly. The motion carried unanimously on a voiced vote.

B. CONVEYANCE OF TITLE TO ROYAL OAKS PARK

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER TO NEGOTIATE AN AGREEMENT WITH MIAMI-DADE COUNTY FOR THE CONVEYANCE OF TITLE TO ROYAL OAKS PARK, INCLUDING COMMITTED FUNDING FOR THE PARK’S DEVELOPMENT IN THE AMOUNT OF SIX HUNDRED TWENTY FIVE THOUSAND DOLLARS (\$625,000) AND ANY OTHER AVAILABLE FUNDING TO THE TOWN TO EXPEDITE THE PARK’S DEVELOPMENT AS A RECREATION RESOURCE FOR THE CITIZENS OF THE TOWN OF MIAMI LAKES, DIRECTING THE TOWN MANAGER TO PLACE THE AGREEMENT ON THE TOWN COUNCIL’S AGENDA UPON COMPLETION OF THE NEGOTIATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. Vice Mayor Alonso moved to adopt the Resolution. Councilwoman Collins seconded the motion.

Vice Mayor Alonso encouraged the Town to become involved in the development of the Royal Oaks Park citing that it will help to unify the Town. He suggested that corporate sponsors be sought to fund improvements at the Park. He announced that he has received overwhelming support for a “Family Tree” project that will also contribute toward building the Park.

The motion carried unanimously on a voiced vote.

11. DISCUSSION AND/OR ACTION ITEMS:

A. MAYOR’S REPORT:

1. **Citizens' Forum** - Mayor Slaton addressed the matter by citing the implementation of speakers cards format for Citizens to voice their opinions at the meetings. Councilwoman Simon suggested disseminating information regarding the process so as to inform the public on how they will be able to express opinions to the Council.
2. **Transition of Services with Miami** - The Mayor announced that he and the Mr. Stierheim had met with County Staff in the Budget and the Building and Zoning Departments. He noted that the purpose of the transitions meetings are to identify what is currently existence and what it will cost for the Town to maintain services and at what levels. He stated that some of the matters that will be discussed in the future are what the assets of the Town as well as staffing.
3. **Continued discussion of Town Manager Study Proposals** - The Mayor asked Interim Town Manager Stierheim to address the following matters in his report: Strategic Planning Workshop, Asset Inventory and Building Transition Study.

Mr. Stierheim announced that he has asked Diana Wright, previously retained to draft the budget(s) for the Town, to analyze the revenue side of the Budget equation. He stated that it is unknown what services the town wishes to provide and whether it wishes to provide them with in-house employees or follow the Weston Model with contract employees or some modification of the two. Mr. Stierheim noted that definition of public works, acquisition of roads and parklands, recreation, building official and building department functions such as permitting, inspections, C.O.'s, financial transactions, receipt of revenues will be decided upon by the Council within the next few months, prior to October 1, 2001, which is when the Council must adopt a budget. He noted that some of the services would commence as of October 1, 2001, but that others may not begin until later. He added that under the interlocal agreements with the County, services will continue to be provided by the County and the funding therefore, will be deducted from funds forwarded to the Town. He asked Ms. Wright to review how the County is calculating the costs of UMSA services that will be provided the Town and how the Town is being billed.

Regarding the Strategic Plan (previously presented to the Council), Mr. Stierheim recommended that the Council approve the process regarding Asset Inventory, Assessment of the Miami Lakes Building and Development Process, Transition Study as presented previously and as amended in a memorandum to Council dated April 23, 2001. He stated that the studies would be the foundation for the Town to move forward in providing the various services required.

Following additional comments from Mr. Stierheim, and comments from the Consulting Group Members Diana Gonzalez regarding the Asset Inventory, Bill Busitil and Jorge Duyos regarding the Building and Development Process, and questions from the Council regarding the process, Councilman Thomson moved to accept the proposal as presented including the Strategic Planning Workshop, the Asset Inventory and the Building Transition Study. citing that many of the questions the Council has will be answered by the studies proposed that alternatives and recommendations would be made as a result. Councilwoman Collins seconded the motion. The motion carried unanimously.

Mr. Stierheim stated he would bring back contracts for approval at the next meeting.

4. **Miami Dade County League of Cities** - the Mayor stated that he has been attending the League Meetings representing the Town and requested that the Town official join the League. Councilwoman Collins moved to join the League and Councilman Pizzi seconded. The motion carried unanimously.

The Mayor called a brief recess. The Meeting reconvened with all members present as previously noted.

B COUNCIL MEMBER REPORTS:

1. **Future Royal Oaks Park** - Councilman Alonso previously addressed the matter in item 10B.
2. **Town seal, logo, slogan, website** - Councilwoman Collins presented two schemes for the seal drafted by Ms. Felicia Salazar. Ms. Salazar reviewed the designs the first of which included a lake, a tree, a cow and birds a second scheme was also presented, however the Council favored the first scheme. The changes were recommended as follows: addition of buildings in the background, enlarging the area of the Lake and a smaller cow in the background and an Oak tree rather than Fichus. Councilwoman Collins moved to accept the first design scheme of the Seal. Councilwoman Simon seconded the motion. The motion carried unanimously.

The Mayor asked that the final draft of the Seal be brought back to the Council for final approval. The Attorney advised that an Ordinance will be brought to the Council for approval once the final is approved.

Regarding the website, the Manager was directed by the Council to obtain quotes on developing a Town website.

3. **Opa-Locka Airport** - Councilwoman Simon reported that County Commission unanimously passed a resolution, which stops any and all efforts by the County to expand Opa Locka Airport. She thanked all those who attended the Commission meeting, those who made calls and sent faxes, citing that the effort was obviously noticed by the Commission. She encouraged letters to be sent to the Commissioners thanking them for their vote.

Councilwoman Simon also announced that the County's Noise Abatement Task Force will be holding meetings and encouraged public participation at the meetings. She suggested anyone wishing to serve on the Task Force should call Commissioner Alonso or Commissioner Seijas. She announced a meeting of the task force set for April 25, 2001 at 6:00 p.m., at Building 100 on Curtis Parkway and 36th Street.

4. **Code Enforcement** - Councilman Pizzi raised the issue of uniformity in the codes. He noted that the various Civic Associations and Homeowners Associations are also enforcing their own restrictions. He recommended that the various deed restrictions, rules and regulations of the various homeowners' associations be gathered and reviewed in the Strategic Plan process.

There was brief discussion regarding the fact the Town will have its own Code and that deed restrictions and homeowners' associations rules and regulations will continue to be in force. By consensus, the Council agreed to have a review of the deed restrictions and various rules and regulations and perhaps following public input, include some of those in the Town's code.

5. **Annexation** - Councilman Pizzi announced that the Council would be conducting a Workshop meeting on Tuesday, May 1, 2001 at Barbara Goleman High School.

C. TOWN MANAGER'S REPORT

1. Status of Executive Search

- a. **Town Manager** - Interim Town Manager Stierheim noted that he has prepared the advertisement and will be reviewing the resumes received.

- b. **Town Clerk** - Mr. Stierheim stated that he is advertising the position in a newspaper of general circulation and will be reviewing the resumes received and making an appointment for approval by the Council. He mentioned that the Interim Town Clerk has submitted her qualifications for the position and would also be considered.

The Mayor requested that the Manager look into providing for reimbursement of the Interim Town Clerk's expenses, citing that a great deal of time has been expended by the Clerk on behalf of the Town. The Council concurred.

2. **Florida Retirement System** - Mr. Stierheim announced that he would be looking into the Town joining the Florida Retirement System.

3. **Procurement Process** - Mr. Stierheim advised that he is looking into drafting an Ordinance that will address procurement.

D NEW BUSINESS:

1. **STUDENT COURT** - Councilwoman Collins previously addressed the item in item 10 A.

2. **BEAUTIFICATION** - Councilman Pizzi distributed information from the Florida League of Cities and urged further discussion regarding the Town's efforts.

3. **BIDDING** - Councilman Pizzi urged that the Town put out to bid any item or service over \$1,000, with three sealed bids obtained for items over \$5,000. He recommended including such provisions in the Procurement Ordinance previously addressed by the Interim Town Manager.

4. **PUBLIC COMMENTS** - Councilwoman Simon asked that the process be published prior to the next meeting.

5. **LETTER TO MIAMI DADE COUNTY COMMISSION** - Councilwoman Collins moved to send an acknowledgment (resolution/letter) to the Miami Dade County Commission thanking them for their unanimous vote on the Airport Matter, with special thanks to Commissioners Alonso and Seijas. The Council concurred.

12. FUTURE MEETING DATES:

A. **WORKSHOP ON ANNEXATION** - 7:00 p.m., Tuesday, May 1, 2001, Barbara Goleman High School.

B. **TOWN COUNCIL MEETING** - 7:00 p.m., Tuesday, May 8, 2001, Miami Lakes Miami lakes middle school.

13. **ADJOURNMENT:** The Mayor adjourned the meeting at 10:32 p.m.

Approved this 24 day of May, 2001

Attest:

Wayne Slaton
Hon. Wayne Slaton, Mayor

Beatris M. Arguelles
Beatris M. Arguelles, Interim Town Clerk