

**MINUTES
TOWN COUNCIL MEETING**

February 12, 2002

7:00 p.m.

**Miami Lakes Middle School
6425 Miami Lakeway North
Miami Lakes, Florida 33014**

1. **CALL TO ORDER** – Mayor Wayne Slaton called the meeting to order at 7:06 p.m.
2. **ROLL CALL** – In addition to the Mayor, the following council members were present at roll call: Hon. Mary Collins, Hon. Robert Meador; Hon. Michael Pizzi, Hon. Nancy Simon, Hon. Peter Thomson and Vice Mayor Roberto Alonso. Staff members present were: Town Manager Dennis White, Town Attorneys Nancy Stout, Nina Boniske and Allison Bieler and Town Clerk Beatris M. Arguelles.
3. **INVOCATION** – None.
4. **PLEDGE OF ALLEGIANCE** – The Mayor Led the pledge.
5. **ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS)** – Councilman Meador asked that item 11(A) be taken immediately following item 6. Hearing no additional changes, Councilwoman Collins moved to accept the Agenda, as amended. Vice Mayor Alonso seconded the motion which carried unanimously.
6. **SPECIAL PRESENTATIONS:** Sharon Gonzalez, Assistant Principal, Palm Springs North Elementary accepted a Check in the amount of \$10,000. The Mayor announced the money represented matching funds for the School’s Paperback Reading Program.
11. **RESOLUTIONS:**
 - A. **KEY TO THE TOWN SCHOLARSHIP** - The Town Clerk read the Resolution by title as follows:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, ESTABLISHING THE “KEY TO THE TOWN OF MIAMI LAKES SCHOLARSHIP;” AND PROVIDING FOR AN EFFECTIVE DATE (Meador) Councilman Meador moved to adopt the resolution. Councilwoman Collins seconded the motion. Councilman Meador announced that the Keyes Company Realtors will endow the “Key to the Town of Miami Lakes Scholarship Award.” And that they will be providing to two graduating high school seniors a \$500 scholarship award per graduate totaling \$1,000 per year, for three years. He noted that the recipients must reside in the Town of Miami Lakes and that one male and one female would receive the scholarship which would be awarded in the springtime prior to High School

Graduation. The Education Advisory Board would review submissions and select the winners.

7. **CONSENT AGENDA** – Items 7(b), 7(c), 7(d) and 7(e) were removed from the Consent Agenda and placed on the Resolutions portion of the Agenda. Councilwoman Collins moved that remaining item 7(a) be approved. On Councilman Thomson's second, the motion carried unanimously.

A. MINUTES

1. Regular Council Meeting – January 8, 2002 - approved on consent agenda.

8. **PUBLIC COMMENTS:** There were no speakers.

8. **ORDINANCES – FIRST READING**

Prior to the Council hearing this item, Councilman Meador, citing a potential conflict of interest, removed himself from participating in the Hearing and left the room.

ESTABLISHING A MORATORIUM ON ZONING APPLICATIONS

(Introduction of Ordinance and Public Hearing)

Councilwoman Collins moved to waive the Rule for Public Hearing on First Reading, allowing for a Public Hearing to be held. Councilwoman Simon seconded the motion, which carried unanimously.

Town Attorney Nina Boniske read the Ordinance by title. She noted a correction on Page 4, line 8, Subsection B(2)(a) to delete the word “non-residential” following the word “proposed.”

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR REZONING WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN; PROVIDING FOR EXEMPTIONS AND WAIVERS; PROVIDING FOR A TERM; PROVIDING FOR VESTED RIGHTS; PROVIDING FOR EXHAUSTION OF ADMINISTRATIVE REMEDIES; PROVIDING FOR THE REPEAL OF THE MORATORIA PROVISIONS OF SECTIONS 33-319 THROUGH 33-324 OF THE TOWN CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Councilwoman Collins moved to adopt the Ordinance on First Reading, as read. Councilwoman Simon seconded the motion.

The Mayor closed the Regular Meeting and opened the Public Hearing. The following persons were heard:

In favor of the Moratorium: Pedro Carballo, Arturo Rodriguez, Sharon Llera, Eddie Martinez, Shawn Topps, Mary Beth Garcia Neither in favor of nor Against: Michael Pike

There being no additional comments from the public the, Mayor closed the Public hearing and re-opened the Regular Meeting.

Councilwoman Collins expressed concern over the waiver provision, and asked for clarification.

Vice Mayor Alonso noted that any applications that have already been made (as of January 30, 2002) and are in process, would not be affected by this Ordinance. He also noted that the Moratorium would affect a very small portion of undeveloped land in the Town. The Town Manager noted that there are only a few parcels that are currently zoned agricultural and that most of the residential areas west of the Palmetto are already zoned and that there is currently a zoning application that will be coming before the Council (approximately 54 acres).

Councilman Thomson noted, for the record, that the Moratorium is not necessary in order for the Town to begin its Master Plan process.

Councilman Pizzi, expressed concern over the language of the waiver and vested rights provisions. He noted that the Moratorium is limited in scope and temporary in nature and suggested elimination of the provisions; or creating a higher standard for requesting a waiver. He suggested requiring that applicants be required to provide compelling proof as to the extraordinary reasons they cannot wait until after the moratorium to proceed with their rezoning. Town Attorney Nancy Stroud noted that the provisions are there as a legal safety valve. The Councilman also suggested that the Council consider eliminating the January 30th date provision and suggested that any applications, regardless of when they were filed be included in the moratorium.

Councilwoman Collins moved to amend the Ordinance on Page 4, subsection 4(B)(3), substituting the "Town Manager" for the "Town Council". Councilwoman Simon seconded the motion which carried unanimously on a roll call vote (6-0).

Councilman Pizzi made a motion, seconded by Councilwoman Simon, to amend the Ordinance, which motion was subsequently withdrawn after discussion by the Council.

On the main motion, as amended, the motion carried (5-1-0) with the Council voting as follows: Councilman Pizzi: Yes; Councilwoman Simon: Yes; Councilman Thomson: No; Councilwoman Collins: Yes; Vice Mayor Alonso: Yes; Mayor Slaton: Yes.

The Clerk announced that the Second Reading and Public Hearing on this item would be heard at the March 12, 2002 Council meeting.

The Mayor called a recess in order to call in Councilman Meador. The Meeting re-adjourned, with all Council Members present.

10. PUBLIC HEARINGS - ORDINANCES FOR SECOND READING: None.

11. RESOLUTIONS:

A. KEY TO THE TOWN SCHOLARSHIP – Previously heard prior to Item 8.

The following resolutions, which were removed from the Consent Agenda, were heard at this point in the meeting.

B. RESOLUTION APPROVING SEVERN TRENT AGREEMENT (for Financial and Information Technologies services)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN SEVERN TRENT ENVIRONMENTAL SERVICES, INC. AND THE TOWN OF MIAMI LAKES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE. The Town Clerk read the Resolution by title. Councilman Thomson moved to approve the Resolution. Councilwoman Collins seconded the motion which carried unanimously on a roll call vote after discussion.

C. RESOLUTION APPROVING AGREEMENT WITH CSA SOUTHEAST, INC. (for Building and Code Enforcement Services)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN CSA SOUTHEAST, INC. AND THE TOWN OF MIAMI LAKES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE. The Town Clerk read the Resolution by title. Councilman Thomson moved to approve the Resolution. Councilwoman Collins seconded the motion which carried unanimously on a roll call vote after discussion.

D. RESOLUTION APPROVING LEASE EXTENSION (for Town Office space)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING AN AMENDMENT TO THE LEASE AGREEMENT FOR TOWN OFFICE SPACE BETWEEN THE GRAHAM COMPANIES, INC., AS LANDLORD AND THE TOWN OF MIAMI LAKES AS TENANT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AMENDMENT TO THE LEASE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. The Town Clerk read the Resolution by title. Councilman Thomson moved to approve the Resolution. Councilwoman Collins seconded the motion which carried unanimously on a roll call vote after discussion.

E. RESOLUTION IN SUPPORT OF HB 1225

Councilman Meador asked that the Council consider a substitute Resolution, which includes a provision that the Resolution be sent to all Senators and Representatives who represent the Town. The Council agreed to consider the substitute.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, SUPPORTING PASSAGE OF HB 1225, PENDING BEFORE THE FLORIDA LEGISLATURE, RELATING TO MOTOR VEHICLE RACING CONTENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (*Meador*) The Town Clerk read the Resolution by title. Councilman Meador moved to approve the Resolution as read. The motion was seconded by Vice Mayor Alonso. The motion carried unanimously.

12. REPORTS:

A. Mayor's Report:

1. Transition – the Mayor reported that the reconciliation is proceeding nicely and that the revenue figures have been received. He noted that the expenditures will be discussed at the next transition meeting. He mentioned that police calls have increased significantly since incorporation.

Also being worked on for Council consideration at the March Meeting, will be the agreement regarding the Miami Lakes Park.

The Mayor suggested that the Town consider participating in the Community Emergency Response Team (CERT) program. He asked for Council approval to host the Miami Dade County Disaster Drill which will take place in May. The Council agreed, by consensus, to host the Drill. The Mayor stated he would ask Chief Bob Palestrant, Miami Dade County Fire Rescue and Emergency Management to make a presentation on the CERT Program at the

February 26th Workshop.) – Bob Palestrant, Captain Miami Dade Fire Rescue & Emergency Management

2. Appointments – no appointments were made.

B. Manager's Report: No report was given, other than comments on previous items.

C. Councilmember' Reports:

1. **Update on Side Street "Speeding" (Thomson)** Councilman Thomson reported that he has had good response from the various Homeowners' Associations and independent resident. He noted that Community Service Officer Keith Lindholm and the police department have also been an asset in identifying trouble streets.

Councilman Thomson reported that he has not had good response from the County department of public works regarding the possibility of putting up three-way stop signs, cross-walks, etc. As a result, he contacted Commissioner Seijas and she is working diligently to try to resolve difficulties. He stated that they are working on two or three test cases in the area.

Officer Lindholm reported on an enhanced initiative of the Miami Dade County Police Department cracking down on areas of concern especially around the areas of the schools. He noted that the enhanced initiative is not coming out of the Town's funds, but rather from the current budget allocated to the district.

Councilwoman Collins requested Council consensus to send a letter to Fire Board Chairman Godoy to request that signalization be installed at the exit of the fire house at Ludlum Road (NW 67th Avenue. She noted that the funds are available within the Fire Board. There was no opposition to the Councilwoman's request.

2. **87TH Avenue Improvements (Meador)** – Councilman Meador reported that he met in December with Commissioner Seijas and members of the County Manager's office Pete Hernandez, Robert Williams, Gasper Miranda and Juan Pena regarding some temporary relief at NW 154th Street and 87th Avenue. He noted that road repairs have taken place at that intersection, repaving previously deteriorated road surface. He added that the widening project is scheduled to begin this fiscal year and publicly thanked those mentioned for their assistance in getting the temporary relief.

13. NEW BUSINESS:

1. MIAMI DADE COUNTY ENVIRONMENTALLY ENDANGERED LANDS PROGRAM (*Slaton*)

At her request, the Mayor allowed resident Sharon Llera to speak on this issue. Ms. Llera stated that she has been working to preserve the Maddens Hammock Indian Mound property, having appeared before the County Commission several times. She urged the Town's participation in the program which will preserve the Indian Mound, noting that there are State and County funds available. She noted that she is willing to work with the Town in the endeavor. She offered to allow Council Members to view the area from her home and to share photographs she has of the property.

Mayor Slaton announced that he placed the item on the Agenda to get consensus from the Council on whether or not to join the County and State in pursuing the preservation of the Maddens Hammock Indian Mound. He stated that the County and the State are prepared to move forward with the acquisition of Maddens Hammock (60 acres of environmentally endangered land) and have officially requested the Town's support, specifically requesting that the Town agree to maintain it as "passive park" once the property is acquired. He noted that since the Town has incorporated, it is necessary for the Town to agree to the proposition (managing and maintaining and preserving it in its natural state), since the land is within the municipal boundaries of Miami Lakes. The Mayor noted that that under the EEL Program, there are funds and staff available to assist in the preparation of the management plan.

Following lengthy discussion, Councilwoman Collins moved to move forward on the project and accept primary responsibility for the management and operation of Maddens Hammock as a passive park through the EEL Program, with the details of management responsibilities to be established by interlocal agreement once the property is acquired. The motion was seconded by Mayor Slaton and carried unanimously.

- 2. LOBBYIST REGISTRATIONS** (*Pizzi*) Councilman Pizzi noted that since the Council is hearing various issues where Lobbyists will come before the Council, he inquired as to whether or not the Town is registering lobbyists as provided for in the Miami Dade County Ethics Code. The Town Clerk announced that a lobbyist registration procedure has been put in place and is being implemented accordingly. She noted that the fee associated with the registration is \$125 per issue. Upon a request for clarification by Councilwoman Simon, the Town Attorney noted that non-profit organizations appearing before the Council on issues would be required to register, however the fees would be waived.

14. FUTURE MEETING DATES:

COUNCIL WORKSHOP – 6:30 p.m., Tuesday, February 26, 2002, Town Hall Conference Room, 6853 Main Street

REGULAR COUNCIL MEETING – 7:00 p.m., Tuesday, March 12, 2002, Miami Lakes Middle School, 6425 Miami Lakeway North.

15. **ADJOURNMENT:** The Mayor adjourned the meeting at 10:00 p.m.

Approved this _____ day of _____, 2002

Attest:

Wayne Slaton, Mayor

Beatris M. Arguelles, Town Clerk

Words underlined are additions/amendments to the minutes made upon approval.