

**MINUTES
TOWN COUNCIL MEETING**

April 9, 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 7:15 p.m.
2. **ROLL CALL** - 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: Town Manager Dennis J. White, Town Attorney Nina Boniske and Allison Bieler and Town Clerk Beatris M. Arguelles.
3. **INVOCATION/MOMENT OF SILENCE** – The Mayor called for a moment of silence.
4. **PLEDGE OF ALLEGIANCE** – The Mayor led the Pledge
5. **ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS)** – The Town Clerk distributed a substitute Resolution for council consideration in item 7(c).

Councilman Pizzi requested the addition of a New Business Item, item 7(d) a Resolution relating to opposition of the Bellaggio Development of 837 homes West of I-75.

Mayor Slaton asked that item 13(c) be deferred to the next meeting.

Hearing no additional changes, Councilwoman Collins moved to accept the Order of business as amended. Councilwoman Simon seconded the motion, which carried unanimously

6. **SPECIAL PRESENTATIONS:**

- A. **Hon. Ralph Arza, State Representative** – Mayor Slaton presented the representative with a plaque in recognition of his contributions in the State Legislature on behalf of the Town of Miami Lakes Residents. Representative Arza thanked the Mayor and Council for the recognition and for their cooperation with his efforts.
- B. **Farah Naim, Miami Lakes Middle School Youth Hall of Fame Finalist** – Mayor Slaton presented Ms. Naim with a certificate of recognition for her achievement.

7. **CONSENT AGENDA** – Councilman Pizzi asked item 7(b) be pulled. Councilwoman Collins moved to accept the remainder of the Consent Agenda. Councilman Thomson Second the motion which carried unanimously.

A. MINUTES

Regular Council Meeting – March 12, 2002 – *approved on Consent Agenda.*

B. RESOLUTION HONORING PRINCIPAL DAWN HURNS

A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, HONORING PRINCIPAL DAWN HURNS; PROVIDING AN EFFECTIVE DATE.

Councilman Pizzi moved that the Council approve the Resolution. Councilwoman Collins second. The motion carried unanimously. Ms. Hurns addressed the Council and thanked them for the recognition. She also thanked the Town for their support of Education in the Town.

C. SUNSET PROVISION FOR CULTURAL AFFAIRS:

~~**A RESOLUTION OF THE TOWN COUNCIL OF TOWN OF MIAMI LAKES, FLORIDA, EXTENDING THE SUNSET REVIEW PROVISION OF THE CULTURAL AFFAIRS COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.**~~

Substitute Resolution:

A RESOLUTION OF THE TOWN COUNCIL OF TOWN OF MIAMI LAKES, FLORIDA, AMENDING RESOLUTION NUMBER 01-36 OF THE TOWN, EXTENDING THE SUNSET REVIEW PROVISION OF THE CULTURAL AFFAIRS COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE (*Approved on Consent Agenda.*)

8. **PUBLIC COMMENTS** – there were no comments from the public.

9. **ORDINANCES – FIRST READING**

A. BURGLAR ALARMS

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, REPEALING SECTION 8C-3.1 OF THE TOWN CODE; REQUIRING REGISTRATION OF BURGLAR ALARM SYSTEMS; IMPOSING AN ANNUAL REGISTRATION FEE; REQUIRING PERMITS FOR THE INSTALLATION OF BURGLAR ALARM SYSTEMS; PROVIDING FOR PENALTIES FOR FALSE ALARMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN

THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. Town Attorney Nina Boniske Read the Ordinance by title. Councilwoman Collins moved its adoption. Councilman Thomson Seconded the motion.

The Town Manager asked Captain Pedro Mesa to share some information with Council regarding false alarms in the Town. Capt. Mesa reported that the Departments policy on Alarms is to require two officers to respond to an "Alarm" call. He noted that more than 90% of alarm calls are "false alarms" that were triggered by other than a thief. He noted that every time an officer responds, the officer writes a report and hangs it on the door knob. The Dade County Ordinance requires that every resident in unincorporated Miami Dade County is required to register the Alarm and pay a fee of \$25. And, requires that after 4 (four) false alarms, a charge of \$60 be assessed. The Ordinance also requires that the Alarms have an automatic reset.

Councilwoman Collins moved to amend the Ordinance to reduce the registration fee to \$15 and to \$10 for renewals. Councilman Thomson seconded the motion. Councilman Thomson noted for the record that the fine for false alarms would remain the same. The motion to amend carried unanimously.

On the motion to approve on first reading, as amended, the motion carried unanimously, on a roll call vote.

B. CODE ENFORCEMENT HEARING MASTER

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 8CC OF THE TOWN CODE, TITLED "CODE ENFORCEMENT" SUBSTITUTING THE TOWN OF MIAMI LAKES FOR COUNTY AGENCIES AND OFFICIALS; PROVIDING FOR QUALIFICATIONS, APPOINTMENTS AND REMOVAL OF HEARING OFFICERS; PROVIDING FOR CODE ENFORCEMENT PROCEDURES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. Town Attorney Allison Bieler Read the Ordinance by Title. Councilwoman Collins moved the Ordinance on First Reading. Councilwoman Simon seconded the motion.

Councilwoman Collins asked that Section 4(a), which had been stricken, be put back in. Councilman Thomson seconded, and the motion to amend carried unanimously.

Councilman Meador moved to amend 7(c) to read 12% per annum or the highest rate allowed by Florida Law. Councilwoman Simon Seconded. The motion carried unanimously.

The motion to adopt the Ordinance, as amended, carried unanimously on a roll call vote

10. PUBLIC HEARINGS - ORDINANCES FOR SECOND READING

AMNESTY ORDINANCE

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ESTABLISHING A ONE HUNDRED EIGHTY (180) CALENDAR DAY AMNESTY PERIOD COMMENCING WITH THE EFFECTIVE DATE OF THIS ORDINANCE AND AUTHORIZING THE ISSUANCE OF "AFTER THE FACT" PERMITS WITHOUT PENALTIES FOR PROPERTY OWNERS WITH UNPERMITTED STRUCTURES OR BUILDINGS SO AS TO BRING THEM INTO COMPLIANCE WITH THE TOWN CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (*Town Manager*) (*First Reading – March 12, 2002*) Town Attorney Allison Bieler read the Ordinance. Councilwoman Collins moved to adopt the Ordinance on First Reading. Councilman Thomson seconded the motion. On a roll call vote, the motion carried unanimously.

11. RESOLUTIONS:

A. PURCHASE OF PROPERTY FOR TOT-LOT

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE CONTRACT FOR THE SALE AND PURCHASE OF REAL PROPERTY BETWEEN GILMAR HOMES, INC., AS SELLER AND THE TOWN OF MIAMI LAKES, FLORIDA, AS BUYER, AUTHORIZING THE TOWN MANAGER AND THE TOWN ATTORNEY TO TAKE ALL STEPS NECESSARY AND EXPEND ALL APPROPRIATE FUNDS TO COMPLETE ALL INVESTIGATIONS CONTEMPLATED UNDER THE AGREEMENT AND TO CLOSE THE TRANSACTION AND PROVIDING FOR AN EFFECTIVE DATE (*Alonso*) Attorney Alison Bieler Read the Resolution by title. Vice Mayor Alonso moved its adoption. Councilwoman Collins seconded the motion.

Vice Mayor Alonso suggested that the tot-lot be built with private funds. The Vice Mayor also noted that since the lot was used previously for dumping construction debris that the Town check the property for contamination.

Following brief discussion, the question was called and the motion passed unanimously.

B COMPREHENSIVE PLAN SERVICES AGREEMENT

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AGREEMENT BETWEEN ILER PLANNING GROUP AND THE TOWN OF MIAMI LAKES TO PREPARE THE TOWN'S COMPREHENSIVE PLAN; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE *(Town Manager)*
Town Attorney Allison Bieler read the Resolution by title.

Councilwoman Simon moved and Councilman Thomson seconded. Councilman Thomson asked whether the agreement was within budget range. The Town Manager answered in the affirmative.

Councilman Thomson noted that the scope of work includes a provision for public input.

Councilman Meador expressed concern regarding what would happen if the plan is not approved by DCA on technical basis and questioned whether or not the town would have to pay additional legal fees if this happens. The Councilman also had questions regarding level of service.

Simon asked about the time frame within which Iler could get started. Henry Iler noted that the time frame is set by the State and noted that as soon as the contract is signed he will get started. He noted that a significant portion of the plan will be done within the next six (6) months, including data collection and public input.

Councilwoman Collins noted that any cost over-run would have to be approved by the Council and recommended that the County's data be used in order to cut costs. Mr. Iler noted that they will use as much of that data as possible, noted that the information is in very rough form.

The question was called and the motion carried unanimously.

12. **REPORTS:**

A. **Mayor's Report:**

1. **Appointments** – The Mayor made Miami Lakes Education Advisory Board Iris Cavallo, Suzanne Barrios, to the Cultural Affairs Committee Lori Pina and Donna Cook Councilwoman Collins moved, Councilman Meador Seconded and the appointments were approved unanimously.
2. **Transition** – Completed transition of Code Enforcement and Building Departments. Mayor noted that pending items with the County will be completed. He noted that the Zoning component will continue to be carried out by Miami Dade County for the time being. He noted the Town is working on Miami Lakes Park and preparing a joint use agreement with

the School Board and the County. Public Works is also being addressed. DERM, Solid Waste and Public Works enhancement of services are being looked at.

The Mayor announced that the Citizens Transportation Summit will be held on Saturday, April 13 from 8:00 a.m. to Noon. and urged all citizens interested in transportation issues attend.

B. Manager's Report:

1. **Engineering Services – Recommendation** – Town Manager Dennis White recommended the Council authorize him to negotiate a contract with Kimley Horn & Associates for the purposes of providing Engineering Services for the Town.

Hon. Jose Pepe Diaz, Mayor of Sweetwater, asked for time to speak on behalf of Craig, Smith & Associates, one of the firms submitting a proposal, but not recommended to the Council.

The Mayor allowed Mr. Greg Jeffries, of Craig to address the Council regarding their proposal.

Lengthy discussion ensued wherein the Town Manager commented that the appointment was equal to “hiring” an employee, except that in this case, only the Council is authorized to enter into a “Contract.” He noted that the Town Engineer(s) would answer to him as employees and not to the Council.

Russell Barns of Kimley Horn & Associates addressed the Council. He noted that the firm will work out of their Miami Lakes Office and will be bringing in members as needs arise.

The Town Attorney noted that the agreement is a non-exclusive retainer agreement to have the firm on board and in place to perform the tasks associated with an on-staff “Town Engineer.”

The Manager reported that the purpose was to have a “Town Engineer” to understand and review the desires of the Council and needs of the Town, specifically with regard to the Parks, roads, etc.

Council Members Collins and Pizzi asked that in the future the top three candidates' proposals be included with the recommendation.

Following additional discussion as to whether or not it would be prudent for the Council to postpone a decision until the top three candidates made presentation to the Council, Councilwoman Collins moved to accept the

recommendation of the Town Manager and authorize negotiation of a non-exclusive agreement for professional services with Kimley-Horn & Associates. Councilman Thomson seconded the motion which carried unanimously.

2. **Miami Lakes Park Update** – The Town Manager reported that the entire project is \$157,000 and that the grant is \$137,000 making it \$20,000 short. He stated that if council does not object, the 20,000 will come out of the amounts budgeted in the approved budget.

Discussion ensued wherein Vice Mayor Alonso asked for assurance that the funds will only be to repair or (Patch), not re-do the entire park. He also questioned who will be doing work. The Town Manager replied the Miami Lakes Parks Department

Councilman Thomson moved that the Council approve the expenditure of \$20,000 from the approved Budget. Councilman Meador seconded the motion.

Councilman Meador noted this will be a small, but much needed step toward fixing up the park. Councilwoman expressed gratitude to Councilman Meador for helping things move along.

The question was called and the motion carried unanimously.

3. **Stormwater Grant Update** – The Manager reported that an agreement has been finalized and will come before the Council at the May meeting.
4. **On the plate items** – The Town Manager gave a brief summary of issues to keep the public and Council apprised on the status of various items on the plate. He stated that his position as Manager has been a challenge. He acknowledged staff, Betty, Lourdes and Joyce for going beyond their apparent job description. He acknowledged the Town Attorney(s) for their many hours of telephone advice, for which they have not charged. He noted that Captain Mesa has been working on the emergency plan, the alarm ordinance and special projects, many of which are on his own time. Councilman Pizzi has been working on the neighborhood cleanup team. Councilman Thomson was part of the engineering review team and provided insight and assistance on the building department startup. Councilman Meador has been working on the Miami Lakes Park improvements program and the 87th Avenue street project. Vice Mayor Alonso has been working on the Royal Oaks Park Project and will assist the engineers with the fill project. Councilwoman Collins has been involved on the committees and has assisted with a number of Ordinances and Resolutions and will be working on the rules and directions for committees and boards. Councilwoman Simon will be working on the

Police cost review analysis and program for inter-city communications. Mayor Slaton, in addition to hundreds of hours representing the community, has been involved with the 10 plus transition issues and a tremendous help with the day-to-day operational tasks. He thanked the Council Members on behalf of the residents, businesses and particularly on his behalf.

C. Councilmember Reports:

1. **Rock Mining (Pizzi)** – Councilman Pizzi requested this item be deferred.
2. **Beautification (Pizzi)** - Councilman Pizzi requested this item be deferred.
3. **Update on Side Street “Speeding” (Thomson)** - Councilman Thomson reported the installation of an all way stop on Mahogany, Lake Candlewood, and Lake Champlain. He thanked Commissioner Seijas for her assistance. He noted that we are beginning to see tangible results with three way stops that allow for better enforcement by our officers. He also applauded the Public works Department for responding quickly to the requests.

D. Committee Reports:

Cultural Affairs Committee – Vice Chairman Neill D. Robinson – gave an oral report. He announced that the Committee deferred appointment of a Chairman, but they appointed him Vice Chairman, Felicia Salazar, Secretary and Roger Reece an Ex-officio member. He also reported that the committee discussed long range goals and that the first major event that the Committee will plan will be Pops in the Park, on either July 7 or 14th. Also being planned will be a commemoration of those who lost their lives on September 11th.

13. NEW BUSINESS:

- A. CERT Disaster Drill – May 18, 2002** – Town Participation (*Mayor Slaton*) – Mayor asked that the Council consider financial assistance by sponsoring the Drill. He asked for a Motion to approve the expenditure of up to \$3,000 from the “Special Events” budget for the purpose of sponsoring the CERT program to be held in the Town of Miami Lakes, on May 18, 2002 and to accept receipt of the \$10 registration fees from participants in the disaster drill. Councilwoman Collins made the motion as stated. Councilman Thomson seconded the motion, which carried unanimously.
- B. 87th Avenue Roadway Improvement Project** – Town Participation and eventual maintenance (*Mayor Slaton*) Mayor Slaton asked for a motion to approve the Town’s desire to have the MDPW include decorative lighting and irrigation on the 87th Avenue roadway improvement project, with the Town’s responsibility for

cost and maintenance to be negotiated by the Mayor through an interlocal agreement to be approved by the Town Council. Councilwoman Collins made the motion as stated. Councilman Meador seconded the motion which carried unanimously.

- C. **QNIP** – Remaining Sidewalk and Drainage Improvements, previously engineered but not yet started construction (*Mayor Slaton*) *deferred to next meeting in item 5.*
- D. **OPPOSITION OF DEVELOPMENT OF BELLAGGIO DEVELOPMENT WEST OF I-75 (Pizzi)** – *Item added to the Agenda in item 5.*

The Clerk read the following resolution into the record as requested by Councilman Pizzi:

A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, OPPOSING DEVELOPMENT OF “BELLAGGIO” DEVELOPMENT OF 837 DWELLING UNITS WEST OF MIAMI LAKES.

Councilman Pizzi moved to adopt the Resolution citing the development will have a direct, negative, impact on the quality of life of the Town’s residents. Councilwoman Collins seconded the motion which carried unanimously.

14. FUTURE MEETING DATES:

SPECIAL COUNCIL MEETING – ZONING – 7:00 p.m., Tuesday, April 23, 2002, Miami Lakes Middle School, 6425 Miami Lakeway North.

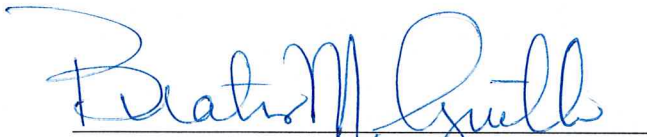
REGULAR COUNCIL MEETING – 7:00 p.m., Tuesday, May 14 2002, Miami Lakes Middle School, 6425 Miami Lakeway North.

COUNCIL WORKSHOP – 6:30 p.m., Tuesday, May 28, 2002, Town Hall, 6853 Main Street

15. ADJOURNMENT: The Mayor adjourned the meeting at 9:59 p.m.

Approved this 14th day of May, 2002

Attest:


Beatris M. Arguelles, Town Clerk


Hon. Wayne Slaton, Mayor

7(A)2