

MINUTES
TOWN COUNCIL MEETING

March 11, 2003

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 7:25 p.m.
2. **ROLL CALL** – In addition to the Mayor, the following Council Members were present at roll call: Vice Mayor Roberto Alonso, Councilmember Mary Collins, Councilmember Robert Meador, Councilmember Michael Pizzi, Councilmember Nancy Simon and Councilmember Peter Thomson. Staff Members present were: Town Manager Alex Rey, Town Attorney Nina Boniske and Town Clerk Beatris Arguelles.
3. **INVOCATION/MOMENT OF SILENCE** – Fr. James Murphy, Our Lady of the Lakes Catholic Church, offered the invocation.
4. **PLEDGE OF ALLEGIANCE** – The Mayor led the pledge.
5. **ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS)** – Councilwoman Simon asked that item 7(d) be pulled from the Consent Agenda and that item 12(d)(1) be moved to item 7.5; Councilwoman Collins asked that item 13(c) be moved to item 11(c) and item 12(a)2 be removed (*due to pending litigation*). The Town Manager asked that an item 11(a) Resolution approving the contract for the Symphony of the Americas; and 11(b) Resolution approving the contract for the transfer of SFWMD Fill material to Royal Oaks Park with American Engineering be added to the Agenda.

Councilwoman Collins moved the Order of Business, as amended. Councilwoman Simon seconded. The motion carried unanimously.

6. **SPECIAL PRESENTATIONS** – The Mayor presented a proclamation to Daniel Morse in honor of his having competed in the NFL Gatorade National Finals at Punt, Pass and Kick in Tennessee on January 11, 2003.
7. **CONSENT AGENDA**
 - A. **MINUTES:**
February 11, 2003 – Regular Meeting *Approved on Consent Agenda.*
 - B. **SUPPORTING REAUTHORIZATION OF THE CARL D. PERKINS ACT**
(Rey/Slaton/Meador/Thomson) Approved on Consent Agenda.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA EXPRESSING UNEQUIVOCAL SUPPORT OF THE CARL D. PERKINS ACT AND URGING PRESERVATION OF THE STRUCTURE OF THE CARL D. PERKINS ACT; AND PROVIDING AN EFFECTIVE DATE.

C. **AMENDING COUNCIL MEETING PROCEDURES: AGENDA ORDER OF BUSINESS** *Approved on Consent Agenda.*

A RESOLUTION OF THE TOWN COUNCIL OF TOWN OF MIAMI LAKES, FLORIDA, AMENDING THE COMPREHENSIVE COUNCIL MEETING AND AGENDA PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.

D. **AWARDING THE MIAMI LAKES PARK MAINTENANCE BID**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE SELECTION OF VALLEYCREST LANDSCAPE MAINTENANCE FOR MIAMI LAKES PARK MAINTENANCE; APPROVING THE AGREEMENT BETWEEN VALLEYCREST LANDSCAPE MAINTENANCE AND THE TOWN OF MIAMI LAKES; AUTHORIZING THE TOWN MANAGER TO FINALIZE THE TERMS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGET FUNDS; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

Councilman Meador requested clarification on Councilwoman Collins moved to adopt the Resolution. Councilman Thomson seconded the motion. The motion carried unanimously.

8. **PUBLIC COMMENTS:** The following people spoke under public comments:

Mark Griffin – regarding the Saturn Car Dealership parking cars on vacant property adjacent to the dealership.

Luis Sanchez – regarding dirt piles on the Dunn Property west of 87th Avenue adversely affecting the health and welfare of the residents.

9. **ORDINANCES – FIRST READING** – No Ordinances were read on first reading.

10. **PUBLIC HEARINGS - ORDINANCES FOR SECOND READING**

A. **CREATING A STORMWATER UTILITY** *(Rey)(Page 47)*

AN ORDINANCE OF TOWN OF MIAMI LAKES, FLORIDA, CREATING A STORMWATER UTILITY SYSTEM FOR THE TOWN; PROVIDING AUTHORITY; PROVIDING FOR DEFINITIONS; MAKING CERTAIN FINDINGS AND DETERMINATIONS; ESTABLISHING A STORMWATER UTILITY FEE SYSTEM; ESTABLISHING A METHOD AND PROCEDURE

FOR THE COLLECTION OF STORMWATER UTILITY FEES; PROVIDING FOR REQUESTS FOR ADJUSTMENT; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (First Reading January 14, 2003)

Town Attorney Nina Boniske read the Ordinance by title. Councilwoman Collins moved adoption. Councilman Meador seconded the motion. The Mayor opened the public hearing. Hearing no comments from the public, the Mayor closed the public hearing and re-opened the regular meeting. The motion carried unanimously on a roll call vote.

B. ESTABLISHING A STORMWATER UTILITY RATE (Rey) (Page 60)

AN ORDINANCE OF TOWN OF MIAMI LAKES, FLORIDA ESTABLISHING THE RATE OF THE STORMWATER UTILITY FEE FOR THE TOWN OF MIAMI LAKES STORMWATER MANAGEMENT SYSTEM; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (First Reading February 11, 2003)

The Town Attorney read the Ordinance by title. Councilwoman Collins moved adoption. Councilman Meador seconded the motion. The Mayor opened the public hearing. Hearing no comments from the public, the Mayor closed the public hearing and re-opened the regular meeting. Councilwoman Simon questioned the rate. It was noted that the Town's fee was not in addition to the fee charged by the County, but rather in lieu of the fee they charge. The motion carried unanimously on a roll call vote.

11. RESOLUTIONS:

A. APPROVING THE CONTRACT FOR THE SYMPHONY OF THE AMERICAS

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING TE CONTRACT BETWEEN THE SYMPHONY OF THE AMERICAS AS AGENTS FOR MENDELSSOHN CHAMBER ORCHESTRA AND THE TOWN OF MIAMI LAKES; AUTHORIZING THE TOWN MANAGER AND THE TOWN ATTORNEY TO FINALIZE THE TERMS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilwoman Collins moved to adopt the Resolution. Councilman Meador seconded the motion which carried unanimously.

B. APPROVING THE CONTRACT FOR THE TRANSFER OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) FILL MATERIAL TO ROYAL OAKS PARK WITH AMERICAN ENGINEERING.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA ACCEPTING THE PROPOSAL FROM AMERICAN ENGINEERING AND DEVELOPMENT CORPORATION FOR THE TRANSFER OF FILL MATERIAL FROM ITS CURRENT LOCATION AT THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO ROYAL OAKS PARK; AUTHORIZING THE TOWN MANAGER AND THE TOWN ATTORNEY TO FINALIZE THE TERMS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

C. MIAMI LAKES MAIN STREET PLAYERS' BLACK BOX THEATER (*Collins*)
(Former item 13(c)) Councilwoman Collins moved to direct the Manager to enter into a contract with the Main Street Players and that all questions and comments regarding the Theatre be directed to the Manager. The motion was seconded by Councilman Thomson and carried unanimously.

12. REPORTS

A. MAYOR'S REPORTS:

1. **Appointments** – The Mayor appointed Mr. Arnold Hantman to the Economic Development Committee. Councilwoman Collins moved to accept the appointment. Councilman Meador seconded the motion which carried unanimously.
2. **Update on the Town's request for an injunction for the removal of dirt piles on the Dunnwoody Lake parcel** – *Removed from the Agenda under item #5*

B. MANAGER'S REPORTS:

1. **Update on Road Resurfacing Program** – The Town Manager asked that Russell Barnes, Public Works Director, address the Council and provide an update.
2. **Annexation Report (*Previously disseminated*)** – The Town Attorney noted that due to a conflict of interest, Councilman Meador would have to leave the chambers prior to any discussion on the issue of Annexation. Councilman Meador left the chambers as recommended by the Town Attorney.

The Town Manager asked that Henry Iler provide an overview of the previously disseminated report. Prior to hearing the report, the Mayor suggested hearing from the public on this issue. The council concurred. The Mayor opened up a public hearing. The following residents addressed the Council:

In favor of Annexation: Cherie Oldenburg, Charles C. Scotta, Pedro Carballo, Candido Garcia, Angel Gonzalez, Enrique Bello, Bob Villano, Jackie Santana, David T. Perez, Sean Schwinghammer, Luis Guerrero, Denise Mendez, Dave Oliver, Eddie Martinez, Arturo Rodriguez, Jose Gulisano, Thomas Duman, Karl Robesburg, Jose Enriquez, T. Prosinski, Luis Sanchez

Opposed to Annexation: John J. Collins, Mariano J. Rodriguez, Bob Ruiz, Kenny Goodman, Braulio Ortiz, Bob Echols, Irene Berman, Madeline Munoz, Felicia Salazar, Pedro R. Delgado, Humberto Garcia, Mike Clavelo, Dorothy Cook, Raul Gastesi, Maggie Clavelo, Marietta Naranjo, Trish Morgan, Angela Garrison

The following non-residents spoke in favor of annexation: Barbara Hagan, Gerri Funzanella, Sergio Menendez, Pablo Alvarez, Barbara Taylor, Sharon Franklin,

The Mayor closed the public hearing and due to time limitations, the Mayor adjourned to a time certain and continued the meeting to Tuesday, March 25, 2003.

Mayor Wayne Slaton reconvened the meeting of March 11, 2003 on Tuesday, March 25, 2003 at 7:15 p.m. In addition to the Mayor, the following Council members were present at roll call: Councilmember Pizzi, Councilmember Simon, Councilmember Thomson, and Vice Mayor Alonso. Councilmember Collins arrived shortly after the meeting began.

Town Planner Henry Iler gave a Power Point Presentation outlining the Preliminary Annexation Study. In his presentation, Mr. Iler offered three annexation options to the Council: Option 1, Annex entire area; Option 2, Annex inside the Urban Development Boundary (UBD) and Option 3, Annex only the area east of 97th Avenue. The council debated the advantages and disadvantages of annexing any of the land.

After the presentation, Councilman Pizzi moved to move forward with option three and ask the County not to consider any other applications for annexation in that area. The motion was seconded by Councilwoman Simon. Following further debate, the motion failed 4-2 with each Councilmember voting as follows: Councilmember Collins: No; Councilmember Pizzi: No; Councilmember Simon: Yes; Councilmember Thomson: No; Vice Mayor Alonso: No; Mayor Slaton: No.

The Mayor passed the gavel to the Vice Mayor for the remainder of the meeting. The Mayor moved to direct staff (*The Town Manager*) to work with the County and the City of Hialeah and other interested parties to reduce or eliminate the impact on the Town of Miami Lakes by limiting to the extent possible, the residential component and compatibility on the properties and specifically addressing critical infrastructure and pollution issues and furthermore, that the Town

oppose any annexation proceeding until this has been accomplished. The Motion was seconded by Councilman Thomson and carried unanimously (6-0)

The Meeting adjourned immediately thereafter.

C. COUNCILMEMBER REPORTS:

1. **Discussion of Mini Parks Acquisition and Maintenance** (Thomson) *No Council Action taken*

2. **Community Clean-up** (Pizzi) *No Council Action taken.*

D. COMMITTEE REPORTS:

1. **Education Advisory Board** *No Council Action taken.*

13. NEW BUSINESS:

A. **Use of Public Buildings** (Pizzi) *No Council Action was taken.*

B. **Code Enforcement/CSA Contract** (Pizzi) *No Council Action was taken.*

C. **Miami Lakes Main Street Players' Black Box Theater** (Collins) *Council action taken previously in the meeting under item 11(C).*

14. FUTURE MEETING DATES

REGULAR COUNCIL MEETING – Tuesday, April 8, 2003, 7:00 p.m. Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014

ZONING MEETING – Thursday, April 10, 2003, 7:00 p.m. Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014

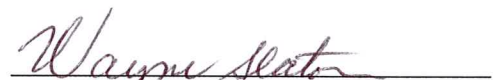
15. ADJOURNMENT – The meeting was adjourned on Tuesday, March 25, 2004 at 10:50 p.m.

Approved this 8th day of April, 2003

Attest:



Beatris M. Arguelles, CMC
Town Clerk


Wayne Slaton, Mayor