

**MINUTES**  
**TOWN COUNCIL MEETING**

April 8, 2003

7:01 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 7:05 p.m.
2. **ROLL CALL:** In addition to the Mayor, the following Council Members were present at roll call: Council Member Mary Collins, Council Member Robert Meador, Council Member Michael Pizzi, Council Member Nancy Simon, and Council Member Peter Thomson. The following staff were also present: Town Manager Alex Rey, Town Attorney(s) Nina Boniske and Mark Rothenberg of Weiss, Serota, Helfman, Pastoriza & Guedes, and Town Clerk Beatris 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):** - Mayor Slaton asked that item 6(b), 9(b) and 13(b)(5) be added to the Agenda. He also requested to have item 14(c) be heard with 9(a). Councilwoman Collins moved to pull item (F) from the Consent Agenda. Councilman Thompson asked to pull item 7(d) and add 14(e). Councilman Pizzi asked to pull items 14(d) and 13(b)(12). Councilwoman Collins moved to accept the order of business as amended. Councilwoman Simon seconded the motion which carried unanimously.
6. **SPECIAL PRESENTATIONS:**
  - A. **COMMENDATIONS:** The Mayor presented Commendation Proclamations to Officer Christopher McKie and Officer Leonardo Arteaga for outstanding performance in the line of duty for administering lifesaving emergency response to a 14 month old drowning victim.
  - B. **PRESENTATION FROM MIAMI LAKES MIDDLE SCHOOL STUDENTS** – The Project Citizen Students made a presentation to the Council and urged support of the Adopt-a-Road program and proposed to adopt the first road under the project.

Following the presentation, the Mayor proposed a resolution approving Miami Lakes Middle School's request to adopt Miami Lakeway North as their first Adopt-a-Road clean-up project.

Councilman Thompson moved to adopt a resolution implementing the Adopt-a-Road program.. The Town Attorney read the resolution by title as follows:

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AUTHORIZING THE TOWN MANAGER TO IMPLEMENT AN "ADOPT-A-ROAD" PROGRAM IN THE TOWN OF MIAMI LAKES; AND**

**PROVIDING AN EFFECTIVE DATE.** Councilwoman Collins seconded the motion.  
The motion passed unanimously.

**7. CONSENT AGENDA**

**A. MINUTES:**

**March 11, 2003 and March 25, 2003 – Regular Meeting** *Approved on Consent Agenda*

**B. OPPOSING ANY AND ALL AMENDMENTS TO THE BERT J. HARRIS JR. PRIVATE PROPERTY RIGHTS PROTECTION ACT (Rey/Slaton)** *Approved on Consent Agenda.*

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; OPPOSING ANY AND ALL AMENDMENTS TO THE BERT J. HARRIS, JR. PRIVATE PROPERTY RIGHTS PROTECTION ACT, WHICH WOULD DILUTE LOCAL GOVERNMENTS ABILITY TO PROTECT UNDER THE POLICE POWER AND ZONING AUTHORITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**C. URGING THE FLORIDA LEGISLATURE TO CONTINUE FUNDING FOR THE LIBRARY AND ARCHIVES (Rey/Slaton)** *Approved on Consent Agenda.*

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA URGING THE GOVERNOR AND THE FLORIDA LEGISLATURE TO CONTINUE FUNDING FOR THE FLORIDA STATE LIBRARY AND ARCHIVES AND STAFFING LEVELS FOR THE VITAL COLLECTION; AND PROVIDING AN EFFECTIVE DATE.**

**D. APPROVING THE ADOPT-A-ROAD PROGRAM (Rey/Slaton/Thomson)** *Pulled from Consent Agenda heard under item 6(b)*

**E. APPROVING THE FIRST AMENDMENT TO THE AGREEMENT WITH ILER PLANNING GROUP (Rey)** *Approved on Consent.*

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN ILER PLANNING GROUP AND THE TOWN OF MIAMI LAKES FOR PLANNING AND ZONING SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWN; AUTHORIZING TOWN OFFICIALS TO EXECUTE AND DELIVER ANY ADDITIONAL DOCUMENTS AND TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**F. EXPRESSING SUPPORT TO THE ARMED FORCES (Rey/Collins)**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA EXPRESSING SUPPORT TO THE MEMBERS OF THE ARMED FORCES FIGHTING THE WAR IN IRAQ; AND PROVIDING AN EFFECTIVE DATE.**

Councilwoman Collins urged the residents of Miami Lakes to tie a yellow ribbon around a tree in the front of their homes in support of the men and women in the armed forces fighting the war in Iraq. She also requested that the Council approve placing yellow bows in the Town's entrances also showing the Town of Miami Lakes' support.

Councilwoman Collins moved the motion. Councilman Thompson seconded the motion, which carried unanimously.

8. **PUBLIC COMMENTS:** No members from the public addressed the council.

9. **COMMITTEE REPORTS**

A. **EDUCATION ADVISORY BOARD** - Beth Martinez, Chair, requested support of the Miami Lakes Middle School Auditorium Seat Replacement Project..

14(c) **MIAMI LAKES MIDDLE SCHOOL AUDITORIUM PROJECT** – Mr. Iverson presented the project to the Council and requested funding from the Town to assist in replacing the seats. Mary Benaiges, Maria Kramer, David Pina and Nirma Pina urged support of the project.

Councilwoman Collins moved to support the project in an amount up to \$20,000 in matching funds. The Mayor seconded the motion from the Chair. The motion carried unanimously.

B. **CULTURAL AFFAIRS COMMITTEE:** *(added to the Agenda)* Chairman Bob Spano requested Council Approval of the specific projects that the Committee has scheduled. Councilwoman Collins moved approval of the Budget and the specific project mentioned therein. The Mayor seconded from the Chair. The motion carried unanimously.

Chairman Spano outlined the various activities planned by the Committee that include a dog parade, presentations of "Lost in Yonkers" premiering on May 2<sup>nd</sup>, summer theatrical camp program starting June 16th, and the upcoming Art Festivals.

10. **ORDINANCES – FIRST READING**

A. **FLOODPLAIN ORDINANCE** – The Town attorney read the Ordinance by title as follows:

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR STATUTORY AUTHORIZATION; PROVIDING FINDINGS OF FACT;**

**PROVIDING STATEMENT OF PURPOSE; PROVIDING OBJECTIVES; PROVIDING DEFINITIONS; PROVIDING APPLICABILITY, BASIS FOR ESTABLISHING AREA OF SPECIAL FLOOD HAZARD, DEVELOPMENT PERMIT, VIOLATIONS AND ENFORCEMENT; PROVIDING PERMIT PROCEDURES; PROVIDING ADMINISTRATION; PROVIDING PROVISIONS FOR FLOOD HAZARD REDUCTION; PROVIDING FOR VARIANCES; REPEALING EXISTING CHAPTER 11C OF THE TOWN CODE IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Councilwoman Collins moved to adopt the Ordinance on first reading. The Mayor Seconded from the Chair. On a roll call vote, the motion carried unanimously (6-0). The Mayor announced second reading would be held at the next regular Council meeting on May 13<sup>th</sup>.

**11. PUBLIC HEARINGS:**

- A. PUBLIC HEARING ON FIRST READING ON THE PROPOSED REZONING ORDINANCE FOR GUTIERREZ PROPERTY – 16910 NW 77<sup>th</sup> COURT – Town Attorney Mark Rothenberg read the Ordinance by title as follows:**

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA PROVIDING RECITALS; PROVIDING FINDINGS; GRANTING THE REQUEST FOR A REZONING FROM AU TO RU-1 ON A 0.69± ACRE PARCEL LOCATED AT 16910 NW 77<sup>TH</sup> COURT, JUST SOUTH OF NW 170<sup>TH</sup> STREET AND WEST OF NW 77<sup>TH</sup> COURT, AT THE EASTERN TERMINUS OF NW 169<sup>TH</sup> TERRACE; APPROVING THE SITE PLAN FOR A PHASED RESIDENTIAL DEVELOPMENT OF TWO (2) SINGLE-FAMILY HOMES; PROVIDING FOR CONDITIONS; PROVIDING FOR RECORDING; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.**

The Mayor opened the public hearing. Hearing no members of the public in favor of or in opposition to the project, the Mayor closed the public hearing and re-opened the regular meeting. The Town Attorney mentioned that all previous comments made at the LPA with respect to the rezoning application are entered into the record for this meeting.

Councilwoman Collins moved to adopt the Ordinance on first reading, with conditions as recommended by the Town Planner as follows:

1. Said approval and construction shall be in substantial compliance with the plans filed with Town of Miami Lakes as part of this application as follows (dates represent the date the plans were signed and sealed):
  - a. Site/Landscape Plan by Armando Davilla Architect, sheet A-1 (1 sheet total) dated February 10, 2003.

- b. Ground Floor Plan by Armando Davilla Architect, sheet A-2 (1 sheet total) dated February 10, 2003
  - c. Building Elevations by Armando Davilla Architect, sheet A-3 (1 sheet total) dated February 10, 2003
  - d. Phase 2 of development shall be constructed using similar architectural features utilized in Phase 1 and the surrounding development, including similar materials and colors.
2. The Chain link fence shall have a green vinyl covering.
- a. The perimeter hedge shall be 18 inches in height at planting and shall be planted at a maximum average spacing of 30 inches on center.
  - b. The applicant, successors or assigns shall comply with all planting requirements of Chapter 28 of the Miami-Dade County Code.
  - c. Site plan approval for this petition (Z-02-03) is contingent upon approval of the non-use variance permitting 25-foot lot frontages when the Town's Code requires 75-foot lot frontages.
  - d. The applicant, its successors and assigns shall provide written notice of the foregoing conditions to any purchaser of the property subject to this Resolution.

Councilwoman Simon seconded the motion to approve with conditions. The motion carried unanimously (6-0) on a roll call vote.

12. **RESOLUTIONS:** None

13. **REPORTS**

**A. MAYOR'S REPORTS:**

- 1. **Appointments:** Mayor Slaton moved the appointment of Richard Pulido and Laura Wyllie to the Youth Activities Task Force: Council Member Collins moved and Council Member Meador seconded approval of the appointments. The motion carried unanimously.

**B. MANAGER'S REPORTS:**

- 1. **FDOT I-75 Master Plan Study** – Mr. Herrera, a representative from the Florida Department of Transportation made a presentation regarding the transit needs of the Community. He requested input from the Council as to what the needs of the Community is for an I-75 interchange at either Miami Lakes Drive (NW 154<sup>th</sup> Street) or at NW 170<sup>th</sup> Street. Mr. Herrera stated he would provide the Town with traffic studies that would assist the Town in making an informed decision. The council addressed Mr. Herrera regarding the possible routes. The Town Manager

asked for direction from the Council as to whether or not they would like to take this to the Community. Meador suggested Poll on Town website.

2. **Police Department Annual Report** – Major Fisher distributed the Annual Report and gave a brief synopsis of the highlights of the plan. The Mayor and Council congratulated Major Fisher and Officer Keith Lindholm for their outstanding work on the report.
3. **Moyer & Associates – Phase Out Plan** – *(attached to these fully executed minutes)* The Town Manager reminded the Council that the service provided by Moyer and Associates will be expiring May 31<sup>st</sup> 2003. He highlighted the services provided for the Council. He proposed hiring a Financial Services Director whose services would be shared with Village of Palmetto Bay in order to minimize cost. With regards to the information technology services, a direct contract with a service provider will save the Town approximately 20%. Also, the computer hardware should be purchased to allow for more independence. As per the software support, the Manager recommended extending the contract with Moyer and Associates strictly for this purpose. The Council addressed questions regarding the benefits and drawbacks of the proposed plan to the Town Manager. Questions arose regarding the possible conflict of interest involved with sharing the services of a Financial Director. Also, the compatibility of the present computer system was questioned with regards to their ability to support the evolving technological advances such as web site support. In addition the Town Clerk will be given additional responsibilities previously provided by Moyer and Associates.
4. **Hialeah Annexation Update - 14(D) Resolution in opposition of Hialeah Annexation** – *No action taken.*
5. **Dunn Law Suits Settlements.** – *No action taken.*

**C. COUNCILMEMBER REPORTS:**

1. **Discussion of Mini Parks Acquisition and Maintenance** *(Thomson) No action was taken.*
2. **Community Clean up** *(Pizzi) No action was taken.*
3. **Update on Blasting Legislation** *(Pizzi) No action was taken.*

**14. NEW BUSINESS:**

- A. **Use of Public Buildings** *(Pizzi) No action was taken.*
- B. **Code Enforcement/CSA Contract** *(Pizzi) No action was taken.*
- C. **Miami Lakes Middle School Auditorium Seat Replacement** *(Slaton) Previously discussed.*

D. **Resolution in opposition of Hialeah Annexation** - moved to item 13 (b) 4

15. **FUTURE MEETING DATES**

**ZONING MEETING** – **Thursday, April 10, 2003 – 7:01 p.m.** (or Immediately following LPA Meeting) Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014

**SPECIAL MEETING** – **Thursday, April 10, 2003 – 7:02 p.m.** (or immediately following Zoning Meeting) Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014


**ZONING MEETING** – **Thursday, May 8, 2003, 7:00 p.m.** Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014

**REGULAR COUNCIL MEETING** – **Tuesday, May 13, 2003, 7:00 p.m.** Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014

16. **ADJOURNMENT:** The Meeting Adjourned at 10:55 p.m.

Approved this 9<sup>th</sup> day of July, 2003

Attest:

  
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Wayne Slaton, MAYOR

  
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Beatris M. Arguelles, TOWN CLERK