

# TOWN OF MIAMI LAKES, FLORIDA

## MINUTES

### TOWN COUNCIL MEETING

June 10, 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: Mary Collins, Michael Pizzi, Nancy Simon, Peter Thompson and Vice Mayor Roberto Alonso. The following staff members were also present: Town Manager Alex Rey, Town Attorney Nina Bonisque and Michael Marrero of the law firm Weiss, Serota, Helfman Pastoriza and Guedes.; and Town Clerk Beatris M. Arguelles, CMC.
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)** –  
On behalf of Councilman Meador, Town Manager Alex Rey requested that item 14(A) be moved to the Zoning meeting scheduled for Thursday, June 12, 2003. Town Clerk Beatris Arguelles called attention to the fact that the Town Attorney revised the agenda including substitute resolutions. The Town Clerk also requested that the Council take item 7 out of order, prior to item 6.  
Councilwoman Collins moved to approve the order of business, as amended and Vice Mayor Alonso seconded the motion. The motion carried unanimously.
7. **CONSENT AGENDA:** Councilwoman Collins moved to approve all items on the consent agenda. Councilwoman Simon seconded the motion. The motion passed unanimously.
  - A. **MINUTES:**  
  
May 13, 2003 – Regular Meeting – approved on consent agenda.
  - B. **APPROVING THE MANAGER’S VACATION - JULY 17 TO AUGUST 3, 2003**  
– Approved on consent agenda.
  - C. **APPROVING RESOLUTION AMENDING THE KEY TO THE TOWN SCHOLARSHIP AWARD RESOLUTION** – Approved on consent agenda.

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING RESOLUTION NO. 02-56 TO ALLOW FOR TWO INDIVIDUALS, WHETHER MALE OR FEMALE, TO BE AWARDED THE SCHOLARSHIP; ADVANCING THE DEADLINE FOR SUBMITTALS; ADVANCING THE DATE OF AWARD, AND PROVIDING FOR AN EFFECTIVE DATE – Approved on consent agenda.**

- D. INCREASING MEMBERSHIP OF THE CULTURAL AFFAIRS COMMITTEE – Approved on consent agenda.**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING RESOLUTION No. 01-36 PERTAINING TO THE CULTURAL AFFAIRS COMMITTEE; INCREASING THE MEMBERSHIP OF THE COMMITTEE TO TWENTY-EIGHT (28) AND PROVIDING FOR AN EFFECTIVE DATE – Approved on consent agenda.**

- E. AMENDING THE KIMLEY-HORN AGREEMENT – Approved on consent agenda.**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE PROJECT AGREEMENT BETWEEN KIMLEY-HORN AND ASSOCIATES, INC. AND THE TOWN OF MIAMI LAKES FOR TOWN ENGINEER SERVICES; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE – Approved on consent agenda.**

- F. APPROVING A STATEWIDE MUTUAL AID AGREEMENT – Approved on consent agenda.**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE STATEWIDE MUTUAL AID AGREEMENT BETWEEN THE DEPARTMENT OF COMMUNITY AFFAIRS, THE TOWN OF MIAMI LAKES AND OTHER PARTICIPATING LOCAL GOVERNMENTS; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE. – Approved on consent agenda.**

- G. APPROVING THE INTERLOCAL AGREEMENT FOR DISTRIBUTION OF TRANSIT SYSTEM SURTAX PROCEEDS – Approved on consent agenda.**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT FOR DISTRIBUTION OF CHARTER COUNTY TRANSIT SYSTEM SURTAX PROCEEDS LEVIED BY MIAMI-DADE COUNTY; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE – Approved on consent agenda.**

**H. AUTHORIZING SUBMITTAL OF APPLICATION TO THE FLORIDA COMMUNITIES TRUST FOR THE FLORIDA FOREVER GRANT FOR ACQUISITION OF MADDENS HAMMOCK PROPERTY**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE FLORIDA COMMUNITIES TRUST FLORIDA FOREVER PROGRAM FOR LAND ACQUISITION; COMMITTING TO GRANT REQUIREMENTS; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE GRANT APPLICATION; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING EXECUTION UPON AWARD; AND PROVIDING AN EFFECTIVE DATE. – Approved on consent agenda.**

**6. SPECIAL PRESENTATIONS:** The Mayor, on behalf of the Town Council and the Town of Miami Lakes, presented the following:

**KEY TO THE TOWN SCHOLARSHIP AWARDS –** The Mayor presented the Key to the Town of Miami Lakes Scholarship to Sara Elizabeth Mijares and Karina Diaz de Villegas. He congratulated them on their scholastic achievements.

**PROJECT CITIZEN ACKNOWLEDGEMENT –** The Mayor presented each student who participated in the clean-up project to clean the streets surrounding Miami Lakes Middle School, with certificates of acknowledgement in appreciation for their excellent effort. The recipients included: Mrs. Deyarza, Erika Gonzalez, Kevin Guerrero, Annum Gulamali, Jonathan Matos, Tony Perez, David Piña, Hazel Puerto, Sabrina Riera, Michelle Rivero, Ashley Valdes, Kendria Velez, Claudia Ventura and Martha Zapata.

**Other presentations:** The Mayor introduced the members and coaches of the Miami Lakes Optimist Blue Jays Girl's softball team. He briefly highlighted their achievements and proclaimed June 10<sup>th</sup> Miami Lakes Optimist Blue Jays Girl's softball team day. In addition, the Mayor congratulated the Commissioner of Miami Lakes Baseball and Softball teams, Elliott Rodriguez, for his hard work. Lastly, the Mayor presented the retirees of Miami Lakes Middle School – Richard Frederking, Rean Morse, Sharon Morse, Constance Renaud and Betty Vann with certificates of appreciation and achievement.

**8. PUBLIC COMMENTS:** The following persons addressed the Council:

Juan C. Hernandez, 16841 NW 82<sup>nd</sup> Ave. - Mr. Hernandez requested that the Town Council work on a plan to alleviate traffic along NW 82<sup>nd</sup> Ave.

Kimberly Arroyo, 18000 NW 84<sup>th</sup> Ave. A Palm Springs North resident, she also expressed concern over the increased traffic along the Miami Lakes – PSN border and the possible widening of NW 170 St.

Elaine Abuhoff, 7910 NW 176<sup>th</sup> St. a resident of Palm Springs North and Vice President of the PSN Civic Association. She expressed concern about parents with children attending Bob Graham Education Center having difficulty driving their children to school. She stated the problem might be attributed to the guard gates in the Royal Oaks community. She expressed that a possible solution may be opening the guard gates during heavy traffic hours in order to alleviate the congestion.

Luis Guerrero, 16651 NW 82<sup>nd</sup> Ct. Mr. Guerrero asked for the Council's help in finding a solution to the traffic problems in the area of Bob Graham Education Center. He stated it takes him close to forty-five minutes to take his children to school. He asked the Council to clarify who is paying for the police officer directing traffic to ease the flow for residents living in communities with guard gates. He also expressed concern for having to take his children to school earlier and asked if anyone would be paying for the additional supervision required in schools for when children are dropped off early in order to avoid the traffic congestions. He reminded the Council that these streets blocked with guard gates are public streets and reiterated that a possible solution may be opening the guard gates during heavy traffic hours in order to alleviate the congestion.

Terrence Scada, 16238 NW 83<sup>rd</sup> Pl. Mr. Scada addressed the Council and expressed concerns about the traffic situation and the construction of the new guard gates along 82<sup>nd</sup> Ave.

**9. COMMITTEE REPORTS**

**A. EDUCATION ADVISORY BOARD –**

Maria Kramer, Vice Chairperson of the Miami Lakes Educational Board, addressed the council to inform on the Imagination Library reading program initiative. She explained that the program will consist of having every registered child born in Miami Lakes receive a book once a month from the time they are born until their fifth birthday. This will be available to all Miami Lakes residents. The project will be named after William A. Graham. She also informed the Council of a three week summer program provided at Miami Lakes Middle School where seventy-four spots will be open to provide students with reading, writing and computer courses.

**10. ORDINANCES – FIRST READING**

**A. AMENDING THE 2001-2002 FISCAL YEAR BUDGET**

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 01-11; AMENDING THE TOWN'S BUDGET FOR THE 2001-2002 FISCAL YEAR; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE** *(Rey)* Councilwoman Collins moved to adopt the ordinance on First Reading and was seconded by Vice Mayor Alonso. On a roll call vote, the motion carried unanimously.

11. **PUBLIC HEARINGS/ORDINANCES – SECOND READING:** None.

12. **RESOLUTIONS:** None

13. **REPORTS**

**A. MAYOR'S REP ORTS:**

**1. Appointments**

The Mayor made the following appointments:  
Officer Rachel Hobson and Jen Schneider – Youth Activities Task Force  
Herlina Torres – Education Advisory Board  
Irene Berman – Cultural Affairs Committee  
Many Tejada and Javier Vasquez – Economic Development Committee

Councilwoman Collins moved the appointments. Vice Mayor Alonso seconded. The motion carried unanimously.

**B. MANAGER'S R EPORTS:**

**1. Report on Special Taxing District**

The Manager gave a report following up what was discussed during the last meeting regarding the use of the Montrose facility. He discussed the dissolution of the special taxing district and the transferring of the assets from the district to the Town. The assets include, in addition to the real estate, equipment used by park maintenance department. It consists of sixty-four pieces of equipment purchased over the last twenty years. When the equipments were purchased, their value was about five hundred thousand dollars. The market value is currently about one fifth that amount. In order to pursue the transferring of the equipment from the county to the Town, the best option in the long term will be the dissolution of the special taxing district. Currently, the solution may be for the Town to enter into an agreement with Miami-Dade County giving Miami Lakes the authority to enter into agreements with third parties for the use of the facilities. The Manager suggested that the time allotted by the County for said agreement should be one year. However, this should be plenty of time for the Town to find a permanent solution of transferring the assets. The biggest expense involves insuring the equipment.

The Town Manager requested a motion to approve the dissolution of the taxing district and the transferring of the assets. The motion was moved by Councilwoman Simon and seconded by Councilwoman Collins.

A discussion ensued regarding costs and income from the transfer of the assets. The Manager clarified that the costs involved are already reflected in the budget and that there is no income involved.

The motion carried unanimously.

**2. Report on Status of City of Hialeah Annexation Application.**

The manager gave a report on the Hialeah annexation application. As the application has moved forward, the city has proposed several uses of the land. Miami Lakes residents are concerned about two components. There will be no residential development West of 97<sup>th</sup> Avenue. The second is the number of units developed is limited to 4,240 units East of 97<sup>th</sup> Avenue. The Miami Lakes Council has not taken a position to accept the limits proposed for the annexation ordinance. The Town Manager suggested that these limits would be good for the Town of Miami Lakes. The Manager requested that the Council work with him in finding an accord to be reviewed by the attorney in order to continue to pursue that the limits set by the City of Hialeah be legally binding. The Manager then requested that the Council approve his retention of the services of the lobbyist Pina and Associates. The work done by Pina has seized due to the expiration of the contract. Councilman Pizzi expressed concerns about a lack of covenant on the land and the enforceability of the annexation agreement. His other concerns included the density of the population. Also he was apprehensive about the fact that the area West of 97<sup>th</sup> Avenue is not proposed for development and may be later be developed into dump and waste facilities. In addition, he proposed that the agreement forbid further expansion of rock mining. Mayor Slaton clarified that the issue being discussed at this particular meeting was not to decide the Town's position on the particulars of the annexation.

Councilwoman Collins moved to retain the services of Pina and Associates. Councilman Thompson seconded the motion. Without any objections, the motion passed.

**3. Summer Programs**

A report was presented to the Council that outlined the summer program called Reading and Computers are Cool. It is directed towards 6<sup>th</sup> and 7<sup>th</sup> graders and is currently being offered in Miami Lakes Middle School. The program runs thru July with classes offered Monday thru Friday from 8:00 a.m. to 2:30 p.m. Miami Lakes Middle School was awarded a grant in the amount of \$7,000 in order to provide an additional seventy-five seats for students. This program is free for students.

The second project discussed involved the Cultural Affairs Committee and the Black Caucus Theater. These projects entail a theater summer camp in July from 9:00 a.m. to 4:00 p.m. The fees are \$700 and payment plans are negotiable.

The third program discussed was the YMCA program from June 12 thru August 22<sup>nd</sup> at Miami Lakes Park. The program costs \$100 per week and consists of recreational activities.

The last summer program discussed was the Miami Lakes Optimist Club, which offers football and cheerleading programs.

**C. COUNCILMEMBER REPORTS:**

1. **Update on Police Money** - Councilwoman Simon gave a report on accounting of money paid to the Miami-Dade County for police calls. She reminded the Council of her previous investigations relating to these charges. The county charged the Town \$196 per call placed to the police. The county ignored the report to the accounting office; at the time she gave it originally in August 2001. In May 2002 the Town budget for police services was revised to \$4.7 million dollars per the Town Manager White's request. In November when police services were signed on the total budget for a 12-month period was set at \$3.6 million dollars. It was clear that the county had overcharged the Town. So far \$600,000 has been refunded and the county has assured the town that they are working on refunding the balance. However, due to county circumstances, the issue has been put on hold. Councilwoman Simon reassured the Council and the town that she would continue to pursue this refund. Councilwoman Collins initiated a discussion as to why the money owed by the county was not being withheld from the future budget. To this, Town Manager Rey clarified that the Town has been withholding payments. Councilman Pizzi recognized Councilwoman's Simon's good excellent work on this project.

**14. NEW BUSINESS:**

- A. **PARKS** - Deferred in Item 5
- B. **BEAUTIFICATION** - Councilman Pizzi addressed concerns brought to his attention by Miami Lakes West residents regarding the appearance of that area. Communities West of the Royal Palm Estates are not as presentable as the rest of Miami Lakes. There is little or no landscaping. He requested that the beautification project in this area become a priority to the Town. He would like for the Town to initiate a master plan involving for this purpose. Although volunteers have worked on similar projects in the past, he feels that the Town must take a proactive approach on this issue.

Councilman Pizzi made a motion that the Town Manager and staff develop a master plan for a beautification project in West Miami Lakes involving entrance features, proper landscaping, uniform wall painting and any other element needed to bring this area up-to-par with the rest of the Town. He requested that this be done as soon as possible.

Miami Lakes resident Eduardo Marquez of 16271 NW 77 Pl. addressed the Council regarding the beautification project. He explained how he has had to personally landscape the area behind his home facing the Palmetto Expressway since no municipality has taken that responsibility. He requests that the Town Council find a resolution to this situation.

Councilwoman Simon requested that the area between 82<sup>nd</sup> Ave and 87<sup>th</sup> Ave down NW 170 St be included as part of the beautification project.

The motion by Councilman Pizzi was seconded by Councilman Thompson and was amended to include all proposed aspects of the beautification project. The amended motion carried and was approved unanimously.

- C. **EXPRESSWAY SOUND BARRIERS** – Mayor Slaton asked the manager to contact the appropriate agencies by consensus to install sound barriers and all necessary action required in order to address the noise issue along the Palmetto Expressway and Interstate 75.
- D. **REQUEST TO HAVE STAFF PREPARE AN ORDINANCE REQUIRING HOMEOWNERS’ ASSOCIATION’ S APPROVAL OF PLANS PRIOR TO ISSUING A PERMIT** – Councilman Thompson requested that the Town staff prepare an ordinance that will permit the building department to require approval from homeowners’ associations before issuing permits.

Councilman Thompson moved to approve the resolution. Councilwoman Collins seconded the motion. Resolution passed unanimously.

- E. **TRAFFIC AROUND AREA SCHOOLS** - The Mayor opened the floor for public discussion. The Following residents addressed the Council regarding the guard gates at Royal Oaks East: Eduardo Marquezu cited that the guard gates are necessary for the safety of the residents living on the streets affected and that although nearby residents are upset over the possible increase in the traffic congestion, the residents of the community installing guard gates have been paying an additional tax for their use. In addition to Mr. Marquez, the following residents expressed support of the guard gates: Milton Vickers, Octavio Figueroa, Mario Zamora, Arturo Simon, Cynthia Iglesias, Elsa Bergolla, Victor Marrero, Lydia Hernandez, Betina Pascual, Juan Medinas, Maggie Clavelo, and Humberto Garcia



Rudy Pages spoke against the guard gates. He assessed that there are no other alternative roads to the school if the streets are closed and stated the gates would be close public roads.

Councilman Pizzi requested that the Council design a task force to develop a plan to best deal with the traffic situation. Vice Mayor Alonso clarified comments made by residents during public comments regarding the guard gates, noting that there was plenty of public involvement when the election was held to implement the special taxing district for the guard house. Additionally, he pointed out that the Principal at Bob Graham Education Center in January put out a memorandum to all parents whose children attend the school regarding the fact that the Guard Gates would be up and that the streets would be closed. He added that the residents of east Royal Oaks had worked very hard, long before the Town of Miami Lakes was incorporated for the Guard house and for the Council to try and stop it would be illegal since the residents have been paying into the district and are expecting a guard house for their money.

Mayor Slaton suggested the County should have taken the traffic situation into consideration during the construction of the guard gates and could have waited three more weeks for the school term to be completed. The Mayor also noted that the county did not follow the ordinance passed by the Town Council which requires a police officer be present during peek hours while construction is underway.

No action was taken.

- F. **IMAGINATION LIBRARY READING PROGRAM** - Councilwoman Simon described the project called Imagination Library. Every child in Miami Lakes under the age of five will be enrolled in this program that promotes reading skills. She asked the Town Manager to place the item on the agenda for the next meeting.

## 15. **FUTURE MEETING DATES**

**ZONING MEETING** - Thursday, June 12, 2003, 7:00 p.m. Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014

**CODE ENFORCEMENT WORKSHOP** - Tuesday, June 17, 2003, 7:00 p.m. Town Hall, 6853 Main Street, Miami Lakes, FL 33014

**CAPITAL PLAN BUDGET WORKSHOP** - Thursday, June 19, 2003, 6:00 p.m., Town Hall, 6853 Main Street, Miami Lakes, FL 33014

**BUSINESS PLAN BUDGET WORKSHOP** - Tuesday, June 24, 2003, 6:00 p.m., Town Hall, 6853 Main Street, Miami Lakes, FL 33014

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

16. ADJOURNMENT

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

Wayne Slaton  
WAYNE SLATON, MAYOR

Attest:

Beatris M. Arguelles  
BEATRIS M. ARGUELLES, CMC  
TOWN CLERK