

TOWN OF MIAMI LAKES, FLORIDA

MINUTES

TOWN COUNCIL MEETING

September 9, 2003

7:10 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 7:10 p.m.
2. **ROLL CALL** - In addition to Mayor Slaton, the following Council Members were present at roll call: Mary Collins, Robert Meador, Nancy Simon, Peter Thomson and Vice Mayor Roberto Alonso. Staff members present included: Town Manager Alex Rey, Town Attorney(s) Nina Boninske and Michael Marrero of the law firm Weiss, Serota, Helfman Pastoriza and Guedes, P.A.; and Town Clerk Beatris M. Arguelles, CMC.
3. **INVOCATION/MOMENT OF SILENCE** – The invocation was led by Jose Maestri, First Class, Boy Scout Troop #566
4. **PLEDGE OF ALLEGIANCE** – Boy Scout Troop #566 led the pledge.
5. **ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS)** – Mayor Slaton moved to defer item 13(A)2 from the Mayor’s Report. Also, Councilwoman Simon requested to pull Items 7(J) and 7(K) from the Consent Agenda and Councilman Meador requested to pull Item 7(G). In addition, the Town Clerk and Town Manager Alex Rey informed the Mayor of the substitution of items 7(I), 7(L) and the addition of item 13(B)1 to include a report by the Town Manager regarding the Town Audit. Also due to the fact that Councilman Pizzi was absent from the meeting, items 13C(1), 13C(2), 13C(3), 13C(4) and 14 (L) were deferred per his request. Town Manager Alex Rey pulled Item 7(F) on behalf of Councilman Pizzi.

Councilwoman Collins moved to adopt the item as amended. Councilman Thomson seconded the motion. Motion passed unanimously.

6. SPECIAL PRESENTATIONS

Hon. Rene Garcia – Presented Certificates congratulating the members of the Miami Lakes Optimist Club for an excellent season.

7. CONSENT AGENDA:

- A. **MINUTES: July 8, 2003 (Page 8)** – Approved on Consent Agenda

B. URGING CONGRESS TO PROVIDE ELECTRONIC COMMERCE EQUITY

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, URGING CONGRESS TO PROVIDE ELECTRONIC COMMERCE EQUITY BY ADOPTING LEGISLATION THAT ASSURES OUT-OF-STATE VENDORS COLLECT AND REMIT STATE AND LOCAL SALES AND USE TAXES WHERE SUCH TAXES ARE DUE; AND PROVIDING FOR AN EFFECTIVE DATE. (Slaton/Rey) - Approved on Consent Agenda

C. SUPPORTING FUNDING FOR FIRST RESPONDER COSTS TO MUNICIPALITIES

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, IN SUPPORT OF FUNDING FOR FIRST RESPONDER COSTS TO MUNICIPALITIES WITH DIRECT LOCAL ASSISTANCE AND MAXIMUM FLEXIBILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Slaton/Rey) - Approved on Consent Agenda

D. SUPPORTING LOCATION FOR THE PERMANENT SECRETARIAT OF THE FREE TRADE AREA OF THE AMERICAS

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA SUPPORTING THE FLORIDA FTAA'S EFFORTS TO PROMOTE MIAMI AS THE NATURAL LOCATION FOR THE PERMANENT SECRETARIAT OF THE FREE TRADE AREA OF THE AMERICAS (Slaton/Rey) - Approved on Consent Agenda

E. DESIGNATING OCTOBER 19-25,2003 AS FLORIDA CITY GOVERNMENT WEEK

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, ENDORSING A PROCLAMATION BY THE FLORIDA GOVERNOR AND CABINET DESIGNATING THE WEEK OF OCTOBER 19-25, 2003 AS "FLORIDA CITY GOVERNMENT WEEK," AND ENCOURAGING ALL FLORIDA CITY OFFICIALS TO SUPPORT THIS CELEBRATION BY PARTICIPATING IN THE "MY CITY: I'M PART OF IT, I' M PROUD OF IT!" ACTIVITIES; AND PROVIDING FOR AN EFFECTIVE DATE (Slaton/Rey) - Approved on Consent Agenda

F. HONORING CHRISTIAN AND NESTOR ACEVEDO

A RESOLUTION OF THE TOWN OF MIAMI LAKES, HONORING CHRISTIAN AND NESTOR ACEVEDO FOR THEIR OUTSTANDING ACCOMPLISHMENTS IN BECOMING NATIONAL MARTIAL ARTS CHAMPIONS (Pizzi)

Hon. Rene Garcia read the resolution honoring Christian and Nestor Acevedo for their accomplishments in their respective Martial Arts category.

The motion to approve of the resolution was moved by Councilman Thomson. Councilwoman Simon seconded the motion that passed unanimously.

G. AWARDING THE PUBLIC WORKS STREET SWEEPING CONTRACT TO U.S. GROUNDS, INC.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE SELECTION OF U.S. GROUNDS, INC. FOR STREET SWEEPING WITHIN THE TOWN; AUTHORIZING TOWN OFFICIALS 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 (Rey)

Councilman Robert Meador requested that a clarification be made with regards to the contract with U.S. Grounds as to whether or not police presence will be provided at project sites in order to ensure public and property safety. Town Manager Rey explained that the ordinance approved by the Council applies to the Town as well as private contractors. It is also the responsibility of the Town to ensure the safety of residents at construction or repair sites. Vice Mayor Alonso asked the Town Manager if the street sweeping would be taking place at night. In response Manager Rey clarified that the main streets will be swept during the night while the rest of the neighborhood streets will be swept during the day. Councilman Thomson questioned why police presence was required to follow the mechanical sweeper. Manager Rey explained the police presence would be located wherever dump trucks are located during construction. Councilwoman Collins added the police presence is implied in the contract. The Town attorney explained insurance coverage with regards to the contract in response to Councilman Meador's inquiry. Councilwoman Simon requested clarification as to what the Town Council was actually voting on. To which the Town Manager replied that the Council was voting to approve the draft and allow staff to finalize the actual contract.

The resolution was amended as follows as read by the Town Attorney:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE SELECTION OF U.S. GROUNDS, INC. FOR STREET SWEEPING WITHIN THE TOWN; AUTHORIZING TOWN OFFICIALS TO FINALIZE THE TERMS AND CONDITIONS OF THE CONTRACT AND TO PROVIDE SAME TO THE TOWN COUNCIL. SHOULD ANY MEMBER OF THE TOWN COUNCIL REQUEST, THE CONTRACT WILL BE SCHEDULED FOR APPROVAL AT THE OCTOBER TOWN COUNCIL MEETING. SHOULD NO TOWN COUNCIL MEMBER REQUEST

THE SAME, THE MAYOR IS AUTHORIZED TO EXECUTE THE CONTRACT AND PROVIDING FOR AN EFFECTIVE DATE.

Councilman Thomson moved to approve the resolution as amended. Councilwoman Collins seconded the motion. The motion passed unanimously.

H. APPROVING THE JOINT USE AGREEMENT BETWEEN THE SCHOOL BOARD AND THE TOWN FOR USE OF SCHOOL BOARD OWNED PORTION OF ROYAL OAKS PARK

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE JOINT-USE AGREEMENT BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY AND THE TOWN OF MIAMI LAKES REGARDING THE USE OF ROYAL OAKS PARK; AUTHORIZING TOWN OFFICIALS TO TAKE ALL NECESSARY ACTION TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE (Rey) -
Approved on Consent Agenda

I. APPROVING INTERLOCAL AGREEMENT WITH PALMETTO BAY FOR FINANCE DIRECTOR SERVICES

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF MIAMI LAKES AND THE VILLAGE OF PALMETTO BAY FOR SERVICES OF FINANCE DIRECTOR; AUTHORIZING THE TOWN MANAGER TO FINALIZE THE TERMS OF THE AGREEMENT; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE (Rey) – approved on consent agenda.

J. ADOPTING DESIGN-BUILD PROCEDURES

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING DESIGN-BUILD PROCEDURES; AND PROVIDING AN EFFECTIVE DATE

Councilwoman Simon requested that Town Manager Rey make clear what design-build procedures are. The Town Manager explained that whenever the Town has a large project, the project would be allocated to a company responsible for the engineering designs and construction. The company will be responsible for the engineering and construction procedures and criteria.

Councilwoman Collins moved to approve the resolution. Councilman Thomson seconded the motion. The motion carried unanimously.

K. APPROVING PROJECT AGREEMENT WITH KIMLEY HORN & ASSOC. FOR ROYAL OAKS PARK PHASE I DESIGN/BUILD CRITERIA (Page 108)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE PROJECT AGREEMENT BETWEEN KIMLEY-HORN AND ASSOCIATES, INC. AND THE TOWN OF MIAMI LAKES FOR DESIGN SERVICES FOR ROYAL OAKS PARK; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE (Rey)

Councilwoman Collins moved to approve the resolution. Councilman Thomson seconded the motion. The motion carried unanimously.

L. APPROVING FIRST AMENDMENT TO CONTRACT FOR LEGISLATIVE CONSULTING SERVICES BETWEEN RODRIGUEZ-PINA & ASSOCIATES AND THE TOWN

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE CONTRACT FOR LEGISLATIVE CONSULTING BETWEEN RODRIGUEZ-PINA AND ASSOCIATES, INC. AND THE TOWN OF MIAMI LAKES FOR LEGISLATIVE CONSULTING SERVICES; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE MAYOR TO EXPEND BUDGETED FUNDS; AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE (Rey) – approved on consent agenda.

8. **PUBLIC COMMENTS:** - None

9. **COMMITTEE REPORTS:**

ECONOMIC DEVELOPMENT COMMITTEE – Carol Wylie, Economic Development Committee Chair reviewed the report she submitted to the Council. She briefly summarized the outcomes resulting from the committee meetings. Councilwoman Collins asked the Town Manager if it was possible to include funding for the Economic Development Committee in the budget. The Town Manager explained that the funding has been considered.

10. **ORDINANCES – FIRST READING:**

ESTABLISHING A RESERVE FUND BALANCE

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, REGARDING BUDGETING AND RESERVES; REQUIRING THE ESTABLISHMENT OF A RESERVE FUND BALANCE OF 10% OF THE TOWN'S ANNUAL GENERAL FUND BUDGET; PROVIDING FOR REPLENISHMENT OF DEFICITS IN THE RESERVE; AND ESTABLISHING CRITERIA FOR USE OF THE 10% RESERVE; REQUIRING A 15% RESERVE FOR LONG TERM DEBT SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; REPEALING CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE
(Meador/Thomson/Slaton)

Councilman Meador moved to adopt the ordinance. Councilwoman Collins seconded the motion. On roll call vote, the motion carried unanimously 6-0 (1 absent).

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

12. **RESOLUTIONS:** None.

13. **REPORTS**

A. **MAYOR'S REPORTS:**

1. **Appointments –**

Appointments of Jon Blizzard and Irene Scurio to the Cultural Affairs Committee.

Councilwoman Collins moved to accept the appointments. Councilman Thomson seconded the motion which carried unanimously.

2. **82nd Avenue Stop Signs and Town of Miami Lakes Traffic –** Item deferred

3. **87th Avenue Improvement/Beautification – Update –** The Mayor updated the Council on the status of the 87th Avenue Beautification project. This project is supposed to begin by October. The County is trying to work out an agreement with the contractor. For the record, the Mayor read the following resolution from July 2002:

“A resolution of the town council of the Town of Miami Lakes, Florida authorizing the town to enter into an agreement with Miami Dade county regarding enhanced improvements on NW 87th avenue; authorizing the town manager and town attorney to finalize the terms and conditions of the agreement; authorizing the mayor to execute the agreement; and providing an effective date”

The Mayor added that in December 2002 the agreement was signed with the County. The project is scheduled to take 18 months to complete. The Mayor requested that the Town Council be part of the scheduling process of the project

to ensure that it is completed quickly and that the contractors follow the rules and regulations of the Town of Miami Lakes. Per Councilwoman Simon's inquiry, the Manager clarified that the agreement is for the section of 87th Avenue from the bridge to 154th Street. The northern section of 87th Avenue currently under construction is scheduled to be completed in 2 months. In addition, Councilwoman Simon expressed interest in that the 87th Avenue project resembles the rest of the Town of Miami Lakes.

4. **County Routing of Calls for Fire and Medical Emergencies** – The Mayor addressed the issue involving the long response time by the fire department to calls on the North West side of Miami Lakes. He informed the Council that the procedure has changed and the North West side fire station is responding to calls from the North West side of Miami Lakes. Councilwoman Collins added that the fire station now has a switch used to change the traffic lights in the event of an emergency. She thanked the new Fire Chief Levy Thomas and Commissioner Seijas.
5. **Peoples Transportation Plan – Town of Miami Lakes Area Benefit** – The Mayor discussed that the Town receives 20% from the \$.005 tax increase from the County. This is roughly \$682,000.00 of which \$136,000.00 is designated for traffic related issues. The Mayor requested that a report be provided by the County detailing how these funds would be spent. The remaining 80% that is not directly received by Miami Lakes is also composed of taxes paid by Miami Lakes residents. The County is spending \$2.6 million upgrading traffic signals. They also have planned to widen NW 87th Avenue to a 4-lane road from NW 154 Street through NW 186 Street. Other County projects included ADA required sidewalk improvements, mini bus circulator, mid-day service on Route E and bus improvements including bus stops in Miami Lakes. Councilwoman Simon briefly mentioned the need for bus service along NW 87th Avenue.
6. **Town Organizational Chart** - The Mayor discussed the organizational chart informing residents of the different functions and services provided by Miami Lakes staff. It also serves as a means to direct residents to the appropriate department/person.

B. MANAGER'S REPORTS:

1. **Town Audit/Financial Statements** – The Manager addressed the Council and explained that the reason why the financial statements for 2002-03 were delayed was due to the need for the previous year to be accurate. Once the previous year's statements were finalized, the 2002-03 statements more accurately represent the financial status of the Town. The Manager proceeded to introduce Pablo Llerena who reported to the Council the results of the audit of the 2002-2003 financial statement (FYE Sept. 30, 2003). He briefly discussed a summary of the results due to the fact that members

C. COUNCILMEMBER REPORTS:

1. **Education Classes – Pizzi** – Item deferred
2. **Traffic Around Area Schools – Pizzi** – Item deferred
3. **Beautification – Pizzi** – Item deferred
4. **Condemnation of Land for Schools – Pizzi** – Item deferred

14. NEW BUSINESS:

- A. **Entrance Features – Slaton** – The Mayor asked the Manager to review with the Council the different design features to be considered for the entrances to the Town. He needs a consensus on a common theme for the entrances to Miami Lakes. The Council reviewed different samples of design features and will consider these at a future meeting. The Mayor added for the record, that the consensus is that the first sign will be placed at the NW 87th Avenue entrance.
- B. **Procurement Policy Reform – Slaton** - The Mayor requested a consensus to proceed with considering at least three cities' contracts before piggy backing. He requested that the Manager draft an ordinance for this purpose.
- C. **Mayor's Neighborhood Matching Grant Program – Slaton** The Mayor explained that the program would increase the value of the Town's resources and enhance projects and beautify our neighborhoods. This project will enable residents to become involved in beautifying their neighborhoods. Mayor Slaton said this would be a good opportunity for public/private partnerships. He requested a consensus to proceed with the project. Councilwoman urged going ahead with the program with the understanding that the program will unite the community and not pit one area against the other. Councilman Thomson requested that a complete program be developed and brought to the Council for review. Vice Mayor Alonso supported the item, but also stated concerns over unified guidelines for swale areas and trees and asked that an ordinance be drafted advising residents of the need to respect swale areas and trees. Councilman Meador added that the program should be expanded to include funding for the maintenance of the neighborhood projects.
- D. **Sidewalk Renovation/Preservation Plan – Slaton** - The Mayor proposed that a longer lasting solution be sought in order to embark upon repairing the sidewalks damaged by the growth of roots. Mayor Slaton proposed seeking the services of an arborist. Councilwoman Collins added that Fairchild Gardens might be able to provide experts on the issue. There were no objections to the plan.

Vice Mayor Alonso suggested that the Town take a proactive approach to tree trimming and maintenance of the swale areas. There were no objections to drafting an Ordinance which would implement a plan to maintain swale area trees.

- E. **County Public Works, Water & Sewer and Utility Projects Coordination within the Town – Slaton** - Mayor Slaton brought to the Council's attention that County projects pertaining to Public Works, Water & Sewer are being done without notifying the Town. The Town's rules and regulations are not being observed. The Mayor requested the creation of a program ensuring that the Town be informed of projects taking place. He asked the Manager to research if we can adopt rules to address these situations. Councilwoman Collins suggested enforcing the rules through issuing fines and citations. Vice Mayor Alonso added that these companies must be supervised to ensure that they are held responsible for any damage resulting from their negligence. The Mayor asked the Town Attorney and Staff to work on possible town ordinances, rules and regulations to address these concerns. There were no objections.
- F. **Opa Locka Airport Noise Abatement Task Force – Slaton** - The Mayor asked the Council the question of whether or not the Town should be a direct part of this task force. The Town currently does not participate directly. Councilman Thomson is in favor of the Town's involvement in the task force. Councilwoman Simon also agreed. There were concerns that the Town should have representation on the Task Force.
- G. **Police Department Services Re-Evaluation – Slaton** - Mayor Slaton suggested that the Town should not wait until the third year to renegotiate items within the Police Contract and that the Town should re-open the existing contract anytime there is an opportunity to benefit from a better deal on price or conditions that any other city may be successful in achieving. The conditions of the Municipal Trust Fund agreement as was negotiated by the Miami Lakes MAC essentially gives the Town this capability..
- H. **Police Annual Report – Slaton** - Mayor Slaton suggested mailing annual police report to each resident. Councilwoman Simon added that the residents might benefit from additional reports. The Manager clarified that this process will affect the budget depending on the print quality of the reports. Councilman Meador voiced concern for the cost versus the benefits and asked that they be weighted before a final decision is made that may impact the budget. No consensus was reached on the item.
- I. **Establishment of Beautification Committee – Collins** - Councilwoman Collins proposed the establishment of a Beautification Committee with the purpose of making sure that the Town's appearance is kept up.
- Councilwoman Collins moved to establish the committee. Councilwoman Simon seconded the motion. Motion carried unanimously.
- J. **Signage around Tot-Lot – Collins** - Councilwoman Collins proposed posting signs around tot-lots in order to inform residents of upcoming events giving them the opportunity to participate in the functions. The Town Manager noted that the signs might be visually disruptive.

- K. **Town-wide decorative “event” banners** (*Meador*) - Councilman Meador suggested that signs banners be created to inform residents of events taking place in the Town. He proposed placing them at the main Miami Lakes streets such as NW 67th Ave, NW 82nd Ave, NW 87th Ave, and NW 154th St. Vice Mayor Alonso agreed with the banners as long as they are not placed in residential avenues.
- L. **Abolishment of Mayor’s Salary** (*Pizzi*) – Item deferred

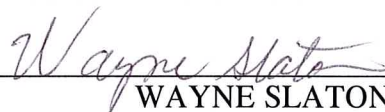
15. **FUTURE MEETING DATES:** The following council meetings were announced:

ZONING MEETING – Thursday, September 11, 2003, 7:00 p.m. Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014

2nd BUDGET HEARING – Tuesday, September 23, 2003, 7:00 p.m. Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014

16. **ADJOURNMENT:** The Meeting adjourned at

Approved this 14th day of October, 2003



WAYNE SLATON, MAYOR

Attest:



BEATRIS M. ARGUELLES, CMC
TOWN CLERK