

TOWN OF MIAMI LAKES, FLORIDA

MINUTES

TOWN COUNCIL MEETING

October 14, 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 7:00 p.m.
2. **ROLL CALL** - In addition to the Mayor, the following Council Members were present at roll call: Mary Collins, Robert Meador, Michael Pizzi, Peter Thompson and Vice Mayor Roberto Alonso. The following staff members were also present: Town Manager Alex Rey, Assistant Town Manager Rafael Casals, Town Planner Henry Iler, Zoning Official Ray Villar, Building Official Raul Rodriguez, and Town Attorney Nina Boniske and Michael Marrero of the law firm Weiss, Serota, Helfman, Pastoriza and Guedes, PA.
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)** – Councilman Pizzi requested to delete Items 13(C) 2, 3 & 4 and also Item 14(A). Staff asked to substitute Item 10(A). And Mayor Slaton moved to take Item 14(C) at the same time as 13(A) 3.

Councilwoman Collins moved to approve the order of business as amended. Councilman Thompson seconded the motion which carried unanimously.

SPECIAL PRESENTATIONS - The Mayor read a proclamation in honor of Carlos Fernandez-Guzman making October 14th “Carlos Fernandez Day” for achievement in the sport of baseball.

7. **CONSENT AGENDA:** The item was moved by Councilman Thompson and seconded by Councilwoman Collins. Motion carried unanimously.

A. MINUTES:

September 9, 2003 – Approved on consent agenda

September 11, 2003 LPA – Approved on consent agenda.

B. ESTABLISHING THE BEAUTIFICATION COMMITTEE:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ESTABLISHING THE BEAUTIFICATION ADVISORY

COMMITTEE; PROVIDING FOR TERMS AND CONDITIONS; PROVIDING FOR DUTIES; PROVIDING FOR MEETING REQUIREMENTS; PROVIDING FOR SUNSET REVIEW; AND PROVIDING AN EFFECTIVE DATE (Collins)

Approved on consent agenda.

C. AWARDING THE PUBLIC WORKS/MISCELLANEOUS LABOR BID TO U.S. LAWN OF SOUTH DADE

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE SELECTION OF U.S. LAWN OF SOUTH DADE FOR PUBLIC WORKS MISCELLANEOUS SERVICES WITHIN THE TOWN; AUTHORIZING TOWN MANAGER AND TOWN ATTORNEY TO FINALIZE 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.

D. CODIFICATION OF THE TOWN CODE

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING AN AGREEMENT WITH MUNICIPAL CODE CORPORATION TO PERFORM CODIFICATION OF THE TOWN CODE; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO EFFECTUATE THE PURCHASE; 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.

E. COPIER LEASE UPGRADE

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE LEASE AGREEMENT BETWEEN THE TOWN OF MIAMI LAKES AND DELTA BUSINESS SOLUTIONS FOR LEASE OF A COPY MACHINE IN TOWN HALL; AUTHORIZING THE TOWN MANAGER TO FINALIZE THE TERMS AND CONDITIONS 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.

F. FEMA ROAD RESTORATION MEMORANDUM OF AGREEMENT WITH MIAMI DADE COUNTY

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN TO ENTER INTO A

MEMORANDUM OF AGREEMENT WITH MIAMI-DADE COUNTY REGARDING A FEMA ROAD RESTORATION AND MITIGATION PROGRAM; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO FINALIZE THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE (Rey)Approved on consent agenda.

- 8. **PUBLIC COMMENTS - None**
- 9. **COMMITTEE REPORTS - None**
- 10. **ORDINANCES – FIRST READING:**

A. AMENDING PURCHASING PROCEDURES:

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ORDINANCE NO. 03-30 PERTAINING TO PURCHASING PROCEDURES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Slaton)

Town Manager Alex Rey noted the inclusion of the sentence “and verify the performance of the contractors in each of those cases.” Councilwoman Collins requested the Ordinance be amended to include that charges up to \$10,000.00 be reported to the Town Council. The Town Attorney explained that amendments are usually made at the second reading of an Ordinance.

Councilwoman Collins moved to adopt on first reading. Councilman Thompson seconded the motion. The motion carried unanimously upon roll call.

B. APPROVING \$25,000 PROPERTY TAX EXEMPTION FOR SENIORS:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, (THE “TOWN”) RELATING TO AD VALOREM TAXATION; PROVIDING FOR AN ADDITIONAL HOMESTEAD EXEMPTION FOR CERTAIN QUALIFYING SENIOR CITIZENS TO BE APPLIED TO MILLAGE RATES LEVIED BY THE TOWN; PROVIDING FOR THE SUBMISSION OF AN ANNUAL APPLICATION AND SUPPORTING DOCUMENTATION TO THE MIAMI-DADE COUNTY PROPERTY APPRAISER; PROVIDING FOR WAIVER OF EXEMPTION; PROVIDING FOR AN ANNUAL INCREASE IN THE INCOME LIMITATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE (Slaton)

Councilwoman Collins moved the Ordinance. Councilman Meador seconded the motion. Motion carried unanimously upon roll call.

C. SWALE AREA RIGHTS-OF-WAY REPAIR AND MAINTENANCE:

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, PERTAINING TO THE TOWN RIGHTS-OF-WAY; PROVIDING FOR DEFINITIONS; PROVIDING FOR RIGHT-OF-WAY PERMITS; PROVIDING FOR EMERGENCY REPAIRS; PROVIDING FOR AN APPLICATION FORM; PROVIDING FOR PERMIT APPLICATION REVIEW AND PERMIT FEES; PROVIDING FOR APPLICANT RESPONSIBILITIES; PROVIDING FOR EXEMPTIONS; PROVIDING FOR CLEAN-UP; PROVIDING FOR TOWN'S RIGHT TO RESTORE PROPERTY; PROVIDING FOR RELOCATION UPON NOTICE OF TOWN MANAGER; PROVIDING FOR CONSTRUCTION STANDARDS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE (Alonso)

Councilwoman Collins moved the Ordinance. Vice Mayor Alonso seconded the motion, which carried unanimously upon roll call.

11. PUBLIC HEARINGS/ORDINANCES – SECOND 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) Vice Mayor Alonso moved the Ordinance. Councilwoman Collins seconded the motion.

The Mayor opened the public hearing. Being that no residents addressed the Council; the Mayor closed the public hearing.

The motion carried unanimously upon roll call.

12. RESOLUTIONS:

FIRST AMENDMENT TO THE TOWN MANAGER CONTRACT (Page 135)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE EMPLOYMENT

AGREEMENT BETWEEN ALEX REY AND THE TOWN OF MIAMI LAKES FOR TOWN MANAGER; AUTHORIZING THE TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE (Slaton)

Mayor Slaton recommended that the Town Manager Alex Rey's contract be extended. In addition, he also recommended an increase in his compensation from \$128,500.00 to \$135,000.00. The Mayor congratulated the Town Manager for his outstanding performance. The Mayor then mentioned all the contributions the Manager has made to the Town of Miami Lakes. Councilwoman Collins proposed to amend Section 15.1 extending the Manager's contract from 2004 to 2005. There were no objections. Various members of the Council commended the Manager on his exceptional performance.

Councilwoman Collins moved to approve the Resolution as amended. Vice Mayor Alonso seconded the motion. The motioned carried unanimously.

13. REPORTS

A. MAYOR'S REPORTS:

1. **Appointments** – The Mayor made the following appointments:
To the Youth Activities Committee: Maria Gonzalez, Marty Russell, and Genielle Silva.
To the Cultural Affairs Committee: Maria Ortiz, Leslie Hatz, Will Runeon, Gabe Mendell, and Irene Molinske
To the Beautification Committee: Russ Geyer, Mary Giacommo, Dr. Carlene Spano, Rose Hammer, Pedro Delgado, Audrey Simms, and Alex Gonzalez

Councilwoman Collins moved to approve the appointments. Vice Mayor Alonso seconded the motion. Motion carried unanimously.

2. **Maddens Hammock Park** – The Mayor reminded everyone that a federal grant was awarded to the Town of Miami Lakes for the Maddens Hammock Park and discussed the steps that will be taken within the next few months to secure the property. These steps include a property evaluation and the drafting of a grant contract for the Town of Miami Lakes to be approved by the Council before December 15, 2003. Also the Town staff will provided a management plan. Finally, the Town will secure a portion of the money from the County in order to close on the property.
3. **87th Avenue Improvement/Beautification** – *Item was taken at the same time as 14(C).* The Mayor informed that the actual construction schedule for 87th Avenue is not available. The Mayor proposed to the Council the possibility of continuing the beautification project to for 87th Avenue to the North of 154th Street. The Mayor asked that staff draft a conceptual plan and calculated an estimated cost,

for the future budget, the continuation of the beautification street up to NW 170th Street.

4. **Barbara Goleman Access Road** – The Mayor informed that the County is still waiting to obtain the permits. They are currently working on specification documents for the road from Barbara Goleman to NW 87th Avenue. Construction is expected to begin by March 2004.

B. MANAGER'S REPORTS: None

C. COUNCILMEMBER REPORTS:

1. **Education Classes – Pizzi** (*carryover item*) – Councilman Pizzi informed that the classes for residents 55 and older are a success. Some classes have been added to the program including arts and crafts in the afternoon, ballet/dance, and Survival Spanish. Some of these classes are open to younger residents. Councilman Pizzi introduced Miriam Duman who addressed the Council and asked for their help in launching free computer classes for residents 16 and older at the library. The classes would be held Tuesdays and Wednesday from 10:30 a.m. to 12:30 p.m. She is also working on holding Martial Arts and Nutrition classes on Mondays and Thursdays from 6:00 p.m. to 7:30 p.m.
2. **Traffic Around Area Schools – Pizzi** (*carryover item*) Item removed from Agenda in item 5.
3. **Beautification – Pizzi** (*carryover item*) Item removed from Agenda in item 5.
4. **Condemnation of Land for Schools – Pizzi** (*carryover item*) – Item removed from Agenda in item 5.
5. **Northbound Exit Ramp (Palmetto @ NW 154th Street) – Simon** - Town Manager Alex Rey presented the item on behalf of Councilwoman Simon. She contacted the Secretary of Roads to inquire if a third lane could be added to NW 154th Street. This improvement is feasible and will be considered as part of the NW 154th Street project.
6. **Annexation – Pizzi** – Councilman Meador absented himself from the auditorium due to a conflict of interest on the item. Councilwoman Collins moved to hold discussion of this item until Councilwoman Simon returns. The motion was seconded by Vice Mayor Alonso. No action was taken on the motion.

Councilman Pizzi verbalized his view of the issues relating to the annexation by the City of Hialeah. He expressed concern over no legal limits to govern the density of construction on a piece of land and offered a motion to initiate the annexation process of the land by the Town of Miami Lakes. The motion failed for lack of a second.

Councilman Pizzi offered a second motion to oppose the annexation process of the land by the City of Hialeah. The motion failed for lack of a second.

Vice Mayor Alonso called for the Council to come to an agreement with regards to the Town's concerns about the annexation.

Town Manager Alex Rey explained that the City of Hialeah is not guaranteeing that the housing developments will be restricted to 5 to 13 units per acre. Councilwoman Collins informed the Council that the land is too expensive to be saturated with affordable housing units. Also, a great portion of the land is not in good condition for development. She asked that the Council bring closure to the Item.

Vice Mayor Alonso suggested a motion to request that Hialeah keep the affordable housing developments within 5 to 13 units per acre. Councilman Thompson concurred with the motion. Following discussion regarding the proper wording of the motion, the mayor called for a recess to allow the attorney to draft appropriate language.

With a quorum present, the Mayor reconvened the meeting. The Town Attorney read the following motion into the record.

Motion:

The Town of Miami Lakes supports the inter-local agreement provided that all residential development East of 97th Avenue is consistent with the Miami-Dade County comprehensive master development plan authorizing the Town Manager and appropriate staff negotiate with the appropriate parties regarding this position and that any deviation from the County's comprehensive master development plan are eliminated or significantly reduced.

Vice Mayor Alonso moved the motion as read. The Chair seconded. Upon a roll call vote, the motion carried 3 to 2 with Councilman Pizzi and Councilwoman Collins casting dissenting votes. Councilman Meador and Councilwoman Simon were absent.

7. **West Side Fire Station – Pizzi** – Councilman Pizzi reported that the West Side fire station should be running by mid-December. He also commended the Graham Companies for making the land available to the fire department.

14. NEW BUSINESS:

- A. **Abolishment of Mayor's Salary** (*carryover item*) (*Pizzi*) – **Item deferred**
- B. **Health Benefits for Town Council Members** (*Simon*) **Item deferred**
- C. **Continuity of Beautification on northern portion of 87th Avenue** (*Slaton*)– Taken with Item 13(A)3

15. **FUTURE MEETING DATES**

COMMUNITY MEETING RE; TEMPORARY FIRE STATION – Thursday, October 16, 2003, Community Center, 15101 Montrose Road, Miami Lakes, FL


REGULAR COUNCIL MEETING – Tuesday, November 11, 2003, 7:00 p.m. LOCATION TBA

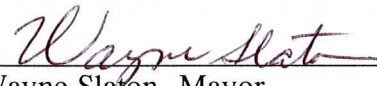
ZONING MEETING – Thursday, November 13, 2003, 7:00 p.m. Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014

16. **ADJOURNMENT:** The Mayor adjourned the meeting at approximately 10:15 p.m. following a motion to adjourn.

Approved this 13th day of November, 2003

Attest:


Beatris M. Arguelles, CMC
Town Clerk


Wayne Slaton, Mayor