

TOWN OF MIAMI LAKES, FLORIDA

MINUTES TOWN COUNCIL MEETING

November 13, 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 7:12 p.m.
2. **ROLL CALL** - In addition to the Mayor, the following Council Members were present at roll call: Mary Collins, Robert Meador, Nancy Simon, Michael Pizzi, Peter Thomson and Vice Mayor Roberto Alonso. The following staff members were also present: Town Manager Alex Rey, Town Attorney Nina Boniske and Michael Marrero of the law firm of Weiss Serota Helfman Pastoriza Guedes Cole and Boniske, P.A.; 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)** – Councilwoman Collins requested to pull item 6 from the Agenda. Councilwoman Simon asked to add a report from the Education Advisory Board under item 9, Committee Reports. She also requested that the election of the Vice Mayor be added as item 14(h) in accordance with the Town Charter. Town Manager requested that the second readings of Ordinances A, B and C be deferred with A & B scheduled for November 25, 2003 and C to be deferred indefinitely. Councilman Pizzi requested to defer item 14(a) to the next meeting.

Councilwoman Collins moved to accept the order of business as amended. Vice Mayor Alonso seconded the motion which carried unanimously.

6. SPECIAL PRESENTATIONS

Certificates of Recognition - Youth Activities Task Force Members/Haunted House Volunteers

7. CONSENT AGENDA:

A. MINUTES:

October 9, 2003 – LPA Meeting – approved on consent agenda.

October 9, 2003 – Zoning Meeting - approved on consent agenda.

October 14, 2003 - Regular Council Meeting - approved on consent agenda.

- B. **TEMPORARY FIRE STATION ENGINEERING SERVICES** (*Rey*) - approved on consent agenda.

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 ENGINEERING SERVICES FOR THE TEMPORARY FIRE STATION; 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 AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE (*Rey*)

- C. **AUTHORIZING THE TOWN MANAGER TO OPEN, RENEW OR CLOSE CERTIFICATES OF DEPOSIT** (*Rey*) - approved on consent agenda.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO FINANCE; AUTHORIZING THE TOWN MANAGER TO OPEN, RENEW OR CLOSE CERTIFICATES OF DEPOSIT WITH QUALIFIED PUBLIC DEPOSITORIES; AUTHORIZING THE TOWN MANAGER TO TRANSFER FUNDS AND SIGN CONTRACTS ON BEHALF OF THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.

- D. **PROFESSIONAL SERVICES FOR MIAMI LAKEWAY NORTH DRAINAGE IMPROVEMENTS AND SURFACE PARKING LOT ADDITION IN MIAMI LAKES PARK** (*Rey*) - approved on consent agenda.

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 ENGINEERING SERVICES FOR THE MIAMI LAKEWAY NORTH DRAINAGE IMPROVEMENTS AND THE SURFACE PARKING ADDITION AT MIAMI LAKES PARK; 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 AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Pedro Carballo – commended the Council on completing various projects

Jose Enriquez – asked that the Building Department and Code Enforcement coordinate better with the Architectural Control Committee when permits are issued.

9. COMMITTEE REPORTS:

- A. EDUCATION ADVISORY BOARD** – Vice Chair Maria Kramer gave an update on EAB projects. Mayor Slaton asked for clarification regarding whether or not the Council has to approve funds for each project. The Manager noted that funds for the Committee have already been allocated in the budget.

Councilwoman Collins moved to accept the Education Advisory Board Report. Councilman Thomson seconded the motion which carried unanimously.

10. ORDINANCES – FIRST READING – None.

11. PUBLIC HEARINGS/ORDINANCES – SECOND READING:

- A. AMENDING PURCHASING PROCEDURES** – Item deferred.

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. (First Reading: October 14, 2003) (Slaton)

- B. APPROVING \$25,000 PROPERTY TAX EXEMPTION FOR SENIORS** – Item deferred.

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 (First Reading: October 14, 2003) (Slaton)

- C. SWALE AREA RIGHTS-OF-WAY REPAIR MAINTENANCE** – Item deferred.

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 (*First Reading: October 14, 2003*) (*Alonso*)

12. RESOLUTIONS:

STRAW BALLOT ELECTION REGARDING BORROWING MONEY FOR PARK IMPROVEMENTS – The Town Attorney read the Resolution by title as follows:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; PROVIDING FOR A NON-BINDING STRAW BALLOT MEASURE TO BE PRESENTED TO THE ELECTORS OF THE TOWN ON MARCH 9, 2004 FOR THE PURPOSE OF PRESENTING TO VOTERS THE CHOICE OF EXPEDITING IMPROVEMENTS TO TOWN PARKS BY BORROWING MONEY; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORS; PROVIDING FOR BALLOTING PROCEDURES; PROVIDING FOR NOTICE OF ELECTION; PROVIDING FOR COPIES; PROVIDING FOR INTENT; PROVIDING FOR AUTHORIZATION OF TOWN CLERK; AND PROVIDING AN EFFECTIVE DATE (*Rey*)

Councilwoman Collins clarified that the Election would be of no cost to tax payers because it would be in conjunction with a County-wide election.

Councilwoman Simon proposed changing the date to November during the Presidential Election to ensure a higher voter turnout. The Town Manager noted that there would be a lapse of time in construction if the election date is changed, essentially, losing one year.

Councilman Meador asked for an explanation of the timeline for completion of the project. The Manager clarified for the record, that in order to receive a general obligation bond, an election must be held. The Staff recommended “Straw Ballot” is to gauge whether or not the voters would like to borrow the money to expedite the park improvements through a “Special Obligation Bond, which does not require voter approval. Following the Straw Ballot Election in March, the Town would then engage the services of a financial advisor to develop projections that will determine how much money will be borrowed with the existing tax and millage rates. A proposal of the amount which would be borrowed should be ready in September which would be presented to the Council for approval. He noted that the process would be interrupted if the elections were postponed to November.

Councilman Thomson noted for the record, that the Bond would be for the entire Miami Lakes Parks System, not merely for Royal Oaks Park.

Councilman Pizzi expressed concern that there would be a lower voter turnout in March and regarding the debt that would be incurred by the Town as a result of borrowing money.

Councilwoman Simon reiterated her concern regarding the importance of holding the election in November and moved to amend the Resolution to reflect the November Election date. Councilman Pizzi seconded the motion. The motion failed 3-4 with Councilmembers Collins, Meador, Thomson and Vice Mayor Alonso casting dissenting votes.

Councilwoman Collins moved to adopt the Resolution as originally presented with the March Election date. Councilman Meador seconded the motion. On a roll call vote, the motion carried 5-2 with Councilmembers Pizzi and Simon casting dissenting votes.

13. REPORTS

A. MAYOR'S REPORTS:

1. **Appointments** – The Mayor made the following appointments:
Cultural Affairs - April Forbes
Youth Activities Task Force – Mary Gonzalez
Beautification Committee – Daisy Hernandez, Lourdes Castaner-Ruano, Arnold Seltzer, Humberto Garcia and Arturo Carvajal

Councilwoman Collins moved to approve the appointments. Vice Mayor Alonso seconded the motion which carried unanimously.
2. **Barbara Goleman High School DECA Community Project** – The Mayor announced that the Barbara Goleman High School DECA Club will be repainting the wall near the school starting at the South end of the School on 87th Avenue to Northwest 143rd Street on Saturday, November 22, 2003. He noted that in addition to repainting, they are planning a landscaping project across the School. He announced the group has raised over \$700,000 in scholarships for its members and received a proclamation in October for outstanding contributions to the community.
3. **Proposed County Ordinance on Fencing around airports, flight paths** – the Mayor reported that Miami Dade County is establishing new standards for land use and public safety zone restrictions that will affect Opa-Locka Airport. He announced that maps of the affected areas are available at Town Hall. Councilwoman Collins requested that staff research the impact of the Ordinance as it affects Miami Lakes. The Manager will meet with each Council Member to review their concerns.
4. **Florida House of Representatives Education K-20 Committee Meeting on Municipal Charter Schools** – The Mayor reported that the State is holding committee meetings regarding charter schools within municipalities. He noted that as a result of a recent meeting held in Hialeah, various municipalities are in favor of the process with opposition coming from school administrations. He noted that Charter schools may be considered for Miami Lakes.

5. **87th Avenue Improvements/Beautification Update** – The Mayor briefly outlined the construction schedule for NW 87th Avenue as follows: Canal maintenance and electrical work are expected to begin March 2004. Bridge Construction to begin after the first of the year 2004 to December 2004. Drainage is scheduled from April to mid August 2004 with Curbs, Gutters and additional rights of ways projected for August through November. The entire project is scheduled to be completed by January 2005. Councilmember Meador requested the project schedule be posted on the Website.

B. MANAGER'S REPORTS:

1. **Police Statistics for FY 2003 Presentation** – Town Commander Bocanegra gave the 2003 Police report. He noted that the Department is committed to reducing crime and improving the quality of life for the residents. He reported that the Community Policing has been stepped up. He also reported that Robbery, Larceny, Auto theft, residential burglary and vehicle burglaries are all down from 2002. He advised that Commercial burglaries are up, however the department is taking a proactive approach and officers have been assigned to monitor shopping centers.
2. **Request of parcel from FDOT** – he reported that the Town has requested the land belonging to FDOT, located at the intersection of NW 169th Terrace and 89th Court be transferred to the Town.
3. **Entrance Features** – The Manager presented the Council with three feature options to choose from. Following a review and comments from the Council, the consensus was to go with Medium to High cost Option “A”
4. **Youth Internship Program** – The Manager reported on a proposal made by Richard Pulido where Junior and Senior High School students who meet certain academic standards be allowed, on a volunteer basis, to work on projects with Town Council Members. Mr. Pulido addressed the Council and noted the benefits of the program. Councilmember Collins noted that the Youth Activities Task Force is working on a similar program.

C. COUNCILMEMBER REPORTS:

1. **Status of Tot-lot acquisition and use of Montrose Facility Simon** – Councilmember Simon asked the Town Manager to give a report. The Manager reported that the County Parks Department and the County Attorney are working on documents for the transfer. He noted he expects a three to four month process.
2. **Charter Compliance and Good Government – Pizzi** – Councilman Pizzi stressed the importance of Compliance with the Charter. He also suggested that staff take an ethics course. The Manager concurred and noted that as the Town Grows, more training would be necessary.

3. **Meeting Length – Council Discussion – Thomson** – Councilmember Thomson stated that residents have complained about the length of the Council’s discussion and asked the Town Attorney to review for the Council the rules for discussion. The Attorney reviewed the Council Procedures. She noted that a new resolution would have to be adopted if the Council wished to amend the rules. Councilwoman Simon suggested the procedures be revised and that a workshop be prepared in order to review all the rules. Mayo Slaton clarified why the rules call for the Council to discuss an item for a *minimum* of ten minutes. Vice Mayor Alonso suggested that the council informed themselves about the Agenda items prior to the meetings in order to avoid lengthy discussion and the need for clarification from staff. Councilman Pizzi expressed concern over limiting discussion time. Mayor Slaton expressed that there is no need for limiting debates or changing the rules. However there is a need for the Council to focus on the issues presented, without redundancy.
4. **Donation of Trees – Alonso** – The Vice Mayor read a letter from the President of the Moors HOA noting that the Moors will be donating 200 trees to the Town of Miami Lakes.

D. ATTORNEY’S REPORTS:

1. **Manager’s accrued and unused vacation leave** – The Town Attorney asked the Council to make a motion to roll the Manager’s 27.35 hours of unused vacation leave forward into the next fiscal year or pay the dollar equivalent.

Councilwoman Simon moved to roll the Manager’s 27.35 hours of unused vacation leave forward into the next fiscal year. Councilman Thomson seconded the motion which carried unanimously.

14. NEW BUSINESS:

- A. **Abolishment of Mayor’s Salary** (*carryover item*) (*Pizzi*) – *Item Deferred.*
- B. **Health Benefits for Town Council Members** (*carryover item*) (*Simon*) The Councilwoman proposed extending Health Insurance coverage to Council Members. She added that Councilmembers contribute many hours with little compensation. In addition, knowing that Council members are offered health insurance coverage might attract future Council Candidates. Councilwoman Simon moved to direct staff to draft a Resolution providing and funding a group insurance program for individual Council members who choose to use it. Councilwoman Collins seconded the motion which carried 6-1 with Vice Mayor Alonso casing the dissenting vote
- C. **Beautification of Goleman H.S. Area** – **Pizzi** – The Councilman requested a commitment for a beautification project for the Barbara Goleman High School area. The Manager stated that certain short-term projects such as improving the cul-de-sac area are realistic. However, that a full beautification project would require time and money. Medians have to be landscaped. Councilwoman Collins reminded the

Council that there currently exists a Beautification Committee that could tackle projects such as these.

- D. Entrance Features – Pizzi** – Previously addressed.
- E. Campaign Reform – Pizzi** – The Councilman stated that he would like to see campaign finance reports posted on the Town’s website as soon as they are received and that they should be available well in advance of the election and proposed a motion instructing staff to draft a Resolution making campaign reports available on the website and campaign fundraising be completed one-week prior to the election. Councilwoman Simon seconded the motion.. Discussion ensued regarding the legality of such a resolution when there are State Statutes which govern when reports are due. Following such discussion. The motion carried 6-1 with Councilwoman Collins casting the dissenting vote.
- F. Zoning Board – Pizzi** The Councilman proposed creating a Zoning Board to review zoning matters. Mayor Slaton disagreed, questioning the benefit a Zoning Board would bring to the Residents. Councilwoman Simon agreed that a Zoning Board was not needed.

Councilman Pizzi moved to direct the Manager to draft a resolution establishing a zoning board. Councilman Thomson seconded the motion for discussion. Following discussion, Councilman Pizzi withdrew his motion

- G. Parks – Thomson** – The Councilman gave a report on his observation of the Town’s parks, mentioning that a park he recently visited had limited or no access to the bathroom facilities and that the dumpsters were full on Saturday morning. He proposed more access to the residents for use of the parks.
- H. Election of a Vice Mayor – Simon** – The Councilwoman requested that staff better monitor time sensitive items to be presented at Council meetings noting that the Election of the Vice Mayor should have been on the Agenda.

Councilwoman Simon moved to elect Councilman Robert Meador for the Vice Mayor position. Councilman Pizzi seconded the motion. On a roll call vote, the motion failed 3-4 with Councilmembers Collins, Thomson, Alonso and Slaton casting dissenting votes.

Councilman Thomson moved to re-elect Roberto Alonso for the Vice Mayor Position. Councilwoman Collins seconded the motion. Upon a roll call vote, the motion carried 4-3 with Councilmembers Meador, Pizzi and Simon casting dissenting votes.

- 15. FUTURE MEETING DATES** – The following meetings were announced on the Agenda.

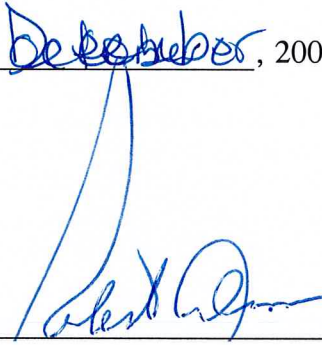
SPECIAL MEETING – **Tuesday, November 25, 2003, 6:00 p.m.**, Town Hall, 6853 Main Street, Miami Lakes, FL 33014

REGULAR MEETING – Tuesday, December 9, 2003, 7:00 p.m., Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014

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

16. **ADJOURNMENT** – There being no additional business, the Mayor adjourned the meeting at 10:45 p.m.

Approved this 9th day of December, 2003



ROBERTO ALONSO, VICE MAYOR

Attest:



BEATRIS M. ARGÜELLES, CMC
TOWN CLERK