

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Wayne Slaton

Vice Mayor Mary Collins

Councilmember Roberto Alonso

Councilmember Robert Meador

Councilmember Michael Pizzi

Councilmember Richard Pulido

Councilmember Nancy Simon

MINUTES REGULAR COUNCIL MEETING February 13, 2007

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 7:08 p.m.
2. **ROLL CALL:** Town Clerk Debra Eastman called the roll with the following Councilmembers present: Robert Meador, Richard Pulido, Michael Pizzi, Roberto Alonso, Vice Mayor Mary Collins and Mayor Wayne Slaton. Councilmember Nancy Simon joined the meeting at 7:15 p.m.
3. **INVOCATION/MOMENT OF SILENCE:** Mayor Wayne Slaton called for a moment of silence.
4. **PLEDGE OF ALLEGIANCE:** Mayor Wayne Slaton led the pledge.
5. **ORDER OF BUSINESS (DEFERRALS/ADDITONS/DELETIONS):** Vice Mayor Mary Collins requested to pull item 6B from the consent agenda. Councilmember Michael Pizzi requested that item 13G be deferred, requested that item 13A be switched with item 13I and, requested to move item 13J after 12A2. Councilmember Richard Pulido requested that his name be added as co-sponsor of item 6B. Town Manager Alex Rey requested that item 6J be deferred. Vice Mayor Mary Collins moved to accept the agenda as amended. It was seconded by Councilmember Roberto Alonso. Mayor Wayne Slaton called for the vote and all were in favor.

Councilmember Roberto Alonso moved for passage of the consent agenda. It was seconded by Vice Mayor Mary Collins. Mayor Wayne Slaton called for the vote and all were in favor.

6. **CONSENT AGENDA:**

A. **APPROVAL OF MINUTES:**

October 10, 2006 Regular Council Meeting
November 14, 2006 Regular Council Meeting
December 12, 2006 Regular Council Meeting
Approved on Consent.

B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA SUPPORTING THE RESTORATION OF THE EVERGLADES. (Collins, Meador, Alonso, Slaton, Pulido)

Vice Mayor Mary Collins requested that a letter be drafted and sent along with a copy of the Resolution to Debbie Wasserman-Shultz, the Secretary of Interior, and the Miccosukee Tribe of Indians of Florida Chief. Vice Mayor Mary Collins moved for approval. It was seconded by Councilmember Nancy Simon. Mayor Wayne Slaton called for the vote and all were in favor.

C. RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE PROJECT PROPOSAL BETWEEN ACOSTA TRACTORS, INC. AND THE TOWN OF MIAMI LAKES FOR SITE PREPARATION FOR POCKET PARKS P1, P19, P29, P13, P31 AND P61. (Rey)
Approved on consent.

D. A RESOLUTION OF THE TOWN COUNCIL APPROVING THE PROJECT PROPOSAL BETWEEN ACOSTA TRACTORS, INC. AND THE TOWN OF MIAMI LAKES FOR ELECTRICAL ENGINEERING FOR AN EMERGENCY GENERATOR FOR TOWN HALL. (Rey) Approved on consent.

E. A RESOLUTION OF THE TOWN COUNCIL APPROVING THE PROJECT PROPOSAL BETWEEN ACOSTA TRACTORS, INC. AND THE TOWN OF MIAMI LAKES FOR MIAMI LAKES PARK DOCK INSTALLATION. (Rey)
Approved on consent.

F. A RESOLUTION OF THE TOWN COUNCIL APPROVING THE LICENSE AND USE AGREEMENT WITH THE YMCA OF GREATER MIAMI, INC. TO PROVIDE YOUNG TEEN RECREATION PROGRAMMING SERVICES. (Rey)
Approved on consent.

G. A RESOLUTION OF THE TOWN COUNCIL APPROVING THE AGREEMENT BETWEEN BKR GARCIA & COMPANY AND THE TOWN OF MIAMI LAKES. (Rey)
Approved on consent.

H. A RESOLUTION OF THE TOWN COUNCIL APPROVING THE PROJECT PROPOSAL BETWEEN ACOSTA TRACTORS, INC. AND THE TOWN OF MIAMI LAKES FOR SITE IMPROVEMENTS TO THE P86 POCKET PARK SITE. (Rey) Approved on consent.

I. RESOLUTION OF THE TOWN COUNCIL; ACCEPTING THE REQUEST OF MICHAEL CAMUS AND HEATHER CAMUS TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2004-1015. (Rey) Approved on consent.

J. A RESOLUTION OF THE TOWN COUNCIL; ACCEPTING THE REQUEST OF JORGE PEREZ TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2003-1531. (Rey)
Deferred to the March Meeting.

K. A RESOLUTION OF THE TOWN COUNCIL; ACCEPTING THE REQUEST OF MANUELA PEREZ TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2004-1075. (Rey)
Approved on consent.

7. PUBLIC COMMENTS:

Judy Tabor spoke about the Par 3 golf course and presented a petition asking that the golf course stay the same.

Kathleen Fleming spoke about the golf course.

Norma Ruiz spoke about the golf course and how many live in the area.

David Bennett spoke about the golf course and cited Chapter 712.

Marcelo Merlo spoke about the golf course.

8. COMMITTEE REPORTS:

Youth Activities Task Force

Chairman Peter Diaz provided a report. Vice Mayor Mary Collins suggested that the size of the committee might be expanded.

Councilmember Robert Meador thanked Mr. Diaz for introducing the idea of the outdoor movies.

Councilmember Richard Pulido stated that as a former committee member he appreciates all committees and thanked Mr. Diaz.

Councilmember Michael Pizzi thanked Mr. Diaz and suggested that getting the word out is key.

9. ORDINANCES – FIRST READING:

A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES AMENDING ORDINANCE NO. 05-75; AMENDING THE TOWN'S BUDGET FOR THE 2005-2006 FISCAL YEAR. (Rey)

Town Attorney Nina Boniske read the title of the ordinance into the record. Vice Mayor Mary Collins moved for approval. It was seconded by Councilmember Nancy Simon. Mayor Wayne Slaton called for the vote and all were in favor.

B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES CREATING CHAPTER ___ OF THE TOWN OF MIAMI LAKES CODE, ENTITLED "MIAMI LAKES CABLE TELEVISION AND OPEN VIDEO SYSTEM ORDINANCE"; PROVIDING THE TERMS AND

CONDITIONS FOR THE OPERATION OF CABLE TELEVISION AND OPEN VIDEO SYSTEMS THAT USE THE TOWN'S RIGHTS-OF-WAY. (Simon)

Town Attorney Nina Boniske read the title of the ordinance into the record. Councilmember Nancy Simon moved for approval. It was seconded by Vice Mayor Mary Collins. Mayor Wayne Slaton called for the vote and all were in favor.

10. PUBLIC HEARINGS/ORDINANCES - SECOND READING: None.

11. RESOLUTIONS:

12. REPORTS:

A. MAYOR'S REPORTS:

1. Mayor Slaton nominated the following: Aida McCarthy to Elderly Affairs Committee; Jack McCall to the Youth Activities Task Force; Nell Edmundson to the Elderly Affairs Committee. Vice Mayor Mary Collins moved to appoint and it was seconded by Councilmember Nancy Simon. Mayor Slaton called for the vote and all were in favor.

2. Mitigation Update (note: also formerly 13J Mitigation Fee)

Mayor Slaton provided an update on the subject of mitigation payments to the County, the Blue Ribbon Task Force and recently drafted state legislation. He requested that Town join Doral and Palmetto Bay in supporting bill for this purpose through the legislative process.

Vice Mayor Mary Collins made a motion to support the mitigation bill with Doral and Palmetto Bay. Councilmember Nancy Simon gave a second to the motion.

Mayor Slaton spoke in favor of the motion. Councilmember Michael Pizzi spoke about the history of mitigation and moved to amend the motion to include that the Town of Miami Lakes would make no further payments. There was no second.

Councilmember Roberto Alonso spoke in favor of supporting other cities and against holding back payments. Councilmember Nancy Simon spoke in favor of the motion. Councilmember Richard Pulido spoke in favor of being aggressive in this matter. Councilmember Robert Meador suggested that the item could be placed on the agenda for the County Commission by Mayor Alvarez. Vice Mayor Collins suggested an energetic back up plan to get this resolved.

There being no further discussion, the Mayor called for the vote and all were in favor.

B. MANAGER'S REPORTS:

1. Transit Grant Funding Program

Town Manager Alex Rey reported that the Town will receive a grant for bus transportation. Councilmember Nancy Simon asked about the bus

route. Councilmember Richard Pulido stated that he had heard from several senior residents regarding the bus route changes.

2. Royal Oaks Park Community Center

Town Manager, Alex Rey reported there are three alternatives to moving forward with this project; instruct the architect to complete the design of the building and pursue the funding shortfall with the State and County, construct the building in phases with the first phase matching the available funds or, re-design the building to have a less elaborate design in order to construct the entire facility with the available funds.

Vice Mayor Mary Collins made a motion to instruct the architect to complete the design of the building and pursue the funding shortfall with the State and County. The motion received a second from Councilmember Simon.

Town Engineer Russell Barnes explained the 30% design process. Councilmember Alonzo and Councilmember Meador expressed concerns regarding the high cost. Mayor Slaton also expressed concern of the high cost and commented that the firm should not be pursued beyond the 30%. Mayor Slaton called for the vote and all were in favor.

C. COUNCILMEMBERS REPORTS:

Area Schools Overcrowding (Pulido)

Councilmember Richard Pulido indicated that based upon the previous request from Council he has provided a report as part of the agenda package from Dr. Moran outlining what is being done to address students living outside the boundaries.

D. ATTORNEY'S REPORTS:

15. NEW BUSINESS:

A. Par Three Golf Course (Pizzi) (Formerly item 13I)

Miriam Mendoza spoke regarding other options available for the use of the property.

Councilman Michael Pizzi expressed concern for the residents who purchased property on the golf course and his obligation as a Councilmember to be of assistance to them in keeping the area as it currently exists. Councilman Pizzi made a motion to direct staff not to spend any funds or make any efforts to convert the golf course and not to make any proffers to convert the golf course and not to accept any land proffers that would convert the golf course. Councilman Richard Pulido gave a second to the motion.

Vice Mayor Mary Collins asked for further explanation of any impending changes to the golf course. Town Manager Alex Rey explained that the Grahams have offered a zoning application, but have since withdrawn the application. He further explained that the Council would have the option of not accepting the property should it be offered. Town Attorney Nina Boniske asked that the Council refrain from discussing the use of a parcel when there is no proposal before the Council. Town Manager Alex Rey asked for clarification

of the intent of the motion. He stated if the application does come to the zoning department the staff will be obligated to forward it through the process which comes with a cost.

Mayor Slaton explained to the members of the public in attendance that if and when the issue comes before the Council Zoning Meeting they will have another opportunity to be heard.

Councilmember Nancy Simon spoke in support of Mayor Slaton and suggested that a workshop could be called for this purpose if necessary.

Councilmember Robert Meador supports holding public meetings on the matter and spoke in opposition to the motion.

Mayor Slaton asked the attorney to explain ex-parte communication. He further stated that he is not in support of the motion as it would give public a false sense of peace of mind.

There being no further discussion, the Mayor called for a roll call vote. The motion failed with a vote of 2 yes to 5 no with Councilmembers Pulido and Pizzi voting in favor and Councilmembers Meador, Simon, Alonso, Vice Mayor Collins and Mayor Slaton voting against.

B. Global Climate Change (Pulido)

Councilman Richard Pulido explained the process of developing the list of initiatives that can easily be adopted by the Town and would help in the effort to save the environment and moved to adopt a policy to establish the initiatives. The motion received a second from Vice Mayor Mary Collins.

Councilman Robert Meador explained that green buildings are expensive to build and asked about adding incentives. Town Manager Alex Rey explained the incentives.

The Mayor called for the vote and all were in favor.

C. Agenda Change –Order of Business (Meador)

Councilmember Robert Meador made a motion to move the public comment section of the agenda to after the Pledge of Allegiance. The motion was seconded by Councilmember Pulido.

Vice Mayor Collins spoke in opposition reminding that any item can be pulled from the consent agenda if discussion is necessary. Councilmember Alonso and Simon spoke in favor of the motion. The Mayor called for the vote and it was in the affirmative with Vice Mayor Collins voting in opposition.

D. Park Legacy Project (Meador)

Councilmember Robert Meador moved to direct staff to look into the feasibility of there being a project for children to put hand print or fingerprint-type markers in Miami Lakes Park. Councilmember Nancy Simon gave a second to the motion.

Vice Mayor Mary Collins exited the meeting at 10:02 p.m.

Parks and Recreation Director Daniel Hopkins explained the process of sealing the markers and suggested several areas in the park could be considered.

The Mayor called for the vote and all were in favor.

E. Town of Miami Lakes Posters (Simon)

Councilmember Nancy Simon spoke regarding the recently unveiled Miami Lakes Town Poster and the signed, numbered posters allocated to the Town of Miami Lakes. She requested that one poster be given to the Town Clerk for preservation purposes and suggested that others should be distributed to certain dignitaries, Councilmembers and members of staff. Town Manager Alex Rey explained the plan to frame and distribute the posters.

F. Miami Lakes Elementary K-8 Conversion (Pulido)

Councilmember Richard Pulido made a motion requesting that the Chair and Members of the School Board keep their commitment to the community, as was originally presented to the community and approved by the School Board, to provide adequate funding to timely complete all improvements scheduled for conversion of Miami Lakes Elementary to a K-8 Center in order to provide adequate space and facilities for the school's expanded population resulting from K-8 conversion. He added, specifically asking to complete Phase I and 2 improvements by the start of the 2007 school year, including the cafeteria expansion and complete Phase 3, including enclosing existing POD classrooms and building a media center by the start of the 2008 school year and directing the Town Clerk to forward a copy of this motion to the chair and members of the School board. The motion was seconded by Councilmember Nancy Simon.

Councilmember Roberto Alonso spoke in support of the motion and offered assistance. Mayor Slaton spoke in support. The Mayor called for the vote and all were in favor.

Councilmember Nancy Simon exited the meeting at 10:25 p.m.

G. Annexation (Pizzi) Deferred

H. 87th Avenue Opening (Pizzi)

David Bennett spoke regarding Madden's Hammock and agricultural classification of the Dunn property.

Councilmember Michael Pizzi asked Town Manager Alex Rey to update whether there has been any discussion regarding the Dunn property and opening up 87th Avenue. The Town Manager reported the result of a meeting with Mr. Lowell Dunn, Jr. and lack of progress. Councilmember Pizzi asked Attorney Nina Boniske to state the options left to the Council at this point. She stated that their option is to condemn. Councilmember Michael Pizzi made a motion to ask Dade County to pursue eminent domain. Councilmember Richard Pulido gave a second to the motion. Councilmembers Roberto Alonso indicated the Council needs a more specific plan. Councilmember Robert Meador agreed with Councilmember Alonso's suggestion of showing support at a County Commission meeting. Mayor Slaton agreed that all feel the road should be open and it is the County's responsibility to open the roadway. He suggested that they not tell the County how to do business, but rather get the road done.

Councilmember Robert Meador agreed with asking County to get the roadway opened. Councilmember Michael Pizzi explained his motion.

Councilmember Roberto Alonso left the meeting at 10:51 p.m.

Councilmember Michael Pizzi reworded the motion to ask Dade County to immediately take steps to pursue the opening of 87th Avenue, including but not limited to the use of the power of eminent domain. Mayor Slaton gave a second to the reworded motion.

Councilmember Michael Pizzi added to direct staff to do whatever can be done to give teeth to this request. There being no further discussion, Mayor Slaton called for the vote and all were in favor.

I. Hurricane Relief Act (Pizzi) (formerly 13A) Deferred

J. Mitigation Fee (Pizzi) (moved to 12A2)

16. FUTURE MEETING DATES:

March 13, 2007 Regular Meeting, 6425 Miami Lakeway N, Miami Lakes 7 PM

March 20, 2007 Zoning Meeting, 6425 Miami Lakeway N, Miami Lakes 7 PM


17. ADJOURNMENT: The meeting adjourned at 10:59 p.m.

Approved this 8 day of May, 2007



Wayne Slaton, Mayor

Attest:



Debra Eastman, MMC
Town Clerk