

MINUTES
Regular Council Meeting
July 21, 2015
6:30 PM
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Mayor Pizzi called the meeting to order at 6:45 p.m.

2. ROLL CALL:

The Town Clerk, Marjorie Tejeda-Castillo, called the roll with the following Councilmembers present: Frank Mingo, Tim Daubert, Ceasar Mestre, Tony Lama, Nelson Rodriguez, Vice Mayor Manny Cid, and Mayor Michael Pizzi.

Mayor Pizzi recognized Councilmember Lama's attendance to the meeting via Skype and stated for the record that it was excused.

3. MOMENT OF SILENCE

Mayor Pizzi called for a moment of silence.

4. PLEDGE OF ALLEGIANCE:

Tony Lopez, Chief of Operations for the Town, led the Pledge of Allegiance.

5. SPECIAL PRESENTATION:

The Mayor and Council awarded Vice Mayor Manny Cid with a certificate of completion for his participation in the Advanced Institute for Elected Municipal Officials.

6. PUBLIC COMMENTS:

Alejandro Lopez spoke in support of item 13F, the homeowner protection act.

Michael Marrero spoke in support of item 13F, the homeowner protection act.

Augustin Beltrami spoke in support of item 13F, the homeowner protection act.

Lazaro Mesa spoke in support of item 13F, the homeowner protection act.

Susan Moore spoke in support of item 13F, the homeowner protection act.

Manuel Quintero spoke in support of item 13F, the homeowner protection act.

Jose Quintero spoke in support of item 13F, the homeowner protection act.

Carlos Lavina spoke in support of item 13F, the homeowner protection act.

Manny Ribadeo spoke in support of item 13F, the homeowner protection act.

Luis Ezra spoke in support of item 13F, the homeowner protection act.

Patrick Farrell spoke in support of item 13K, the homeowner protection act.

Sam Fadel spoke in opposition of item 13K, the air conditioning screen enclosures.

Joyce Norris spoke in support of item 13K, the homeowner protection act.

Harry Casey spoke in support of item 13F, the homeowner protection act.

Maiko Llanes spoke in support of item 13F, the homeowner protection act.

Rafael Schack spoke in support of item 13F, the homeowner protection act.

Cristina Quintero spoke in support of item 13F, the homeowner protection act.

Miriam Campos spoke in support of item 13F, the homeowner protection act.

Renan Llanes spoke in support of item 13F, the homeowner protection act.

James Carr spoke in support of item 13F, the homeowner protection act.

Hermilio Garcia spoke in support of item 13F, the homeowner protection act.

Miguel Molina spoke in support of item 13F, the homeowner protection act.

Eneida Choy spoke in support of item 13F, the homeowner protection act.

Ivonne Alvarez spoke in support of item 13A, the EKGs.

Claudia Vergara spoke in support of item 13A, the EKGs.

Marilyn Ruano spoke in support of item 13F, the homeowner protection act.

Roberto Alonso spoke in support of item 13A, the EKGs.

Mirtha Mendez spoke in support of item 13B, Town sponsored events.

Manuel Perez spoke in support of item 13F, the homeowner protection act.

Joshua Dieguez spoke in support of item 13B, 13C, 13D, and 13H.

David Bennett spoke in regards to the Town's legal fees and the resignation of the Town Clerk.

Nancy Simmon spoke in regards to item 13L, the resignation of the Town Clerk.

Marilyn Ruano spoke in regards to item 13L, the resignation of the Town Clerk.

Claudia Luces spoke in regards to item 13L, the resignation of the Town Clerk.

Sergio Gonzalez, spoke in opposition of item 13K, the air conditioning screen enclosures.

Suzanne Tamargo, spoke in opposition of item 13K, the air conditioning screen enclosures.

Tony Reno, spoke in opposition of item 13F, the Homeowners Protection Act.

Doris Carter, spoke in opposition of item 13K, the air conditioning screen enclosures.

Hector Conde spoke in opposition of item 13K, the air conditioning screen enclosures.

Paul Monnin, spoke in opposition of item 13K, the air conditioning screen enclosures.

Lucia Rispa, spoke in opposition of item 13K, the air conditioning screen enclosures.

David McElligatt, spoke in opposition of item 13K, the air conditioning screen enclosures.

Dave Fiedler, spoke in opposition of item 13K, the air conditioning screen enclosures.

Toni McElligatt, spoke in opposition of item 13K, the air conditioning screen enclosures.

Robert and Janet Waterfield spoke in opposition of item 13K, the air conditioning screen enclosures.

Susana E. Shelton, spoke in opposition of item 13K, the air conditioning screen enclosures.

James and Susan Martinez spoke in opposition of item 13K, the air conditioning screen enclosures.

Mary Carrandi spoke in opposition of item 13K, the air conditioning screen enclosures.

Raul and Elena spoke in opposition of item 13K, the air conditioning screen enclosures.

Marcella M. O'Connor spoke in opposition of item 13K, the air conditioning screen enclosures.

Ileana Hale spoke in opposition of item 13K, the air condition screen enclosures.

Nancy A. Rogers spoke in opposition of item 13K, the air conditioning screen enclosures.

Adalberto Aenna spoke in opposition of item 13K, the air conditioning screen enclosures.

Michelle Perez spoke in opposition of item 13K, the air conditioning screen enclosures.

7. ORDER OF BUSINESS(DEFERRALS/ADDITIONS/DELETIONS):

Mayor Pizzi added item 13K, moved items 13A and 13F up for discussion after order of business, and added item 13L to the agenda.

Alex Rey, Town Manager, added item 15C and requested that item 15A be discussed after item 13A.

Raul Gastesi, Town Attorney, added an Attorney Report to the end of the agenda.

Mayor Pizzi made a motion to adopt the agenda as amended. The motion was seconded by Councilman Lama and all were in favor.

Mayor Pizzi made a motion to re-order the agenda, moving up item 13B for discussion, followed by the Committee reports and lastly the check presentation to the Homeowner's Association. The motion received a second from Councilman Lama and all were in favor.

8. APPOINTMENTS:

Councilman Daubert appointed Carlos Piedrahita to the Veterans Committee.

Vice Mayor Cid appointed Elsa Reus to the Cultural Affairs Committee.

Councilman Lama appointed Juan Carlos Talavera to the Veterans Committee.

9. COMMITTEE REPORTS:

Education Advisory Board Report

Claudia Luces, Chairwoman of the Education Advisory Board, presented the Committee's Report and answered questions posed by the Council.

Youth Activities Task Force

Lynn Matos, Chairwoman of the Youth Activities Task Force, presented the Committee's Report and shared a video presentation with the Council and staff.

10. **CONSENT CALENDAR:**

Mayor Pizzi made a motion to approve the items on the consent agenda. The motion received a second from Vice Mayor Cid and all were in favor.

A. Approval of Minutes:

June 2, 2015, Regular Council Meeting

July 1, 2015 Special Call Meeting

July 6, 2015 Special Call Meeting

Approved on consent

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING AN AWARD OF FUNDS TO THE MIAMI LAKES LAKE SANDRA HOMEOWNERS' ASSOCIATION, INC. THROUGH THE TOWN'S NEIGHBORHOOD MATCHING GRANT PROGRAM; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Approved on Consent

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AWARDING WORK ORDER 2.4, UNDER CONTRACT 2012-04ADA, FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE LAKE MARTHA ROADWAY AND DRAINAGE IMPROVEMENTS PROJECT, TO ADA ENGINEERING, INC. IN AN AMOUNT NOT TO EXCEED \$95,626.07; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THE TERMS AND CONDITIONS OF THE WORK ORDER AND CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK ORDER; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Approved on Consent

11. ORDINANCES-FIRST READING (PUBLIC HEARING):

- A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ARTICLE I, SECTION 13-1; AMENDING ARTICLE IV, DIVISION 20, SECTIONS 13-745 AND 13-748; AMENDING DIVISION 21, SECTIONS 13-749, 13-755, 13-762, 13-770, 13-771, 13-772, 13-775, 13-782, 13-788, 13-496, 13-799.1 AND 13-799.3; ADDING NEW SECTIONS 13-799.5 AND 13-799.6; ADDING NEW DIVISION 26, SECTIONS 13-862 THROUGH 13-882; AMENDING ARTICLE VIII, SECTION 13-1801; AMENDING ARTICLE IX, SECTIONS 13-1903 AND 13-1904; AMENDING THE OFFICIAL ZONING MAP TO REZONE A 153.05 +/- ACRE AREA LOCATED EAST AND WEST OF NORTHWEST 67TH AVENUE BETWEEN MIAMI LAKES DRIVE AND MIAMI LAKEWAY NORTH, FROM THE RM-50, HIGH DENSITY RESIDENTIAL DISTRICT AND BU-2, SPECIAL BUSINESS DISTRICT TO THE TC, TOWN CENTER DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR FINDINGS; PROVIDING FOR DIRECTION TO THE ADMINISTRATIVE OFFICIAL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION OF SOME PORTIONS IN CODE; PROVIDING FOR EXCLUSION OF SOME PORTIONS FROM CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

The Town Attorney, Raul Gastesi, read the title of the ordinance and the quasi-judicial procedures into the record.

The Town Clerk, Marjorie Tejeda-Castillo, swore in anyone wishing to speak.

Brandon Schaad, Director of Planning and Zoning made a presentation and answered all questions posed by the Council.

Vice Mayor Cid opened up the public hearing.

Stew Wyllie spoke in support of the item and acknowledge Mr. Schaad's efforts and assistance with the project.

Councilman Rodriguez made a motion to adopt the ordinance on first reading. The motion received a second from Councilman Mestre. The Town Clerk called the roll and the motion passed 5-0. Mayor Pizzi and Councilman Lama were absent.

As no one else wished to speak Vice Mayor Cid closed the public hearing.

12. RESOLUTIONS:

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A REQUEST IN ACCORDANCE WITH SECTION 13-2 303 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A CONDITIONAL USE FOR AN INDOOR SHOOTING RANGE; SUBMITTED FOR PROPERTY LOCATED AT 14000 NW 82 AVENUE, SUITES 23 AND 24, MIAMI LAKES, FLORIDA, FOLIO NUMBER 32-2022-052-0240, IN THE IU-C ZONING DISTRICT; PROVIDING OR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR APPROVAL; PROVIDING FOR CONDITIONS; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR AN EFFECTIVE DATE. (Rey)

The Town Attorney, Raul Gastesi, read the title of the resolution and quasi-judicial procedures into the record.

Brandon Schaad, Director of Planning and Zoning presented the item and answered questions posed by the board.

The Town Clerk, Marjorie Tejeda-Castillo, swore in anyone wishing to speak.

Vice Mayor Cid opened up the public hearing.

Applicant, Andy Perez, spoke in favor of the item and answered questions posed by the Council.

Councilman Mestre made a motion to amend the resolution allowing the business to open Monday through Friday from 9:00 a.m – 4:00 p.m, and Saturdays from 10:00 a.m – 5:00 p.m. The motion received a second from Councilman Daubert. The Town Clerk called the roll and the motion passed 5-0. Mayor Pizzi and Councilman Lama were absent.

- B. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA DECLARING, AS REQUIRED BY SECTION 200.065, FLORIDA STATUTES, THE TOWN'S PROPOSED MILLAGE RATE, ROLLED-BACK RATE COMPUTED PURSUANT TO 200.065(1), FLORIDA STATUTES, AND THE DATE, TIME, AND PLACE AT WHICH PUBLIC HEARINGS WILL BE HELD TO CONSIDER THE PROPOSED MILLAGE RATE AND THE TENTATIVE BUDGET FOR FISCAL YEAR 2015-2016; AUTHORIZING THE TOWN MANAGER TO CHANGE BUDGET HEARING DATES IF NEEDED; DIRECTING THE TOWN CLERK TO SERVE THIS RESOLUTION TO THE MIAMI-DADE COUNTY PROPERTY APPRAISER; AND PROVIDING FOR AN EFFECTIVE DATE. (Rey)

Mayor Pizzi made a motion to approve the resolution as written. The motion

received a second from Councilman Mingo and all were in favor.

Mayor Pizzi excused himself from the meeting at 12:00 a.m.

13. **NEW BUSINESS:**

A. EKG's to save lives (Mestre / Rodriguez)

Councilman Mestre made a motion requesting that a resolution be brought back to the Council in September implementing a comprehensive policy. The motion received a second from Councilman Rodriguez and all were in favor.

Councilman Rodriguez made a motion to pass the resolution on to other cities and municipalities as well as to the state in order to enact the "Brianna Saves Lives" Act statewide. The motion received a second from Councilman Mestre and all were in favor.

Mayor Pizzi called for a five minute recess at 8:47 p.m.

Mayor Pizzi called the meeting to order at 8:52 p.m.

B. Town Sponsored Events (Lama / Rodriguez)

Councilman Lama made a motion requesting that a resolution be brought back to the Council amending the Council rules and procedure. The amended rules and procedures would state that Town email, letterhead, and all Town resources only be used for official Town business, if an announcement for an event is required, events that have been publicly noticed and or approved by the Council, Town Manager, or a Committee. The motion received a second from Councilman Rodriguez. The Town Clerk called the roll and the motion passed 6-1 with Mayor Pizzi voting in opposition.

Vice Mayor Cid made a motion to extend the meeting until 1:00 a.m. The motion received a second from Councilman Mingo and all were in favor.

Mayor Pizzi made a motion to move item 12B up for discussion after the Committee reports and special presentation. The motion received a second from Councilman Mingo and all were in favor.

Councilman Lama excused himself for the remainder of the meeting at 11:13 p.m.

C. Section 5.1 of the Special Rules of Order of the Town of Miami Lakes (Rodriguez)

Councilman Rodriguez made a motion directing staff to bring back a resolution amending the Council Rules and Procedures requiring that the Clerk collect and call the

speakers to the podium in the order in which the cards were received. The motion received a second from Councilman Mestre and all were in favor. Mayor Pizzi and Councilman Lama were absent.

D. Complete Streets (Cid / Rodriguez)

Vice Mayor Cid made a motion to waive the Council Rules and Procedures to allow for a presentation on the item. The motion received a second from Councilman Rodriguez and all were in favor. Mayor Pizzi and Councilman Lama were absent.

Geoffrey Shideler gave a presentation and answered questions posed by the Council.

E. Training Workshop on Robert Rules of Order (Mingo)

Councilman Mingo made a motion directing the Town Manager to direct staff to coordinate a training workshop on Robert's Rules of Order for the Town Council to participate. The motion received a second from Councilman Rodriguez and all were in favor. Mayor Pizzi and Councilman Lama were absent.

F. Homeowner Protection Act (Pizzi)

Mayor Pizzi made a motion for an ordinance to be brought back to the Council modifying our Town Code in the appropriate place to state: In order to protect the quality of life of all homeowners in Miami Lakes, the code be amended to prohibit any owner of a lot in a residential subdivision that is already built out from subdividing the lot into more than one dwelling unit where for more than ten years the lot has consisted of one residential unit regardless of the ownership. This is needed in order to protect the homeowners of Miami Lakes from traffic, school overcrowding, and quality of life issues. The motion received a second for discussion from Councilman Mingo.

Councilman Mingo made a motion amending Mayor Pizzi's motion to state that any legislation that is brought back to the Council must require that the Loch Ness Homeowner Association indemnify the Town and pay any legal costs the Town may face due to a lawsuit. The motion received a second from Councilman Mestre.

Councilman Lama made a motion to table Mayor Pizzi's original motion which supersedes all previous motions. The motion received a second from Councilman Mestre. The Town Clerk called the roll and the motion passed 6-1 with Mayor Pizzi voting in opposition.

G. Support of County Charter Amendment (Cid)

Vice Mayor Cid made a motion directing staff to bring back a resolution to the Council supporting Charter Amendments which Commissioner Bobo is sponsoring. The motion received a second from Councilman Daubert and all were in favor. Mayor Pizzi and Councilman Lama were absent.

H. Senior Services (Pizzi)

Councilman Mingo made a motion recommending that the Council pass a resolution requesting that the Miami-Dade County School Board, either through its exiting budget or community partnerships, fund the Adult Education Programs that are currently serving the seniors in our Town and surrounding communities which are held within Miami Lakes. The motion received a second from Councilman Mestre and all were in favor. Mayor Pizzi and Councilman Lama were absent.

I. Resolution in Opposition of Diplomatic Office in Miami-Dade County (Cid)

Vice Mayor Cid made a motion directing staff to draft a resolution in opposition of any Diplomatic Office opening up in Miami-Dade County. The motion received a second from Councilman Mingo and all were in favor. Mayor Pizzi and Councilman Lama were absent.

J. Budget Reform Act (Pizzi)

This item was deferred.

K. Air Conditioning Screen Enclosures (Pizzi)

Mayor Pizzi made a motion requesting that the air conditioning screen enclosure restriction be removed. The motion received a second from Councilman Daubert.

Mayor Pizzi amended his motion directing staff to prepare legislation to remove the restriction and workshop this issue between now and the time that the legislation was brought back to the Council. He also proposed that the Town Manager come to an agreement with the staff, restricting them from engaging in enforcement efforts while the legislation is pending. The motion died due to lack of second.

Mayor Pizzi amended his motion requesting that the Council vote on the restriction being removed immediately, with the understanding that workshops would take place in order to formulate the proper legislation. The motion received a second from Councilman Lama. The Town Clerk called the roll and the motion passed 7-0.

*** This item requires a waiver of Section 7.3 of the Special Rules of Order**

L. Resignation of the Town Clerk (Mestre)

Councilman Mestre made a motion directing the Town Manager and staff to draft a resolution to file a complaint and investigation with the State Attorney's office. The motion received a second from Councilman Daubert. The Town Clerk called the roll and the motion passed 5-0. Mayor Pizzi and Councilman Lama were absent.

14. **MAYOR AND COUNCILMEMBER REPORTS:**

A. Roberto Alonso / Royal Oaks Park Shade Canopy (Cid)

This item was deferred.

B. Miami-Dade League of Cities Transportation Committee (Rodriguez)

This item was deferred.

C. Rock Mining Legislation (Pizzi)

This item was deferred.

D. Zip Code Update (Cid)

This item was deferred.

E. 154 Street Overpass Passive Park (Rodriguez)

This item was deferred.

F. Funding Allocation from the State (Pizzi)

This item was deferred.

G. U.S. Conference of Mayors (Pizzi)

This item was deferred.

H. Update on the Seniors with Disabilities Program (Lama)

***Requires waiver of Section 7.2 of the Special Rules of Order of the Town of Miami Lakes**

15. **MANAGER'S REPORT:**

A. Miami Lakes Marketing Efforts (Rey)

Alex Rey, Town Manager, gave a brief explanation on the Miami Lakes Marketing Efforts Plan and introduced Mr. Sean Doherty who would be presenting to the Council.

Sean Doherty, Senior Account Executive at Room Advertising made a presentation

and answered questions posed by the Council.

B. Unused Travel Allowance (Rey)

Councilman Rodriguez made a motion to allow the Town Manager to take the actions necessary to reallocate funds within the current budget for the Council's traveling expenses. The motion received a second from Vice Mayor Cid and all were in favor. Mayor Pizzi and Councilman Lama were absent.

C. Appointment of the new Town Clerk (Rey)

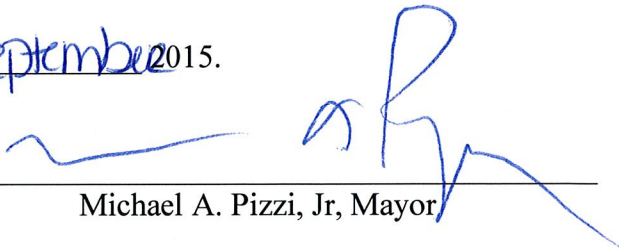
Alex Rey, Town Manager, asked that the Council vote on appointing Mrs. Gina Inguanzo as the new Town Clerk.

Councilman Rodriguez made a motion to appoint Mrs. Inguanzo as the new Town Clerk. The motion received a second from Councilman Mestre and all were in favor. Mayor Pizzi and Councilman Lama were absent.

ADJOURNMENT:

There being no further business to come before the Council, the meeting adjourned at 1:15 a.m.

Approved this on the 1 day of September 2015.



Michael A. Pizzi, Jr, Mayor

Attest:


Marjorie Tejada-Castillo, Town Clerk