



## ***CITY OF MIAMI SPRINGS, FLORIDA***

### **CITY CLERK'S SUMMARY OF COUNCIL ACTIONS Regular Meeting of Monday, April 23, 2007 - 7:00 p.m. – Council Chambers**

#### **AGENDA ITEM NUMBER AND SUBJECT**

**1. Call to Order/Roll Call**

All present.

**2. Invocation/ Salute to the Flag:** Councilman Dotson/The audience participated.

**3. Awards & Presentations:** None.

**4. Open Forum:**

- 25 Deer Run Frank Shonberger of 85 Deer Run referred to Agenda Item 10G and stated that the original plat shows a triangular parcel of land that was City property. Someone purchased the property with two separate lots and is now requesting to enclose it with a fence. He recalled that Dr. James owns a piece of property that he pays taxes on, which is actually part of the Golf Course. He felt that this is another situation where City property has been taken over by a private individual.

Mayor Bain informed Mr. Shonberger that this matter would be discussed later in the meeting under Agenda Item 10G.

- 25 Deer Run Yvonne Shonberger of 85 Deer Run referred to Agenda Item 10G. She does not want to lose the alleyway and she would like the alley to remain public land for the residents' use.

#### 4. Open Forum: (Continued)

- **Miscellaneous** Helen Lawrence of 641 Nightingale Avenue stated that the residents were right in voting for three-stories only and objected to the Hotel Aladdin that has its roots in Communist Venezuela and everyone should stand tall for Godly principles.
- **Utility Billing** Dona Kelley of 830 Swan Avenue commented that there are more than Christians in Miami Springs. The agenda title for the utility billing contract should include more information so that the residents are aware that the contract covers more than the water bill. Some people do not realize the sewer charge is directly dependent on the amount of water they use. There should be a constant reminder on the bills about the water restrictions and ways to save water.
- **Recycling** Dona Kelley stated that encouraging recycling should be a priority because it reduces the cost of hauling and disposal of solid waste. The Administration should designate a Staff member to maintain a constant campaign for participation in the recycling program.
- **Financial Statement** Dona Kelley said that the Popular Financial Statement that was received with the last utility bill had very important information, but the coated paper that it was made of cannot be recycled, the same as many flyers from Council candidates.
- **Council Women** Dona Kelley said that despite the article in the Herald, the reason women do not run for Council is because the Council Chambers is too cold.
- **Golf Director** Dan Espino of 301 Hunting Lodge Drive thanked Golf Director Mike Aldridge for helping him with a charity gala for the League Against Cancer at the Country Club last weekend. He said that Mike Aldridge donated a certificate for a golf foursome to their auction, which accumulated \$2,215 for the League. He thanked Councilman Garcia for attending the event.

#### 4. Open Forum: (Continued)

- Golf Director Ernie Aloma of 258 Pinecrest Drive echoed the praises for Golf Director Mike Aldridge for doing a great job and for being gracious and helpful to everyone.
- Raccoons Ernie Aloma asked if the City has a program to help the residents with elimination of raccoons in their back yards. He called Pesky Critters who trapped one and are in the process of trapping a second one.

Mayor Bain stated that the City does not assist the residents with trapping raccoons.

- Crime Protection Ernie Aloma stated that his home had been broken into and the last day of the Springs River Festival his house was shot at with an air rifle. He asked what would be the process for him to request the installation of stop signs on Pinecrest between Curtiss Parkway and South Drive.

The City Manager stated that the City normally submits a request to the County and they determine if installation of stop signs is justified.

Councilman Garcia suggested that a petition requesting the installation of the stop signs could be very helpful as he recalled a previous request when the Community Policing Office was involved and the residents signed a petition.

Councilman Dotson agreed that the situation on Pinecrest Drive had been a problem for years because people are using the street as a high-speed thoroughway during the morning and the evening.

#### 5. Approval of Council Minutes: (Approved with one motion)

5A) 04/09/2007 – Special Meeting

**Approved as written.**

**Motion:** Councilman Garcia

**Second:** Councilman Dotson

**Vote:** 5-0

5B) 04/09/2007 – Regular Meeting

**Approved as written.**

**Motion:** Councilman Garcia

**Second:** Councilman Dotson

**Vote:** 5-0

**6. Reports from Boards & Commissions:**

6A) 04/05/2007 – Code Enforcement Board – Minutes

6B) 04/10/2007 – Recreation Commission – Minutes

6C) 04/11/2007 – Golf and Country Club Advisory Board – Cancellation Notice

6D) 04/12/2007 – Board of Parks and Parkways – Cancellation Notice

6E) 04/24/2007 – Ecology Board – Cancellation Notice

Agenda Items 6A through 6E were received for information without comment.

**7. Public Hearings:**

Council sat as the Board of Appeals at 7:21 p.m.

The Mayor reconvened the City Council meeting at 8:00 p.m.

**8. Consent Agenda:**

8A) Resolution – A Resolution of the City Council of the City of Miami Springs Approving and Authorizing the Execution by the City Manager of the New Proposed “Interlocal Agreement for Distribution, Use and Reporting of Charter County Transit System Surtax Proceeds Levied by Miami-Dade County” Required for the City to Receive its Proportionate Share of the Surtax Proceeds Derived from the Imposition of the County’s One-half of One Percent Transit System Surtax from Miami-Dade County; Effective Date

Council **adopted** the resolution (No.2007-3356)

**Motion:** Councilman Youngs

**Second:** Councilman Garcia

**Vote:** 5-0

**9. Old Business:**

9A) Confirmation of Dr. Mel P. Johnson's Appointment to the Ecology Board by Councilman Dotson (Group II) for an Unexpired Term Ending on April 30, 2008

Councilman Dotson (Group II) **confirmed** the appointment of Dr. Mel P. Johnson to the Ecology Board.

9B) Review and Discussion of the Comprehensive Plan

9B1) Revised Draft of Proposed Amendments to the Future Land Use Element of the Miami Springs Comprehensive Plan

9B2) Process to Amend the Comprehensive Plan at Both Municipal and State Levels

Council **reviewed** the proposed amendments and the process to amend the Comprehensive Plan. It was agreed that the **City Planner would prepare a new draft for discussion at the next meeting**. He will also contact the Department of Community Affairs to clarify some questions regarding the process and the public hearings that are required.

*Discussed after a 5- minute recess and Agenda Item 10G*

9C) Discussion Regarding the City's Priorities and Goals

Council **reviewed** the City's priorities and goals and confirmed that progress has been made during the last year. The Recreation Center issue continues to be a priority.

9D) Discussion Points for Consideration of New Community Center/Gymnasium

Council **reviewed** the information submitted by the City Manager and authorized the engineering firm to proceed with the structural analysis of the existing gym.

9E) Recreation Needs Assessment Survey Update

Council **received** an update of the Recreation Needs Assessment Survey. Councilman Youngs requested samples of the questions used before by the consultant in Key Biscayne.

9F) Prince Field Tot-Lot Sun-Screening Project Update

The Assistant City Manager **reported** that there is a variety of concepts, materials and designs available, and that the design-build process could perhaps be the best approach. The Administration will have to prepare a Request for Proposals (RFP).

9G) Building Department Upgrading: Building Permits Extensions and Renewals

Council **received** information on steps taken to upgrade the Building Department and new measures put into effect regarding the building permits extensions and renewals.

9H) Council Meeting Decorum Policy

Item **tabled** at the Mayor's request.

9I) Approval of Plaque for Former Recreation Director Ray Stoltz at the Gym

Council **approved** placement of a plaque honoring former Recreation Director Ray Stoltz at the gymnasium.

**Motion:** Vice Mayor Best

**Second:** Councilman Dotson

**Vote:** 5-0

9J) Appointment to the Historic Preservation Board by Councilman Garcia (Group III) to Fill an Unexpired Term Ending on February 28, 2009 Created by 3 Absences of Michael Windrem

Councilman Garcia **appointed** Michael Windrem.

**10. New Business:**

10A) Confirmation of Re-appointment of Daniel Espino to the Board of Adjustment/Zoning and Planning Board by Councilman Dotson (Group II) for a Full 3-year Term Ending on April 30, 2010

Daniel Espino was **re-appointed**.

10B) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Creating New Code of Ordinance Section 95-06, Rules and Regulations for Parks and Recreational Facilities; Providing Intent; Establishing Rules and Regulations Adoption Procedure; Delineating Future Actions by Resolution; Directing Notification of Rules and Regulations; Providing for Enforcement; Repealing all Ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Date

Council **approved** the ordinance on first reading.

**Motion:** Vice Mayor Best

**Second:** Councilman Dotson

**Vote:** 5-0

10C) Resolution – A Resolution of the City Council of the City of Miami Springs Providing for the Second Amendment to the Fiscal Year 2006-2007 General Fund and Special Revenue Funds Budget; Providing for an Increase in the Recreation Department Budget Within the General Fund; Authorizing Funding for the Current Year’s Hurricane Special Revenue Fund Budget; Creating and Authorizing Funding for a Grants Special Revenue Fund Budget; Providing for an Increase in the Law Enforcement Special Revenue Trust Fund Budget; Finding the Appropriateness of the Budgetary Amendments Set Forth Herein; Effective Date

Council **approved** the resolution (No. 2007-3357)

**Motion:** Councilman Garcia

**Second:** Vice Mayor Best

**Vote:** 5-0

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*Meeting extended for 15 minutes until 11:15 p.m.*  
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10D) Approval of Budget Transfers Within Departments According to Section 9.04 (1) of the City Charter

Council **approved** the budget transfers submitted for several City departments.

**Motion:** Councilman Garcia

**Second:** Vice Mayor Best

**Vote:** 5-0

10E) Recommendation that Council Award Bid # 07-06/07 to Severn Trent Avatar, the Lowest Responsible Bidder, in an Amount not to Exceed \$42,000, for the Electronic Mailing of the City's Utility Bills, Pursuant to Section 31.11 (E) (1) of the City Code

Council **awarded** Bid # 07-06/07 to Severn Trent Avatar, in an Amount not to Exceed \$42,000.

**Motion:** Councilman Garcia

**Second:** Councilman Dotson

**Vote:** 5-0

*Discussed after Agenda Item 9B*

10F) Approval of Site Plan – Antonio Davila/Construye, LLC, 29 Palmetto Drive, Zoning: Central Business District (CBD) – Total Lot Size: 12,500 Square Feet

Council **approved** the Site Plan for Antonio Davila/Construye, LLC.

**Motion:** Councilman Garcia

**Second:** Councilman Youngs

**Vote:** 5-0

10G) Consideration of Request by Mr. Alex Andreu, Homeowner of 25 Deer Run, to Install Gates at the Northwest and Southeast Corners of a Vacant Lot to the Northeast of 25 Deer Run Across a Dedicated 16 Ft. Alley

Council **discussed but took no action on** this item.

*Mayor Bain asked for a 5-minute recess at 9:30 p.m.*

10H) Recommendation that Council Approve Purchase of at Least One Thor Guard Lightning Predictor and Warning System

Council **approved** the purchase of a Thor Guard Lightning Predictor and Warning System at a cost of \$20,464 for the Recreation Center and for Stafford Park at a cost of \$9,239.

**Motion:** Councilman Garcia

**Second:** Vice Mayor Best

**Vote:** 5-0

10I) Consideration of Partnering with Virginia Gardens to Repave Lafayette Drive

Item **tabled** at the Mayor's request.

10J) Appointment to the Board of Adjustment/Zoning and Planning Board by Councilman Garcia (Group III) for a Full 3-Year Term Ending on April 30, 2010 (Ariana Fajardo)

Councilman Garcia **appointed** Ariana Fajardo.

10K) Appointment to the Code Review Board by Councilman Garcia (Group III) for a Full 3-Year Term Ending on April 30, 2010 (Daniel Dorrego)

Councilman Garcia **appointed** Daniel Dorrego.

10L) Appointment to the Ecology Board by Councilman Garcia (Group III) for a Full 3-Year Term Ending on April 30, 2010 (Emily Chavarriaga)

Councilman Garcia **appointed** Emily Chavarriaga.

## **11. Other Business:**

None.

## **12. Reports & Recommendations:**

### **12A) City Attorney**

No report.

### **12B) City Manager**

- Stormwater Funding      Reported that South Florida Water Management notified the City that there is another \$150,000 available for stormwater projects.
- Park Restrooms      Stated that there is an issue with DERM that is holding up the construction regarding the capacity of the restrooms but he will respond in writing that this is not new construction, only a replacement of existing restrooms that will not affect capacity.

## 12B) City Manager (Continued)

- Gymnasium Roof Reported that roof replacement of the gym began last week and should be completed by Friday, April 27<sup>th</sup>.
- Summer Programs Announced that registration for the Summer Program was successful and all three age groups are full.
- Circle Construction Stated that the Starbucks Coffee sign is up and renovations are taking place at 1 Westward Drive.
- Tax Legislation Reported that the House and Senate have passed separate tax bills and the issue will now go to a committee and there is a possibility of a special session.
- New Legislation Reported that the Building Inspector met with a group of other County inspectors to discuss legislation that could be very harmful to the cities because the Legislature is trying to impose restrictions on trade inspectors who work for cities to prevent them from conducting a private business. The City has a rule that anyone who is employed as an inspector cannot conduct private business within the City of Miami Springs. He encouraged Council to contact the City's legislative representatives to make sure they understand the impact the legislation they are considering could have on small cities.
- Springs River Festival Announced that the festival went very smooth for the City, although Sunday was affected by the rain and tornado threat. The Police and Public Works Department employees were happy that the event was easy to manage.
- Golf Course Operation Reported that the Golf Course revenue exceeded \$9,000 last Sunday.
- Arbor Day Stated that two trees were planted on the corner of Crane and Royal Poinciana Boulevard next to the City entrance sign, and that only Vice Mayor Best attended the Arbor Day celebration because Councilman Dotson was ill, Councilman Garcia and Vice Mayor Best were in Tallahassee and the Mayor had a business appointment.

**12B) City Manager (Continued)**

- Water and Sewer System      Stated that nothing formal has been received from the Miami-Dade Water and Sewer Department (WASA) as to how they will handle the financing of the City’s utility revenue bond.

**12C) City Council**

Councilman Youngs:

- Dade Days      Stated that he and Councilman Garcia attended Dade Days in Tallahassee to support the City’s legislative requests. The Legislature is preoccupied with the tax issue. They met a lot of people and the City might still be eligible for funding for the Curtiss Mansion, although this is not an encouraging year for projects.

Councilman Garcia:

- Dade Days      Commented that it was nice to meet with other elected officials but it was a disappointment to see that Miami Springs was not earmarked to receive funding for any proposed projects. He will meet with the City Manager to explain the details. He stressed that the City must be actively involved with the representatives constantly, not just during the Legislative session, and serious consideration should be given to hiring a lobbyist because it is difficult for the elected officials to show up at Dade Days and expect to receive funding. He suggested checking with other cities to find out if they have lobbyists and if they feel their services are valuable or not.

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*Meeting extended for 15 minutes until 11:30 p.m.*

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Councilman Youngs was of the opinion that participating in Dade Days is economical because the \$750.00 fee includes the Charter plane, hotel and various events. He explained that three years ago the City was able to receive \$400,000 through this process. He stressed that the City needs to work in advance and make plans during the budget process.

Councilman Garcia: (Continued)

- Recycling Bins  
He has heard from residents who would like recycling bins placed next to the trash cans on the Golf Course in order to help with the recycling effort.
- Emergency Management Seminar  
Reported that he participated in an Emergency Management meeting sponsored by the City of Hialeah. He said that the elected officials are trained as to what their role is in emergency situations.
- Earth Day  
Announced that Earth Day will be celebrated on Sunday and Miami Springs Elementary will hold a tree planting ceremony on Monday, April 30<sup>th</sup>.

Vice Mayor Best:

- Sanitation Issues  
Stated that there were a couple of references about recycling. He had lunch with the City Attorney to discuss some issues he is researching but he is not in a position to discuss them at this time. He knows there are sanitation issues coming up during the budget process and there might be a way to deal with the recycling issue.
- Dade Days  
Thanked Councilman Garcia and Councilman Youngs for taking time to go to Dade Days in Tallahassee. He is sure that they met with a lot of people and came back with good ideas.
- Pelican Playhouse  
Announced that the next production of the Pelican Playhouse is scheduled for 7:30 p.m. on Friday, May 4<sup>th</sup> and Saturday, May 5<sup>th</sup> and 2:00 p.m. on Sunday, May 6<sup>th</sup>. The schedule will repeat the following weekend of May 11<sup>th</sup> through May 13<sup>th</sup>.

Mayor Bain:

- Downtown Parking Stated that with the new construction at the Circle, it would be an appropriate time to consider a plan for the City parking lot with funds that were allocated in the budget. He would like the City Manager to get proposals for 36 spaces on Curtiss Parkway to help the parking situation.

Councilman Garcia would like to consider additional recommendations or ideas for parking in addition to the 36 spaces because the Harvest Moon customers already take up much of the parking on Curtiss Parkway.

Mayor Bain mentioned that there are other options that were never pursued, including issuing decals to the business employees who could park along the canal.

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*Meeting extended for 15 minutes until 11:45 p.m.*  
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- Virginia Tech Tragedy As a father of three children he cannot fathom what went on at Virginia Tech. His heart goes out to the families.
- Traffic Accident Stated that employees from Milam’s Market were involved in a tragic accident. Sometimes one loses site of what is important in this crazy world. His heart and prayers go out to anyone who has gone through these difficult times.

**13. Adjourn.**

Adjourned at 11:33 p.m.