



CITY OF MIAMI SPRINGS, FLORIDA

CITY CLERK'S SUMMARY OF COUNCIL ACTIONS

Regular Meeting of Monday, August 23, 2004 - 7:00 p.m. – Council Chambers

AGENDA

<u>ITEM #</u>	<u>SUBJECT</u>	<u>ACTION TAKEN</u>
<u>1)</u>	<u>CALL TO ORDER/ROLL CALL</u>	All present. (Councilman Youngs arrived at 7:10 p.m.)
<u>2)</u>	<u>INVOCATION</u>	Offered by Councilman Caudle
	<u>SALUTE TO THE FLAG</u>	The audience participated.
<u>3)</u>	<u>AWARDS & PRESENTATIONS</u>	
3A)	Certificate of Recognition	Police Chief Dilling presented a Certificate of Recognition to Sergeant Jonathan Kahn for being selected to receive an Outstanding Law Enforcement Officer Award from the U. S. Attorney's Office.
3B)	Plaque of Recognition	Police Chief Dilling presented a Plaque of Recognition to Police Officer Jimmy E. Deal for his service to the Miami Springs Police Department as a K-9 handler and K-9 partner, since March 1997.
<u>4)</u>	<u>OPEN FORUM:</u>	
	Fence Disrepair – 188 Cherokee	Margaret Mitchell of 172 Cherokee Street complained that nothing has been done about the unsafe fence at 188 Cherokee. City Manager Borgmann informed Council that one bid was received for removal of the fence in the amount of \$2,500, and that he would process the requisition to have the fence removed.

- 4) Springs River Festival Festival Chairman Bob Calvert of 101 South Drive requested and received authorization to hold the Springs River Festival on April 15-17, 2005, under the same terms and conditions as last year.
- Taste of the Springs Festival Vice Chair Marjorie Palmer of 141 Palmetto Drive announced that The Taste of the Springs event would take place on Sunday, October 17, 2004.
- Vacant Lot at Linwood and Ludlam Drive Shirley Taylor-Prakelt stated that the overgrown vacant lot owned by Douglas Orr Plumbing at the corner of Linwood and Ludlam Drive is being used as a parking lot with no approved site plan or required improvements.
- Council Decorum Shirley Taylor-Prakelt complained about the City Council and Administration's lack of respect and decorum during the City Council meetings.
- Neighborhood Business District Shirley Taylor-Prakelt stated that she would speak later during the meeting to ask Council to consider a landscaped buffer similar to the barricades placed on the East end of the City, between the residential and commercial areas.
- Illegal Parking Betty Du Bois of 1025 Hunting Lodge Drive requested police enforcement for the illegal angle parking and blocking of the sidewalks in the City.
- Charter Amendments Betty Du Bois of 1025 Hunting Lodge Drive was of the opinion that the residents have a right to vote on the Charter amendments. She urged everyone to vote on August 31 and November 2, 2004.
- 4) Council and Administration Betty Du Bois stated that she is proud of

Council, City Manager Borgmann, Assistant City Manager Gorland, and the City Attorney who work very hard and they are patient when she speaks.

City's Financial Condition

Betty Du Bois of 1025 Hunting Lodge Drive asked for an explanation of where the reported City funds totaling \$800,000 were found.

City Manager Borgmann explained that the City expects to spend 90% of the funds that were budgeted, while the revenues are higher at 101%, and there were no missing funds.

Special Kids Golf Course

Henry M. Flowers of 180 Navajo Street stated that he does not have the right to say whether it is right or wrong to build the 3-hole Special Kids Golf Course as he does not live by the Golf Course, but he does not agree with some of the comments that were made during the last meeting by the small group of Chamber members and real estate agents.

Fine for Tree Trimming

Henry M. Flowers of 180 Navajo Street spoke on behalf of an elderly resident who lives on Westward Drive that was fined for cutting sixteen fruit trees. He asked the Administration to work with her since she was not aware of the new tree ordinance and cannot afford to pay the fine.

High School Reunion

Bob Schwinger of 630 Cardinal Street defended the City Manager's actions regarding the Reunion event he held at the Miami Springs Golf and Country Club that generated approximately \$5,200.00 of revenue.

5)

**APPROVAL OF
COUNCIL MINUTES:**

None

6) REPORTS FROM BOARDS & COMMISSIONS

- 6A) Board of Parks and Parkways Cancellation Notice of the August 12, 2004 Board of Parks and Parkways meeting was received for information without comment.
- 6B) Board of Appeals Cancellation Notice of the August 25, 2004 Board of Appeals meeting was received for information without comment.
- 6C) Board of Adjustment Rescheduling Notice of the September 6, 2004 Board of Adjustment meeting was received for information without comment.

7) PUBLIC HEARINGS:

- 7A) Second Reading – Ordinance: On second reading, Council **adopted** an ordinance amending Code of Ordinance Section 150.071, B-2 Central Business District, by enacting in substitution a new Code of Ordinance Section 150-071, NBD – Neighborhood Business District; specifying purpose; providing allowed uses and parking requirements for each use; delineating prohibited uses; specifying signage requirements; establishing building height limits, building site area requirements, floor area limitations, square footage requirements, front yard specifications, side yard requirements, rear yard requirements and protective screening requirements; providing for landscaping and site plan approval; and delineating an off-street parking exception provision.
(Ordinance No. 914-2004)
Motion: Vice Mayor Pacheco
Second: Councilman Youngs
Vice Mayor Pacheco: “aye”
Councilman Caudle: “aye”
Councilman Elza: “no”
Councilman Youngs: “aye”
Mayor Bain: “aye”
Vote: 4-1

- 7B) Ordinance – Second Reading: Charter Amendments Motion to **include** proposed amendment to

Charter Section 1.04 to provide new subsection (5) providing that no portion of the Miami Springs Golf Course shall be leased for any single period in excess of five years, re-zoned, sold or otherwise conveyed.

Motion: Councilman Youngs

Second: Vice Mayor Pacheco

Vice Mayor Pacheco: “aye”

Councilman Caudle: “no”

Councilman Elza: “aye”

Councilman Youngs: “aye”

Mayor Bain: “aye”

Vote: 4-1

Motion to **exclude** proposed amendment to Charter Section 1.04 regarding the reconfiguration or redesign of Westward Drive.

Motion: Councilman Elza

Second: Vice Mayor Pacheco

Vice Mayor Pacheco: “aye”

Councilman Caudle: “aye”

Councilman Elza: “aye”

Councilman Youngs: “no”

Mayor Bain: “no”

Vote: 3-2

Motion to **exclude** proposed amendment to Charter Section 1.04 regarding the reconfiguration or redesign of the Curtiss Parkway Circle.

Motion: Councilman Elza

Second: Vice Mayor Pacheco

Vice Mayor Pacheco: “aye”

Councilman Caudle: “aye”

Councilman Elza: “aye”

Councilman Youngs: “no”

Mayor Bain: “no”

Vote: 3-2

7B) Ordinance – Second Reading:
Charter Amendments (Continued)

Motion to **include** proposed amendments to

Charter Section 3.06 (5) regarding the time between the General and Run-off election, and Charter Section 3.06 (7) providing that no person shall hold elective office or offices longer than a total of eight consecutive years.

Motion: Councilman Elza

Second: Councilman Caudle

Vote: 5-0

On second reading, Council **approved, as amended**, an ordinance providing three Charter amendments for submission to the electors of the City at a Special Charter Election to be conducted on November 2, 2004. **(Ordinance No. 915-2004)**

Motion: Councilman Elza

Second: Vice Mayor Pacheco

Vote: 5-0

7C) Resolution – Special Charter Election

Council **approved, as amended**, a resolution calling for the holding of a Special Charter Election for the City on November 2, 2004; specifying the purposes of the Special Charter Election; delineating the questions to be placed on the ballot for the Special Charter Election; providing authorization and directions to the City Clerk; establishing an effective date.

(Resolution No. 2004-3250)

Motion: Councilman Elza

Second: Vice Mayor Pacheco

Vote: 5-0

8) CONSENT AGENDA:

8A) Bid No. 03-03/04: City Wide Street Light Repairs

Council **approved** an award to the low

bidder, Horsepower Electric, Inc., to replace underground streetlight wiring and perform other streetlight services, for one year, at a cost not to exceed \$125,000.00.

Motion: Councilman Elza

Second: Councilman Caudle

Vote: 5-0

9) OLD BUSINESS:

- 9A) Appointment to the Code Review Board
Councilman Youngs (Group IV) **reappointed** Jana Armstrong to the Code Review Board for a full 3-year term ending on April 30, 2007.
- 9B) Appointment to the Ecology Board
Vice Mayor Pacheco (Group III) **deferred** his appointment to the Ecology Board.
- 9C) Appointment to the Recreation Commission
Councilman Youngs (Group IV) **deferred** his appointment to the Recreation Commission.
- 9D) Appointment to the Civil Service Board
Vice Mayor Pacheco (Group III) **deferred** his appointment to the Civil Service Board.
- 9E) Appointment to the Code Enforcement Board
Mayor Bain **deferred** his appointment to the Code Enforcement Board.
- 9F) Appointment to the Police and Firefighters' Retirement System
Council **deferred** the appointment to the Police Officers and Firefighters' Retirement System.
- 9G) Health Insurance Renewal
Council **waived** the competitive bid process and **approved** the renewal of Health Insurance coverage for the FY 2004/2005 with Aetna.
Motion: Vice Mayor Pacheco

Second: Councilman Youngs
Vote: 5-0

9H) Bid No. 5-03/04: City Wide
Street Sweeping

Council **approved** an expenditure of \$22,776.00 to the low bidder, South Florida Maintenance Service, Inc., to provide street sweeping services for one year.
Motion: Vice Mayor Pacheco
Second: Councilman Caudle
Vote: 5-0

9I) City Hall Air Conditioning
Renovation – Design

Council **waived** the competitive bid process and **approved** an expenditure of \$16,200.00 to Emtec Engineering, to design the upgrades and renovations for the City Hall air conditioning system.
Motion: Councilman Elza
Second: Vice Mayor Pacheco
Vote: 5-0

9J) Roadway, Intersection, and
Bus Stop Improvement Design

Council **waived** the competitive bid process and **approved** an expenditure of \$42,500.00 to Baljet Environmental, Inc. for the design of roadway, intersection, and bus stop improvements at the intersection of Westward Drive and Apache Street.
Motion: Councilman Elza
Second: Vice Mayor Pacheco
Vice Mayor Pacheco: “aye”
Councilman Caudle: “absent at roll call”
Councilman Elza: “aye”
Councilman Youngs: “aye”
Mayor Bain: “aye”
Vote: 4-0

9K) Draft Ordinance:
Architectural Review Board

By consensus, Council **deferred** this item to the next meeting.

9L) Resolution- Annexation Survey

Council **adopted** a Resolution authorizing

the preparation, distribution and tabulation of a survey of all qualified electors of the City regarding the City's pursuit of annexation; providing directions to the City Administrative Staff; establishing an effective date. **(Resolution No. 2004-3251)**

Motion: Councilman Elza

Second: Councilman Youngs

Vote: 5-0

Council **scheduled** a Town Hall Meeting on Monday, September 20, 2004 at 7:30 p.m. in the Council Chambers at City Hall to hear citizens' input on annexation.

Council **directed** the Administration to **withhold** sending the Resolution to County Commissioner Rebeca Sosa until after the September 20, 2004 Town Hall meeting.

10. NEW BUSINESS:

10A) MDCLC Installation Banquet

Council **approved** an expenditure of \$1,000.00 for the Miami Dade County League of Cities Annual Installation Gala Tickets and Sponsorship Ad.

Motion: Councilman Elza

Second: Vice Mayor Pacheco

Vice Mayor Pacheco: "aye"

Councilman Caudle: "aye"

Councilman Elza: "aye"

Councilman Youngs: "absent at roll call"

Mayor Bain: "aye"

Vote: 4-0

10B) Insurance Agent License Fee

The City Manager requested **deferral** of this item to the next meeting. Council agreed.

10C) Canal Street Linear Park
FRDAP Grant Application

Council **approved** a Resolution authorizing the City's application for a \$150,000 cash matching grant from the State of Florida Department of Environmental Protection's Florida Recreation Development Assistance

Program (FRDAP) for the development of a linear park along the Miami River Canal and Canal Street in the City's Downtown area; authorizing the amendment of the City's Capital Improvement Plan and budget to provide the required 25% grant match funding of \$37,500. (**Resolution No. 2004-3252**)

Motion: Councilman Elza

Second: Vice Mayor Pacheco

Vote: 5-0

11) GOLF COURSE ITEMS:

11A) July 2004 Food and Beverage
Financial Statements

Council **reviewed** the July 2004 Food and Beverage Operation financial statements.

11B) Golf Course/Food and Beverage
Operation RFP

Council **considered** three alternatives for the Golf and Food and Beverage operations. Council **scheduled** a Special Meeting for Monday, August 30, 2004 at 7:30 p.m. before the Workshop Meeting.

12) OTHER BUSINESS:

None

13) REPORTS & RECOMMENDATIONS:

13A) **City Attorney**

Vacation

City Attorney Jan K. Seiden reminded Council that he would be on vacation until after Labor Day.

13B) **City Manager**

None

13C) **City Council**

Absence from City

Councilman Elza stated that he would be out of town and unable to attend the August 30, 2004 meetings.

Annexation Brochure

Councilman Youngs inquired about the

status of the annexation brochure.

City Manager Borgmann stated that he received comments from the Mayor and Council regarding the brochure, and if there are no further comments, that it is ready for distribution.

Hurricane Relief

Chief of Police H. Randall Dilling reported that four officers were sent to the Lakeland Airport to provide security for the supplies being brought in for the hurricane relief. He was advised that they are being sent back to the City because their services are no longer needed, but they will be on call for future service.

14)

ADJOURN

Meeting adjourned at 11:45 p.m.