



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

### **CITY CLERK'S SUMMARY OF COUNCIL ACTIONS**

**Regular Meeting of Monday, September 24, 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 Garcia/The audience participated.
- 3. Awards & Presentations:**
- 3A) Certificate of Special Recognition to Joel B. Watts**

Joel B. Watts was not present.

**3B) Certificate of Sincere Appreciation to Former Finance Director William Alonso**

Mayor Bain presented a Certificate of Sincere Appreciation to former Finance Director William Alonso and stated that he had done an outstanding job. All Council members joined him in praising the former Finance Director for his professionalism, his ability to work with people, etc.

**3C) Presentation by Ofelia San Pedro and Steve Maldonado of Miami-Dade County Public Schools Regarding the Enterprise Resource Planning (ERP) Project at Miami Springs Senior High School**

Steven C. Maldonado, ERP Management Officers, Financial Operations, of Miami-Dade County Public Schools gave a presentation regarding the Enterprise Resource Planning (ERP) Project at Miami Springs Senior High School which will benefit the students at all the schools as well as make an economic impact on the City.

**Council endorsed and supported the Enterprise Resource Planning Project on motion by Councilman Youngs, second by Vice Mayor Best, and unanimous vote.**

**4. Open Forum:**

**Oktoberfest**

Constance Brandenburg of 851 Falcon requested Council approval for the issuance of a liquor license for the Oktoberfest, which was approved in conjunction with Agenda Item 9N.

**Miami Springs Golf Course**

Jerry Burkhart of 451 Crescent Drive said that golfers are not able to get food and beverage service before 9:00 a.m.

Mayor Bain **requested that an agenda item** be scheduled for the next meeting to discuss the food service to the golfers with Carlos Santana.

**5. Approval of Council Minutes: (Agenda Items 5A and 5B approved with one motion)**

**5A) 08/27/2007 – Regular Meeting**

**Approved** as written.

**Motion:** Vice Mayor Best

**Second:** Councilman Garcia

**Vote:** 5-0

**5B) 09/10/2007 – Regular Meeting**

**Approved** as written.

**Motion:** Vice Mayor Best

**Second:** Councilman Garcia

**Vote:** 5-0

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

**6A) 09/10/2007 – Board of Appeals – Minutes**

**6B) 09/13/2007 – Board of Parks and Parkways – Cancellation Notice**

**6C) 09/20/2007 – Historic Preservation Board – Cancellation Notice**

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

**6D) 09/17/2007 – Code Enforcement Board – Minutes**

Minutes of the September 17, 2007 Code Enforcement Board meeting were received for information.

Mayor Bain commented that a letter was addressed to him regarding the case involving 489 Lafayette Drive.

City Attorney Seiden said that the letter was more of a response to the case and part of the defense, which has to play out.

The Mayor asked if the homeowner would get another review if he complies with the violation.

City Attorney Seiden explained that when the homeowner complies with the order of the Board he notifies the Department and whatever fines are running are stopped at that point. It is noted in the official records of the City that he has complied and he deals with Staff as to what fines are assessed during the period that he failed to comply.

Mayor Bain stated that he drove by the property many times and it seems that the homeowner is working hard to bring the property into compliance.

**7. Public Hearings:**

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Council sat as the Board of Appeals at 8:00 p.m.

The Mayor reconvened the City Council meeting 8:34 at p.m.

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**7A) PUBLIC HEARING – Resolution – A Resolution of the City Council of the City of Miami Springs, Florida Adopting the Final Levying of Ad Valorem Taxes for General Operations and Voted General Obligation Debt Service for the City of Miami Springs for the Fiscal Year 2007-2008; Providing for an Effective Date**

Council **adopted** Resolution No. 2007-3371.

**Motion:** Vice Mayor Best

**Second:** Councilman Garcia

**Vote:** 5-0

**7B) PUBLIC HEARING – Resolution – A Resolution of the City Council of the City of Miami Springs, Florida Adopting the Final General Fund, General Obligation Debt Service Fund, Enterprise Funds, Special Revenue Funds and Expendable Trust Funds Budgets for the Fiscal Year 2007-2008; Authorizing the City Manager to Proceed with Implementation of Service Programs and Projects; Prohibiting Unauthorized Liabilities and Expenditures of Funds; Providing for an Effective Date**

Council **adopted** Resolution No. 2007-3372

**Motion:** Councilman Garcia

**Second:** Councilman Youngs

**Vote:** 5-0

**7C) PUBLIC HEARING – Resolution – A Resolution of the City Council of the City of Miami Springs, Establishing Rates for Collection of Garbage, Trash and Recycling for Residential and Commercial Customers Within the City of Miami Springs; Effective Date**

Council **adopted** Resolution No. 2007-3373.

**Motion:** Councilman Youngs

**Second:** Councilman Garcia

**Vice Mayor Best:** “aye”

**Councilman Dotson:** “no”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-1

**7D) PUBLIC HEARING – Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 35-04, Definitions, by Reducing the Number of Years to be Utilized in Calculating An Employee’s “Final Average Salary” as Provided in Subsection (J); Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 9/10/2007 – Advertised: 9/12/2007)**

Council **tabled** the approval of the ordinance for the next meeting.

**7E) PUBLIC HEARING – Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 35-53, Benefit Amounts and Eligibility, by Revising and Clarifying Certain Language Related to the Deferred Retirement Option Plan (“DROP”) Provisions Contained in the Ordinance; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 9/10/2007 – Advertised: 9/12/2007)**

Council **adopted** Ordinance No. 961-2007.

**Motion:** Councilman Dotson

**Second:** Councilman Garcia

**Vote:** 5-0

**8. Consent Agenda:** None.

**9. Old Business:**

**9A) Appointment to the Ecology Board by Mayor Bain to Fill an Unexpired Term Ending on April 30, 2009 (Joe Podgor's seat)**

Deferred.

**9B) Appointment to the Golf and Country Club Advisory Board by Mayor Bain for an Unexpired Term Ending on July 31, 2007 (Noel Pereda's seat)**

Mayor Bain appointed Ernie Aloma.

**9C) Appointment to the Civil Service Board by Councilman Garcia (Group III) for an Unexpired Term Ending on June 30, 2009 (Roslyn Buckner's seat)**

Deferred.

**9D) Appointment to the Ecology Board by Councilman Youngs (Group IV) for a Full 3-year Term Ending on April 30, 2010 (Donna Dawson's seat)**

Deferred.

**9E) Appointment to the Civil Service Board by Councilman Youngs (Group IV) for a Full 3-year Term Ending on June 30, 2010 (Félix D. Pérez' seat)**

Deferred.

**9F) Appointment to the Code Review Board by Councilman Youngs (Group IV) for a Full 3-year Term Ending on April 30, 2010 (Jana Armstrong's seat)**

Deferred.

**9G) Appointment to the Recreation Commission by Councilman Youngs (Group IV) for a Full 3-year Term Ending on April 30, 2010 (Robert Williams' seat)**

Deferred.

**9H) Appointment to the Education Advisory Board by Vice Mayor Best (Group I) for a 2-year Term Ending on May 31, 2009 (Dr. Karen Williams was unable to accept appointment)**

Deferred.

**9I) Appointment to the Golf and Country Club Advisory Board by Councilman Youngs (Group IV) for a Full 2-Year Term Ending on July 31, 2009 (Ken Amendola's seat)**

Deferred.

**9J) Appointment to the Code Enforcement Board by Mayor Bain for a Full 3-year Term Ending on September 30, 2010 (Walter M. Dworak's seat)**

Deferred.

**9K) Appointment to the Code Enforcement Board by Councilman Youngs (Group IV) for a Full 3-year Term Ending on September 30, 2010 (Erik Michelson's seat)**

Deferred.

**9L) Resolution – A Resolution of the City Council of the City of Miami Springs, Florida Authorizing Signatories for all City Bank, Savings and Trust Accounts; Authorizing Acceptance of Two Facsimile Signatures of City Manager, James R. Borgmann and Assistant City Manager Ronald K. Gorland; Authorizing the Combined Manual Signatures of City Manager James R. Borgmann, Assistant City Manager Ronald K. Gorland, Interim Finance Director Alicia Gonzalez, Chief of Police H. Randall Dilling, and Police Captain Peter G. Baan; Rescinding all Resolutions in Conflict; Effective Date**

Council **adopted** Resolution No. 2007-3374.

**Motion:** Councilman Youngs

**Second:** Councilman Dotson

**Vote:** 5-0

**9M) Discussion of Methodology to Contribute Funds to Community Based Organizations for Various Causes (Discussed: 9/10/2007)**

Council **directed** the Administration to schedule this item for discussion in January 2008, after the referendum.

**9N) Request for Funding from Springs River Festival, Inc. in the Amount of \$6,000.00**

Council **approved** the request from the Springs River Festival Committee.

**Motion:** Councilman Youngs

**Second:** Vice Mayor Best

**Vote:** 5-0

**10. New Business:**

**10A) Resolution – A Resolution of the City Council of the City of Miami Springs Recognizing City Government Week, October 21-27, and Encouraging all Citizens to Support the Celebration and Corresponding Activities**

Council **adopted** Resolution No. 2007-3375.

**Motion:** Councilman Youngs

**Second:** Councilman Dotson

**Vote:** 5-0

*Agenda Item 10B was discussed after Open Forum.*

**10B) Recommendation that Council Award Bid # 11-06/07 for Medical, Dental, Group Life Insurance and Vision Coverage for Employees and Their Dependents to Humana, Cigna Dental, Mutual of Omaha and CompBenefits/VisionCare, Respectively**

Council **awarded** Bid # 11-06/07 for Medical, Dental, Group Life Insurance and Vision Coverage for Employees and Their Dependents to Humana, Cigna Dental, Mutual of Omaha and CompBenefits/VisionCare, Respectively.

**Motion:** Councilman Garcia

**Second:** Councilman Dotson

**Vote:** 5-0

**11. Other Business:** None.

**12. Reports & Recommendations:**

**12A) City Attorney**

**Finance Director Alonso**

City Attorney Seiden reiterated the comments expressed about William Alonso. He said that he has worked with many Finance Directors over the last thirty years, and if he had to be ranked, everyone would know where he stands. When people in government are asked why they do something a certain way they always respond that it is because it was always done that way. William never gave that answer and he never accepted “that is the way it has always been”. He always found support for his position. He wished Mr. Alonso the best because he deserves it and said that he will always have the City’s support.

**12B) City Manager**

**Assistant City Manager Ronald K. Gorland:**

**Soccer Program**

Announced that the soccer program had already started.

**Cheerleading**

Reported that cheerleading sign-ups begin on Tuesday, September 25<sup>th</sup>.

**Park Restrooms**

Stated that the restroom construction at Peavy Field and Stafford Park is underway.

**Joel Watts**

Hoped that Joel Watts would be available to receive his Certificate of Recognition at the next Council meeting.

**Roofing Legislation**

Reported that new roofing legislation was passed at the state level, which will be effective October 1, 2007. The new law will make it more difficult and costly to process roofing permits. The legislation will provide additional security to new roofs.

**Assistant City Manager Ronald K. Gorland: (Continued)**

**Golf Course Anniversary Celebration**

Stated that the ten-year anniversary of the purchase of the Golf Course will be celebrated on Sunday, October 14, 2007 for the residents of Miami Springs.

**Tax Referendum**

Stated that Mr. Alonso e-mailed a notification that the Circuit Court in Tallahassee ruled against the wording for the upcoming tax referendum calling it misleading. The matter will have to be heard by the State Supreme Court.

**12C) City Council**

**Councilman Youngs:**

**Thank You**

Councilman Youngs thanked the City Manager, Assistant City Manager and former Finance Director for the work they did with the budget and the tax rate. He also thanked Council members for the heartfelt discussions and the intention to do what is best for the residents.

**Attendance Boundary Committee**

Reported that he was reappointed to serve on the Attendance Boundary Committee (ABC) by School Board member Renier Diaz de la Portilla. This involves attending six or eight meetings Downtown beginning on October 19<sup>th</sup>. He said that the only item to address this year is whether or not there is any relief for Miami Springs Middle School, which is the most crowded. He reported that there is an opening for an alternate member from the community to the ABC if there is anyone who is interested.

**Councilman Garcia:**

**Community Events**

Stated that residents are encouraged to participate in community events that are reported in the River Cities Gazette. All Angels Church is planning a Sock Hop, the Springs River Festival is holding the Oktoberfest, Blessed Trinity is holding their annual Festival and raffle tickets are on sale. The Relay for Life is putting together teams for a cancer fundraising event next year and many organizations and residents are participating.

**Golf Tournament**

Stated that Faith's Place is holding a Golf Tournament on November 17, 2007, to raise funds to help the autistic outreach program. He urged anyone who has any items to donate for auction or any fundraising ideas to call him at 786.308.9681.

**Councilman Dotson:**

**Budget Discussion**

Stated that this year had been one of the best budget discussions since he began serving on Council because there was more debate about crucial elements. Although everyone might not always agree, it is healthy to bring opinions to the table and to consider new ideas. He thanked everyone for their contributions to this effort.

**Fair Havens Noise Problem**

Stated that the Fair Havens item was supposed to be discussed tonight. He wanted to make sure that the City Attorney is going to be involved and present the City's options.

**Fair Havens Noise Problem (Continued)** Assistant City Manager Gorland stated that he would distribute a memorandum on Tuesday, September 25<sup>th</sup> to bring Council up to date on the City's proposal. The City received a copy of two checks and an invoice from Fair Havens to show that an additional blanket was added for \$4,280.00 and there was verbal confirmation from Trane. PBS&J is in the process of recommending engineering firms that can take decibel readings that will be used in concert with a technical bulletin that was made available. He reported that there are problems in residential or quiet areas and he is waiting for a response from Fair Havens regarding their interest in contacting Trane. He added that he appreciates Council's support to allow more time in order to see if the problem can be resolved.

**Deer Run Street Closing**

Inquired about the status of the Deer Run street closing and if the City Manager had received a response from the County.

Assistant City Manager Gorland said that he would check with City Manager Borgmann and respond back to Council.

**Raccoons**

Received a call from a citizen who has a problem with raccoons who are threatening his kids. He explained that nine raccoons were trapped within 2-1/2 weeks, which means there is an infestation in the neighborhood. Councilman Dotson asked what recourse the City has to correct the problem.

**Raccoons (Continued)**

Assistant City Manager Gorland explained that the problem is city-wide and it is caused by leaving food outside. The raccoons can be relocated if they pose a hazard. Many animals were displaced when the clay pit was cleaned. The residents can call Animal Control, the Police Department or Code Enforcement and the kids should be warned against getting close to the raccoons.

Mayor Bain stated that different animals are protected by law and residents should seek help through the Police Department.

The Assistant City Manager offered to accept calls from concerned residents. He suggested preparing information that could be distributed to residents to let them know how to handle the situation and the telephone numbers to call.

**Vice Mayor Best:**

**Raccoons**

Stated that he had also heard from his constituents regarding the raccoons. Most importantly, people should stay away from them because they could be rabid. He finds it odd that Miami-Dade County Animal Control is not responding to the problem.

**Thank You**

Thanked Council for working together as a team to put together the budget. He appreciates each Council member.

**City Manager Borgmann**

Hoped that the City Manager is recovering from his recent surgery. He heard that he was doing well and hopefully he will be back soon.

**Golf Course Anniversary Celebration**

Encouraged everyone to attend the Anniversary Celebration on October 14<sup>th</sup> at the Miami Springs Golf and Country Club.

**Vice Mayor Best: (Continued)**

**Dick Bergen**

Stated that Dick Bergen is in Room 124 at Fair Havens and he is looking forward to receiving visitors.

**William Alonso**

Stated that he loved the City Attorney's comment relative to Mr. Alonso. He referred to the Latin phrase "I came, I saw, I conquered" and added that he made a difference.

**Mayor Bain:**

**City Manager Borgmann**

Stated that City Manager Borgmann called him and he sounded very upbeat about his condition.

**Budget Process**

Felt that Council had discussed the budget candidly and with honesty. He acknowledged that Council worked hard during the budget process, there was little public input, which he attributes to Council doing a good job.

**13. Adjourn.**

Adjourned at 9:55 p.m.