



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

### **CITY CLERK'S SUMMARY OF COUNCIL ACTIONS Regular Meeting of Monday, February 27, 2006 - 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**

Vice Mayor Dotson/The audience participated.

**3. Awards & Presentations:**

**3A) Pioneer Resident Award – Helen Bogatay**

Helen Bogatay was not present due to illness.

**3B) Pioneer Resident Award – Janet Martin**

Mayor Bain presented the Pioneer Resident Award to Janet Martin for her contributions as a resident for fifty-one years.

*(Agenda Item 3C presented after Agenda Item 3D)*

**3C) Certificate of Sincere Appreciation – Anchor Club of Miami Springs**

On behalf of Mayor Bain, Councilman Garcia presented a Certificate of Appreciation to the Anchor Club of Miami Springs for their work in helping load boxes of food into vehicles sent to storm victims in the Gulf Coast.

### **3D) Status Report by Jo Ellen Morgan Phillips Regarding Curtiss Mansion, Inc.**

Jo Ellen Morgan Phillips, President of Curtiss Mansion, Inc. (CMI) gave a status report on the progress CMI has made and informed Council that \$1MM will be available in April. She announced CMI is planning a Community Workshop at the Woman's Club on March 21, 2006 at 7 p.m. for the purpose of receiving input from residents.

### **3E) Skin Cancer Awareness Presentation by Catherine F. Hibbitt**

Catherine F. Hibbitt gave a PowerPoint presentation regarding skin cancer awareness. Council asked the City Manager to work with Ms. Hibbitt in order to install a canopy over the upper deck, sun protection umbrellas and warning signs at the Miami Springs Recreation Center pool.

City Manager Borgmann offered to find the sources for the products that will work the best.

### **3F) Status Report on Annexation by Councilman Youngs**

Councilman Youngs asked Council to reach a consensus to give direction to the City Manager or his designee to request an official status report from the County and to contact Commissioner Sosa about the City's annexation proposal.

Councilman Youngs would like to formalize an annexation strategy and to consider splitting the annexation application in two. He explained that nothing had transpired since April 2005, except for one meeting last summer. He reiterated that his objective in raising this issue was to have Council reach a consensus about obtaining additional information. He would continue serving as the representative, but would not take action without Council consent.

## **4. Open Forum:**

### **Airport Highway Marine Business District**

Phil Bradley said he owns property at 657 South Drive. He accused Council of mismanagement and negligence. He urged Council to act promptly in establishing the District Boundary Regulations. He threatened to sue the City if action is not taken quickly.

## **5. Approval of Council Minutes:**

### **5A) 02/13/2006 – Regular Meeting**

**Approved** as written.

**Motion:** Councilman Garcia.

**Second:** Vice Mayor Dotson

**Vote:** 5-0

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

- 6A) 02/08/2006 – Golf and Country Club Advisory Board – Minutes**
- 6B) 02/09/2006 – Board of Parks and Parkways – Cancellation Notice**
- 6C) 02/14/2006 – Recreation Commission – Minutes**
- 6D) 02/16/2006 – Historic Preservation Board – Minutes**
- 6E) 02/21/2006 – Education Advisory Board – Minutes**
- 6F) 02/22/2006 – Board of Appeals – Cancellation Notice**
- 6G) 02/23/2006 – Code Review Board – Cancellation Notice**

Agenda items 6A through 6C and 6D through 6G were received for information without comment.

Regarding Agenda Item 6D (Historic Preservation Board minutes), Mayor Bain asked about the deadlines for completing the memorials and urged the Administration to expedite this item.

The City Manager said the memorials were going to be constructed in house but the project was delayed due to hurricane related activities. He said the work could be put out to bid, but it would take longer and it would possibly be more expensive.

Councilman Best suggested that Memorial Day could be set as the deadline for completion of the memorials.

**7. Public Hearings:**

None.

**8. Consent Agenda:**

None.

**9. Old Business:**

**9A) Recommendation that Council Approve an Expenditure of \$27,500.00 to Bermello, Ajamil & Partners of Miami for Design Services for the Canal Street Linear Park Project, to be Funded from the Florida Recreation Development Assistance Program (FRDAP) and the Miami-Dade County's People Transportation Tax Funds (Discussed: 2/13/2006)**

**Approved with the stipulation that there will be no Change Orders and that the lump sum of \$27,500 includes direct reimbursable amounts.**

**Motion:** Councilman Garcia.

**Second:** Councilman Youngs.

**Vote:** 4-1

**Dissenting vote:** Mayor Bain.

**9B) Resolution – A Resolution of the City Council of the City of Miami Springs Establishing a New City Department of Golf; Providing a Budget for the New Department; Delineating Job Classifications and Salary Ranges for Golf Department Positions; Authorizing and Approving a Departmental Organization Chart; Establishing a Departmental Operational Beginning Date; Providing an Effective Date**

**Adopted (Resolution No. 2006-3309)**

**Motion:** Councilman Youngs.

**Second:** Councilman Garcia.

**Vote:** 5-0

**9C) Consideration of Placing Waste and Sanitation Fees on the Annual Property Tax Bills (Discussed: 2/13/2006)**

Discussed but no action taken.

**Motion:** Councilman

**Second:** Councilman

**Vote:** 5-0

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

**9D) Consideration of In-House Tree Work Citywide (Requested by Councilman Best)**

Council received information from Public Services Director Denise Yoezle. She will continue to monitor results on ten trees that were hat-racked and report the results to Council.

**9E) Discussion Regarding Multifamily Uses of Single Family Residences**

Council’s position was to support the actions of the Administration and enforcement of the ordinance prohibiting the creation and usage of illegal multi-family dwelling units.

**10. New Business:**

**10A) Approval of Budget Transfers Within Departments**

**Approved.**

**Motion:** Councilman Youngs.

**Second:** Councilman Best.

**Vote:** 5-0

**10B) Presentation by Mark Safreed of the Golf and Country Club Advisory Board Regarding Champion Turf**

Mark Safreed explained to Council the advantages of installing Champion Turf at the Golf Course.

\*\*\*\*\*  
*Vice Mayor Dotson moved to extend the meeting until 11:15 p.m. and Councilman Youngs seconded the motion, which carried unanimously on roll call vote.*

\*\*\*\*\*  
*Councilman Garcia moved to extend the meeting until 11:30 and Councilman Youngs seconded the motion, which carried unanimously on roll call vote.*

\*\*\*\*\*  
*Vice Mayor Dotson moved to extend the meeting until 11:45 p.m. and Councilman Garcia seconded the motion, which carried unanimously on voice vote.*

\*\*\*\*\*

**Motion to direct the City Manager to investigate the cost and proceed to secure a contract with Champion Turf for eighteen holes.**

**Motion:** Councilman Best.

**Second:** Councilman Garcia.

**Vote:** 5-0

**10C) Discussion Regarding Potential New Revenue Source for Water and Sewer Fund (Requested by Mayor Bain)**

**Motion to direct the City Manager to prepare an appropriate ordinance to implement the rate change.**

**Motion:** Councilman Youngs.

**Second:** Councilman Garcia.

**Vote:** 5-0

\*\*\*\*\*  
*Councilman Garcia moved to extend the meeting until 12:00 midnight. Councilman Best seconded the motion, which carried unanimously on voice vote.*

**10D) Approval of Change Order No. 1 to Purchase Order No. 051792 for the City Hall Air Conditioning Renovation in the Amount of \$3,379.72**

**Approved.**

**Motion:** Councilman Youngs.

**Second:** Councilman Garcia.

**Vote:** 5-0

\*\*\*\*\*  
*Councilman Garcia moved to extend the meeting until 12:15 a.m. and Councilman Youngs seconded the motion, which carried unanimously on voice vote.*

**10E) Consideration of Plaintiff’s Motion for Attorney’s Fees and Costs Regarding the Complaint for Declaratory and Injunctive Relief Filed Against the City of Miami Springs for the January 31, 2006 Special Charter Election**

The City Attorney explained that a hearing is scheduled for March 15<sup>th</sup> at 8 a.m. at which time the Judge will rule on payment of attorney’s fees estimated to be between \$22,000-\$25,000.

\*\*\*\*\*  
*Councilman Garcia moved to continue the meeting to 12:30 a.m. and Vice Mayor Dotson seconded the motion, which carried unanimously on voice vote.*

**Council directed the City Attorney to use his legal skill and arguments to protect the City from paying attorney's fees.**

The City Attorney informed Council that he had again received correspondence regarding the initiative procedure and that his reply will be that from now on the City will follow the same procedures as the County.

**11. Other Business:**

None.

**12. Reports & Recommendations:**

**12A) City Attorney**

None.

**12B) City Manager**

**Budget Request**

City Manager Borgmann distributed copies of his response to Senator Nelson regarding the budget request for federal assistance to help build a new gymnasium and performing arts theater at the Recreation Center.

**Fiscal Year**

Regarding the February 13<sup>th</sup> election discussion at the Council meeting, the City Manager clarified that Florida Statutes §218.33 states that municipal budgets in Florida shall adopt a fiscal year period of October 1 through September 30.

**Transportation Study**

The City Manager offered to provide Council with a copy of the Post, Buckley, Schuh & Jernigan, Inc. Transportation Study.

**Super Bowl**

City Manager Borgmann reported that he attended the City Managers luncheon on Friday, February 24<sup>th</sup>. The guest speaker was Rodney Barreto, Chairman of the Host Committee for the Super Bowl next year in Miami. He hopes that the City will benefit by increasing business for the hotels, rental car companies and businesses located close to the airport.

## **Junior Orange Bowl Committee**

City Manager Borgmann informed Council that he turned down the position of President Elect of the Junior Orange Bowl Committee and accepted the position of Vice President.

## **News Conference**

City Manager Borgmann reported that Channel 4 broadcasted a story that will be picked up by the major networks tomorrow at 10:00 a.m. at a news conference at City Hall regarding a prisoner that the Miami Springs Police Department transported to Turner Gilford Knight Correctional Facility. There was some inappropriate behavior on behalf of one of the guards and the prisoner was injured as a result. The videotape of the incident is missing. He said that Miami Springs will be associated with the incident although our Police Officer did nothing wrong.

## **12C) City Council**

### **Little League**

Vice Mayor Dotson stated that the Little League inauguration was a tremendous event and a credit to the City. He is proud that the City has these types of events and the volunteers to make it all possible.

### **Comprehensive Land Use Plan**

Vice Mayor Dotson requested that an agenda item be scheduled to discuss the Airport Highway Marine Business District Land Use Plan.

The City Manager informed Council that he received a request from Henry Pino of Strategic Properties to address Council at the next meeting.

Council **directed** the City Manager to inform Mr. Pino that his presentation should be postponed until some decisions are made about zoning changes.

### **Little League**

Councilman Best said that this is the first time in the history of the Little League that the entire Council, City Manager and Assistant City Manager attended the opening ceremonies.

The City Manager stated that the real tribute is that the Little League was close to folding and a few individuals stepped up to the plate and hit a home run.

### **Light Poles**

Councilman Garcia thanked Public Services Director Denise Yoezle for the crews that are fixing the light poles. He noticed one pole with a missing electrical plate on South Drive and Palmetto.

**13. Adjourn**

Meeting adjourned at 12:30 a.m.