



CITY OF MIAMI SPRINGS, FLORIDA

CITY CLERK'S SUMMARY OF COUNCIL ACTIONS

Regular Meeting of Monday, January 22, 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 Best/The audience participated.
- 3. Awards & Presentations:**
- 3A) Certificate of Appreciation – Terry Parke (Tabled: 1/9/2007)**

Mayor Bain presented a plaque to Terry Parke with sincere appreciation for being “Santa’s Best Friend” year after year.

3B) Officer of the Month Award – December 2006 – Detective Jerry V. Balester, Jr.

Chief of Police H. Randall Dilling presented the Officer of the Month Award for December 2006 to Detective Jerry V. Balester, Jr. for apprehending a subject in a recent investigation which solved five burglaries.

4. Open Forum:

- **Bus Stop Shelters** **Juan Brito** Asked why the bus stops in Miami Springs do not have shelters.

The City Manager stated that the City is currently negotiating with CEMUSA for the installation of several bus shelters throughout the City, but they have indicated that they have to work out an agreement with the County first, because there was one that was not authorized by the County.

4. Open Forum:

Bus Stop Shelters (Continued)

The Public Works Director reported that he received an e-mail from CEMUSA indicating that they are willing to place the bus bench shelters in the City before they solve the problem with the County for the one location in question.

Mayor Bain asked the Administration to report back with the timetable for the bus bench installation.

5. Approval of Council Minutes:

5A) 01/09/2007 – Regular Meeting

Approved as written.

Motion: Vice Mayor Youngs

Second: Councilman Best

Vote: 5-0

6. Reports from Boards & Commissions:

6A) 01/11/2007 – Board of Parks and Parkways – Cancellation Notice

6B) 01/09/2007 – Recreation Commission – Minutes

6C) 01/09/2007 – Board of Appeals – Minutes

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

7. Public Hearings: None.

8. Consent Agenda: None.

9. Old Business:

9A) Appointment to the Ecology Board by Mayor Bain for a Full 3-Year Term Ending on April 30, 2009 (Joe Podgor's seat)

Mayor Bain **deferred** his appointment.

9B) Appointment to the Ecology Board by Vice Mayor Youngs (Group IV) for an Unexpired Term Ending on April 30, 2007 Created by the Resignation of Donna Dawson

Vice Mayor Youngs **deferred** his appointment.

9C) Appointment to the Code Review Board by Councilman Dotson (Group II) to Fill and Unexpired Term Ending on April 30, 2008 Created by the Resignation of Daniel Espino

Councilman Dotson **appointed** Helen Lawrence.

9D) Appointment of the Alternate Member of the Board of Adjustment by Councilman Dotson (Group II) for a 3-year Term Ending on October 31, 2009 (Daniel Espino's seat)

Councilman Dotson **appointed** Maria Mikluscak.

9E) Appointment to the Education Advisory Board by Councilman Garcia (Group III) to Fill an Unexpired Term Ending on May 31, 2007 Created by Three Absences of Robert Gonzalez

Councilman Garcia **appointed** Eduardo Molliner.

9F) Appointment to the Code Enforcement Board by Vice Mayor Youngs (Group IV) to Fill an Unexpired Term Ending on September 30, 2007 Created by Three Absences of Erik Michelson

Vice Mayor Youngs **deferred** his appointment.

9G) Appointment to the Historic Preservation Board by Mayor Bain for a Full Three Year Term Ending on January 31, 2010 (Sydney Garton's seat)

Mayor Bain **re-appointed** Sydney Garton.

Motion: Vice Mayor Youngs

Second: Councilman Garcia

Vote: 5-0

9H) Appointment to the Historic Preservation Board by Vice Mayor Youngs (Group IV) for a Full Three Year Term Ending on January 31, 2010 (Mary Ann Taylor's seat)

Vice Mayor Youngs **re-appointed** Mary Ann Taylor.

Motion: Councilman Garcia

Second: Councilman Dotson

Vote: 5-0

10. New Business:

10A) Approval of Updated Fund Balance Designations

Fund balance designations **approved** as submitted.

Motion: Councilman Garcia

Second: Councilman Best

Vote: 5-0

10B) Resolution – A Resolution of the City Council of the City of Miami Springs; Amending the Current “Schedule of Charges” for Building, Plumbing, Electrical, Mechanical and Other Related Permit Charges or Fees; Effective Date

Council **adopted the resolution** (No. 2007-3344).

Motion: Councilman Best

Second: Councilman Dotson

Vote: 5-0

10C) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Creating New Code of Ordinance Section 96-09, Removal of Animal Feces; by Establishing a Duty to Properly Dispose of Animal Fecal Matter; Providing Applicability to Public and Private Property Areas; Describing Compliance with Disposal Requirements; Establishing an Exception; Providing for Enforcement of Ordinance; Repealing all Ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Date

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

Motion: Councilman Garcia

Second: Vice Mayor Youngs

Vote: 5-0

10D) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 71-04, Keeping Inoperable Vehicles in Certain Areas Prohibited; by Providing Revised, Updated and Clarified Language of the Prohibited Activities; Establishing an Exception Provision; Providing for Enforcement of the Ordinance; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

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

Motion: Councilman Garcia

Second: Vice Mayor Youngs

Vote: 5-0

Mayor Bain asked for a list of residences that might be affected by this ordinance.

10E) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Creating New Code of Ordinance Section 95-02, Parks and Recreation Facilities – Hours of Operation; by Providing Usage Regulations for City Parks, the Golf Course and Clubhouse, and Other Recreational Facilities; Delineating Exception Provisions; Establishing City Manager Authority; Authorizing Appropriate Signage; Providing for Enforcement; Repealing all Ordinances or Parts of Ordinance in Conflict; Directions to Codifiers; Effective Date

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

Motion: Councilman Garcia

Second: Councilman Best

Vote: 5-0

10F) Resolution – A Resolution of the City Council of the City of Miami Springs Supporting the Miami-Dade County Public Schools’ Legislative Initiative; Effective Date

Council **adopted the resolution (No. 2007-3345).**

Motion: Councilman Best

Second: Councilman Dotson

Vote: 5-0

10G) Consideration of Ordinance Amendments Proposed by the Board of Adjustment

By consensus Council **directed** the City Attorney to draft the ordinances for presentation at the next meeting regarding: 1. Code Section 150-010 – Roof materials (metal roofs); 2. Code Section 150-034 – Installation of pool pumps and equipment and sprinkler pumps and equipment.

11. Other Business:

11A) Status Report Regarding the Contract with Carlos Santana and the Country Club

The City Manager **reported** that all required operator renovations have been timely completed by Carlos Santana and that although the operational services have been gradually implemented over the last year, Mr. Santana has made good faith efforts to comply with all the requirements of the Agreement.

Council asked the Administration to give a monthly status report during the second Council meeting to be aware of the progress the operator is making to comply with the Agreement he signed with the City.

11B) Discussion Regarding News Rack Regulations

Council **discussed** an ordinance establishing news rack regulations that the County has adopted and took no action.

12. Reports & Recommendations:

12A) City Attorney

No report.

12B) City Manager

- Library Renovation Reported that the Library will be closed for major renovations. They will open a small area for library services at the Eastern Financial Building.
- Park Restrooms Stated that the plans for the Recreation Park restrooms are in plans processing with the County and they are expected to be ready soon.
- Memorial Stand The bid would be finalized for the bronze plaques for the memorial stand on Curtiss Parkway facing the Circle.
- Shuttle Bus Reported that Miami Shores and Palmetto Bay have inaugurated a shuttle service in their communities operated by private contractors. He has contacted the two cities and he is awaiting additional information to present to Council for consideration.
- Library Renovation To answer Councilman Dotson's question, the City Manager said that the library would be closed for four months approximately. He reminded everyone that books can be ordered on-line.
- Daddy/Daughter Dance Announced that the Daddy/Daughter Dance would be held at the Golf and Country Club on February 24, 2007, and tickets are \$30.00 per couple.
- Baseball Registration Stated that baseball registration is currently taking place at the Recreation Center gymnasium every Saturday morning through February 10th from 9:00 a.m. until noon.

12B) City Manager (Continued)

- Pelican Players Reported that the Pelican Players are signing up for their Winter/Spring classes.
- Basketball Program Stated that the kids are playing basketball games now at the gymnasium.
- Golf Tournament Reminded interested parties to contact the Pro Shop to sign up for the February 10th Golf Tournament.
- Golf Course Reported that last Saturday the Golf Course broke records by doing \$9,000 in business.
- Election Day Announced that a very important County-wide election would be held on Tuesday, January 23rd to decide whether or not to go with a strong Mayor in Miami-Dade County.
- “Taste of the Springs” Announced that the “Taste of the Springs” event would take place on Sunday, January 28th with a car show from 2 to 5p.m. and live entertainment from 4 to 8 p.m. He added that funds will support the Springs River Festival event.

12C) City Council

Councilman Best:

- Attendance Boundary Committee (ABC) Stated that the ABC meeting would be held at 7 p.m. on Tuesday, January 23rd at the Miami Springs Senior High School Auditorium.
- Thank you Thanked the Public Works Department and the Administration for their input to the City Attorney for new ordinances that will make a major improvement to the City.

Councilman Dotson:

- Bike Path Lighting Stated that he had received several requests for information regarding the Ludlam Bike Path lighting. He spoke with a Post Buckley Schuh & Jernigan representative and said that they might donate engineering services if any are required for this project.

Councilman Dotson: (Continued)

Bike Path Lighting

The City Manager reported that the original grouping of lights have been working for months and the problem north of Falcon Avenue is that there are no poles. Since it would be expensive to install poles, one alternative would be to install bollard lighting like the lights on Curtiss Parkway and he will find out the cost. He informed Council that the City is waiting for a State grant that is a year or two away. Councilman Garcia asked the Manager to find out if the City could pay for the lights and be reimbursed.

- Evaluation and Appraisal Report (EAR)

Asked for a status report and the City Manager stated that City Planner Ventura had been in touch with Tallahassee and the FIU Metropolitan Center and there have been no updates. He will inform Council as soon as he receives a report.

- Fair Havens Noise Problem

Asked about the letter that was sent to Fair Havens and Assistant City Manager Gorland said that he called Trane to find out the status of correcting the noise problem with the air conditioning system but had not hear back from them. He reported that he has weekly discussions with Fair Havens' management and there is a lot of pressure to correct the problem, but to this point there is no change because they are waiting for the sound barrier from Trane. Councilman Dotson asked him to communicate with the residents to let them know the City is still working to correct the problem.

- Golf Course Designation

Stated that the Historic Preservation Board has been discussing for some time the designation of the Golf Course as a historic site.

City Attorney Seiden said he read the minutes of the Historic Preservation Board meeting and he would have to do some research to provide an answer. He indicated that Council should not render an opinion because they could potentially have to sit as an appellate board on the issue.

Councilman Dotson: (Continued)

Golf Course Designation

Vice Mayor Youngs said his understanding is that the Historic Preservation Board wants to designate the Golf Course without all the requirements of the statute, particularly the requirements for a Certificate of Appropriateness for making changes. The City Attorney explained that the purpose of designation is to have control over the property in the future, and without this power, the same thing could be accomplished by placing monuments or historic markers throughout the course.

Councilman Dotson said that it was explained to him that the Board desires to put a sign that indicates the Golf Course is a historic site with a bust of Sam Snead. The City Attorney said this could be done at any time by proclamation.

Councilman Dotson said the Board believes the historic designation would allow more prestige for the Golf Course. They have asked specifically for feedback from the City Attorney.

Attorney Seiden offered to review the minutes. He said he might have to meet with the Board.

Councilman Garcia:

- Meeting Absence

Said that some residents approached him about his absence at the last Council meeting. He clarified that he had made vacation plans in advance before the meeting was re-scheduled.

- Sympathy

Expressed sympathy to the Smith family for the death of William Smith, his neighbor, who served in the U. S. Armed Forces.

- Parking Complaints

Said that the Police Department has been active in responding to complaints from residents about parking behind the Baptist Church. They have handled the situation in a very respectful and courteous manner by distributing flyers. He complimented the officers and the Chief for doing a wonderful job.

Councilman Garcia: (Continued)

- Recreation Center

Stated that he was not present at the January 9th meeting to participate in the discussion about the Recreation Center. He said that he would approve of a new roof only if there was some type of plan to improve the building, but he had the impression from the minutes that the new roof was approved to please a group of residents who spoke to Council.

Mayor Bain clarified that the roof was approved due a liability issue. Vice Mayor Youngs assured Councilman Garcia that Council took action because it involved a safety issue.

The City Manager said that the green roof was placed on the gym, which still leaks and Council gave him the option to go out for bids for a new roof due to safety reasons.

- Glenn Curtiss,
“The Fastest Man Alive”

He was informed of an upcoming event in honor of the 100th anniversary of Glenn Curtiss being named “The Fastest Man Alive” on a motorcycle, and he asked the Mayor to issue a proclamation. The Mayor agreed.

- Historical Museum

Congratulated Yvonne Shonberger and the volunteers who worked to organize the Miami Springs Historical Museum on Westward Drive. It is a beautiful place and he is thankful that Council approved payment of the rent and utilities for the location.

- Election Day

Reminded everyone to vote on Tuesday, January 23rd in Miami-Dade County for or against the strong Mayor issue.

- Advisory Boards

Wanted to comment on the role of the advisory boards and particularly on the Golf and Country Club Advisory Board. It seems that the members are giving direction to Staff or the Director as to what they should be doing.

Mayor Bain suggested that Council members speak with their respective appointees about agenda items they would like to discuss. He complimented the board members.

Councilman Garcia was of the opinion that the residents should voice their complaints and concerns about the Golf Course to the City Administration and not to the Board members.

Councilman Garcia: (Continued)

Advisory Boards

The City Manager thought he was going to lose two employees as a result of the discussion at the last meeting.

Councilman Dotson felt it is wrong to make allegations and that Council should discuss problems with their respective board representatives. He would like to handle this issue with some type of decorum and fairness.

Mayor Bain said that when he was a member of the Recreation Commission, he would report to the Council member who appointed him.

Councilman Garcia agreed with Mayor Bain that the Council members should follow up with their appointees to the Board.

- Daddy/Daughter Dance

Announced that he will not be able to attend this event because he has to attend a wedding that day.

Vice Mayor Youngs:

- Attendance Boundary Committee (ABC)

Emphasized the importance of attending the ABC meeting on January 23rd. He is favorably impressed with the boundary proposal plan after spending time with Regional Center 3 Director Robert Kalinsky, Region Superintendent George Nuñez, and Carlos Ríos. He is very excited that the High School could be below 100% of its permanent capacity in a few years, based upon the boundary changes.

- Historical Museum

He is proud of Council's support of the Museum. He attended the Grand Opening. The Museum is conveniently located, and a small amount of tax payer dollars allows the history of Miami Springs to be presented.

Mayor Bain:

- Attendance Boundary Committee (ABC)

Stated that he spoke with Regional Center 3 Director Robert Kalinsky and the school boundary proposal is very promising. It is important to monitor what happens in the future. He felt that Council should be present at the meeting on Tuesday to support the issue.

Mayor Bain: (Continued)

- Thank you

Thanked those residents in the audience who stayed for the entire meeting.

13. Adjourn.

Adjourned at 9:33 p.m.