

- 6. **Reports from Boards & Commissions: (continued)**
- 6C) **11/23/2006 – Code Review Board – Cancellation Notice**
- 6D) **11/28/2006 – Ecology Board – Cancellation Notice**
- 6E) **12/12/2006 – Recreation Commission – Cancellation Notice**
- 6F) **12/13/2006 – Golf and Country Club Advisory Board – Cancellation Notice**
- 6G) **12/19/2006 – Education Advisory Board – Cancellation Notice**

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

7. Public Hearings:

7A) Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-013, Fences, Landscaping, and Boundary Walls; By Establishing New Code Section 150-013, Residential Plantings, Fences, and Walls; Providing for Planting Provisions, Restrictions and Limitations; Delineating Fence and Wall Installation and Construction Provisions, Restrictions and Exclusions; Specifying Fence and Wall Materials and Locations; Repealing All Ordinances or Parts of Ordinances In Conflict; Directions to Codifiers; Effective Date (First Reading: 11/13/2006 – Advertised: 11/16/2006)

Adopted on second reading (Ordinance No. 946-2006)

Motion: Councilman Best

Second: Councilman Garcia

Vice Mayor Youngs: absent at roll call

Councilman Best: “aye”

Councilman Dotson: “aye”

Councilman Garcia: “aye”

Mayor Bain: “aye”

Vote: 4-0

7B) Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Enacting New Code of Ordinance Section 150-028, Architectural and Design Regulations; Providing Intent; Describing Future Expansion Policy; Establishing Individual Sections for Architectural and Design Policies, Standards, Regulations, and Guidelines; Providing Directions to Codifiers; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 11/13/2006 – Advertised: 11/16/2006)

Adopted on second reading (Ordinance No. 947-2006)

Motion: Councilman Garcia

Second: Councilman Best

Vote: 5-0

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 (Group IV) **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 (Group II) **deferred** his appointment.

9D) Appointment to the Code Enforcement Board by Councilman Dotson (Group II) to Fill an Unexpired Term Ending on September 30, 2008, Created by Absence (John Bankston's seat)

Councilman Dotson (Group II) **re-appointed** John Bankston.

9E) "Second" First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-041, R-1A District, to Provide New Building Height Limitations and Side Yard Requirements for two-story Structures; Code of Ordinance Sections 150.042, R-1B District; 150.043, R-1C District, and 150-044, R-1D District, to Provide New Building Height Limitations, Lot Coverage Restrictions, and Side Yard Requirements for two-story Structures

Motion to amend the proposed ordinance to enact the following provisions:

1. The height restriction as proposed (15 ft. for single story and 30 ft. for two story)
2. 50% lot coverage requirement for new one-story construction
3. 20% side yard setback requirement for new two-story construction

Motion: Vice Mayor Youngs

Second: Councilman Garcia

Vice Mayor Youngs: "aye"

Councilman Best: "aye"

Councilman Dotson: "no"

Councilman Garcia: "aye"

Mayor Bain: "aye"

Vote: 4-1

9E) “Second” First Reading – Ordinance (Continued)

Motion to require an additional 10% side yard setback for second story additions in all cases, with the exception of side yards abutting a street.

Motion: Councilman Garcia

Second: Councilman Best

Vice Mayor Youngs: “aye”

Councilman Best: “aye”

Councilman Dotson: “no”

Councilman Garcia: “aye”

Mayor Bain: “aye”

Vote: 4-1

9F) Presentation of Responses to Comments Made by the Department of Community Affairs (DCA) for its 60-day Preliminary Sufficiency Review of the City’s Adopted Evaluation and Appraisal Report (EAR)

City Planner Ventura presented an update on the Evaluation and Appraisal Report (EAR) revisions and additional comments received from the State. The City Planner and Ms. Glenn from the FIU Metropolitan Center will continue working with the State and once final approval is received, the revisions will be presented to Council with a resolution that would be publicly advertised.

9G) Discussion of Amendments to the Comprehensive Plan related to the Airport Highway Marine Business District Regarding Separation of the Three Districts to wit:

- **Airport Golf (area surrounding the Golf Course which is bounded by Curtiss Parkway, Fairway Drive and Deer Run)**
- **36th Street (Curtiss east to where Miami Canal intersects with 36th Street)**
- **Abraham Tract (south of 36th Street)**

Council discussed proposed amendments to the Comprehensive Plan, including the expansion of the floor area ratio (FAR) from 1.0 to 3.0 along N. W. 36th Street and the elimination of multi-family residences in the 36th Street District and the Abraham Tract.

Council **directed** the City Planner to obtain a proposal for the services of Michael Cannon of Integra Realty, who was recommended by the FIU Metropolitan Center.

10. New Business:

10A) Recommendation that Council Approve a Purchase Order with Post Buckley Schuh & Jernigan to Complete a Sewer Flow Management Study Needed to Comply with the Dade County DERM Volume Sewer Customer Ordinance (VSCO)

Approved.

Motion: Councilman Dotson

Second: Vice Mayor Youngs

Vice Mayor Youngs: “aye”

Councilman Best: “aye”

Councilman Dotson: “aye”

Councilman Garcia: “aye”

Mayor Bain: “no”

Vote: 4-1

10B) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 96-07, Maintenance of City Parkway and Swale Areas, by Providing Preferential Rights of Usage for Property Owners Abutting, Adjacent, or Contiguous to City Swale Areas; Describing Such Preferential Rights of Usage; Specifying Methods of Enforcement of Such Rights; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

Approved as amended on first reading.

Motion: Councilman Best

Second: Councilman Garcia

Vote: 5-0

11. Other Business:

11A) Scheduling of Board of Appeals Meeting to Hear Case No. 63-V-06 – 181 Glendale Drive – William Allen Simons (Variance denied by the Board of Adjustment on November 6, 2006)

The applicant **withdrew** his request to appeal.

12. Reports & Recommendations:

12A) City Attorney: No report

12B) City Manager

- Plover Avenue Subsurface Test
Post Buckley Schuh and Jernigan informed him that 70 test sites were checked on Plover Avenue by an independent company prior to the cave-in. Subsequent to the cave-in, another test was conducted and the results were okay. A copy of the test results will be provided to Council.
- Park Restrooms
One signature remains for the School Board approval of the Stafford Park restrooms. Dove Avenue Park was approved and the City must provide soil borings and one additional document to the contractor.
- Pool Electric
An electrical engineering consultant performed tests concluding that the electric is fine and the City was authorized to re-open the pool.
- Junior Orange Bowl Swim Meet
The City will host the Junior Orange Bowl Sports Ability Swim Meet on Friday, December 1, 2006 for handicap children from Dade County schools.
- Dade League Dinner
Reminded Council to R.S.V.P. to the Dade League of Cities dinner that will be hosted by the City and Virginia Gardens at the Golf and Country Club on December 7th.
- PBA Negotiations
An agreement was reached with PBA after the last Executive Session that will go to a ratification vote on December 5th and if it passes, it will go to Council for final ratification.
- Lawsuit
The City was successful in settling a slip and fall lawsuit out of court.

12B) City Manager (continued)

- Sewer System

Staff held a meeting with consulting engineers for the County regarding the turn over of the water and sewer system. There is still no answer to the bond issue because the bond must be paid before the system is sold or transferred. Staff provided all supplemental information that they requested.

- Gymnasium Roof

Council must make a decision before the rainy season to either put a blue tarp or spend funds for a new gymnasium roof as an upcoming agenda item.

12C) City Council

Councilman Garcia:

- Street Dedication

Thanked the City Manager for proposing and Council for approving the street dedication in honor of Alex Bromir

- Christmas at the Gazebo

Reminded residents that Christmas at the Gazebo would be on the weekend of Friday December 1st through Sunday, December 3, 2006 at the Circle.

City Manager Borgmann announced that the Lighting Ceremony would take place on Friday night at 7:00 p.m. with Santa Claus

- Zoning Consultant

Thanked Council for considering the services of a Zoning Consultant for reviewing the residential zoning codes

- Public Works Department

Said that the number of Public Works complaints had declined in past months under the direction of Public Works Director Robert Williams

12C) City Council (Continued)

Councilman Dotson:

- Flower Planting

Requested that flowers be planted in the Circle at Pinecrest and South Drive

Councilman Best:

- Street Dedication

Complimented the City Manager and Administration for coordinating the street dedication ceremony for Alex Bromir

Mayor Bain:

- Christmas Tree Sale

Reminded everyone that the Optimist Club Christmas Tree lot is open at Blessed Trinity Church and the proceeds support the clubhouse maintenance and utilities

- Park Restrooms

Thanked Miami-Dade County Public Schools Regional Center 3 Director Robert Kalinsky for the report on the status of the approval for the Park restrooms that should be finalized next week

- Dade League Dinner

Was glad that all Council members would be attending the Dade League of Cities Dinner at the Miami Springs Golf and Country Club

13. Adjourn.

Adjourned at 10:14 p.m.