



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, February 8, 2010, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:00 p.m.

The following were present:

- Mayor Billy Bain
- Vice Mayor Dan Espino
- Councilwoman Jennifer Ator
- Councilman Bob Best
- Councilman George V. Lob

Also Present:

- City Manager James R. Borgmann
- Assistant City Manager Ronald K. Gorland
- City Attorney Jan K. Seiden
- Chief of Police Peter G. Baan
- Finance Director William Alonso
- Grant Writer/Public Information Specialist Carol A. Foster
- City Clerk Magalí Valls

2. Invocation: Councilman Best offered the invocation.

Salute to the Flag: The audience participated.

3. Awards & Presentations:

3A) Pioneer Resident Award – William C. Windrem

Mayor Bain presented the Pioneer Resident Award to William C. Windrem, a Miami Springs resident for fifty-one years, in recognition of his many valuable contributions to the community.

Mr. Windrem thanked the Mayor and Council.

3B) Presentation by Post, Buckley, Schuh & Jernigan Regarding the Basin 35 Project

City Manager Borgmann distributed information regarding a potential fix to the problem with the Basin 35 drainage project presented by Post, Buckley, Schuh & Jernigan (PBS&J). The line going through the Golf Course indicates the perforated pipe, which is not allowed by the Department of Environmental Resources Management (DERM) and it will be replaced with regular pipe. The pump station lifts the water from the low areas through the pipe to an area on Eldron Drive that would become French drains.

City Manager Borgmann explained that PBS&J representatives apologized for not being ready for tonight's presentation and asked him to share this information. They are putting together a cost estimate and determining the responsibility of the parties involved. The City Attorney has participated in meetings with PBS&J representatives and reiterated the fact that the City will not be responsible for expenses to fix the problem.

4. Open Forum:

Sidewalks

Mark Pruitt of 141 Westward Drive asked Council to reconsider their decision not to pressure clean the Downtown sidewalks. It appears that several of the businesses and building owners periodically clean their sidewalks adjacent to the buildings, which results in a patchy look. He felt that the sidewalks would look better if they were all cleaned at the same time by the City as part of the Downtown revitalization improvements.

Parking

Mr. Pruitt asked for a map that shows the available parking in the Downtown area that could be published in the River Cities Gazette. He expressed a need for color coding and temporary signage to identify existing parking.

Code Enforcement

Mr. Pruitt would like to see better enforcement of the code for those buildings that look bad, because others try to maintain their buildings in a safe and clean condition.

Valentine's Event at the Circle

Lily Saborit Abello of 117 Palmetto Drive, Taurus Production Group, stated that she has a partnership with the Miami Springs Area Chamber of Commerce and Jester Projections. She received a call after the last Workshop meeting from someone on the dais asking her to please do something for Downtown and she suggested Valentine's Day weekend.

Ms. Saborit distributed information showing the entire scope of what she is planning for the event.

She explained that the idea is to create a dream with very little funding and for the event to have the biggest draw and impact in the community. She developed a program with prominent jazz artist Nicole Henry for a Valentine's Day celebration at the Circle. She added that she had discussed her plan with the City Manager, Assistant City Manager, Chief of Police and Chamber President Aldo Bartolone.

Ms. Saborit stated that there has been talk for such a long time about holding more events Downtown and this is an opportunity that should not be missed. She visited the businesses to ask if they would be willing to open on Sunday and 95% agreed, which shows unity and a willingness to get involved. She explained that the information package included the layout map, the budget for the event and a sponsorship package for Council's consideration. She suggested giving direction to the City Manager if Council is willing to be "on board." She assured Council that she would not profit from the event, regardless of whether or not the City participates, because she is doing it for the community.

Ms. Saborit began advertising the event with the City Manager's blessing and the cooperation of the other partners. She has heard from people as far north as West Palm Beach. She feels strongly that the event could attract 10% of the City's residents or 1,400 people. Jazz artist Nicole Henry has her own draw with 3,100 people who follow her very carefully. She has performed in previous years at the Deering Estate and Fairchild Gardens, which were sold out events.

The idea is for people to attend and have a picnic lunch, according to Ms. Saborit. She said that she included other components that she would like to see happen, even though there is a short period of time, which is her specialty. She continued to explain her past experiences in planning events for the Florida Marlins.

Ms. Saborit also presented ideas for easy tasks that would address signage utilizing the new Miami Springs logo and tagline "At the Heart of it All". She said that beautifying the City, installing street banners and holding a great event Downtown would show the residents that the City is ready for revitalization. She said that every business owner can participate in the Chamber of Commerce, as there are no membership dues, but they need Council's support.

Ms. Saborit explained that she is ready to print thirty street banners that could be installed by Thursday, February 11th if Council is interested in going to that level. The signage, color and the sight of people working together would make a beautiful impression to residents and visitors. All the businesses are very excited and even Miami Springs Pharmacy has agreed to open on Sunday from 6:00 p.m. to 10:00 p.m. The businesses are struggling financially to make ends meet and anything that can be done to help them would be a small investment.

Ms. Saborit stated that every hotel on N. W. 36th Street was visited today and they are happy to be able to send their guests to an event on Valentine's Day "At the Heart of it All."

Vice Mayor Espino understood that Ms. Saborit was asking the City for \$1,260.00 from the funds that were budgeted for special events.

Ms. Saborit referred to a sponsorship list with several different levels of sponsorship and a budget list for event. She is asking Council for support in any level that they feel is appropriate for the business community and the residents. She assured Council that it will be a first-class event.

Vice Mayor Espino stated that the budget list included in-kind expenses for Police, Parks, and Public Works.

Ms. Saborit clarified that the in-kind expenses would be separate; the Police service would be \$1,250.00 for six police officers for six hours. There are four additional items: entertainment; portable bathrooms, insurance and advertising for \$7,290.00. The plan involves closing the Circle, except for the northbound lane on Curtiss Parkway that exits out across the bridge. It must be a walking event so that the people can go to the businesses.

Ms. Saborit explained that the Big Tomato would host a V.I.P. party since they are obtaining a new beer and wine license. She said that the businesses have agreed to work together, she is donating her services, time and expertise to execute the event and there is also a commitment from Latin Grammy winner Jorge Moreno who will host the event, as well as other local celebrities, in addition to the Miami Springs Jazz Band. Other businesses who will be involved include the CrepeMaker, Holleman's, and the Cozy Corner.

City Manager Borgmann clarified that the off-duty Police service would not be an in-kind donation. The minimum cash contribution to be paid directly to the Police Officers would be \$1,260.00, according to Chief of Police Baan. The in-kind Public Works' services would involve dropping off the barricades, collection of the barricades after the event, the placement of trash barrels and collection of trash. A \$100.00 deposit was posted to cover the cost of any additional clean-up.

Mayor Bain stated that he would support a donation to cover the cost of the police service.

Vice Mayor Espino agreed with Mayor Bain to fund the police service, as well as the in-kind services.

City Manager Borgmann explained that the in-kind services are absorbed for the hours that are spent delivering and picking up barricades and picking up trash, which is not a normal part of the work day. He refers to the service as "deferred productivity" because they are doing that work instead of their normal duties.

Councilwoman Ator clarified that the in-kind services would not impact the budget or involve a transfer of funds from one budget line item to another.

Councilman Lob suggested covering the cost of insurance that would increase the donation to \$1,500.00. He likes the fact that the businesses have agreed to open on Sunday and Council would be promoting their ideas for what Downtown should be like.

Councilman Best asked what cost is associated with the banners that were mentioned.

Ms. Saborit explained that the cost estimate was based on thirty banners.

Councilman Best felt that it would be an appropriate time to discuss signage for the event to see how well the event is received.

Vice Mayor Espino stated that the Architectural Review Board decided not to go forward with the banners, although he would disagree. He felt that the banners would put the work of the Ad-Hoc Committee to light.

Mayor Bain added that the City would own the banners if Council agrees to purchase them, even though Nicole Henry is a one-time event.

Ms. Saborit felt that it would make sense to purchase the “At the Heart of it All” banners, as well as parking signage banners. She suggested that the entrance to Canal Street could use a larger parking sign that people can see as they cross the bridge.

Vice Mayor Espino explained that he would not want to spend funds for temporary signage. He felt that the “At the Heart of it All” banners would set the tone for the Downtown area.

Councilwoman Ator asked Ms. Saborit how she arrived at the estimate of thirty banners.

Ms. Saborit explained that there is room for ten banners around the Circle, three on Curtiss Parkway and some on N. W. 36th Street.

To answer the Mayor’s question, Ms. Saborit explained that ten banners for the Circle would cost approximately \$68.00 each and the City would have to do the installation.

Vice Mayor Espino suggested utilizing funds that were budgeted for Downtown improvements to pay for the banners.

Mayor Bain explained that the cost for ten banners and the police service would be \$2,340.00. The insurance would bring the total to \$2,580.00.

Councilman Lob said that he would be inclined to purchase fifteen banners and not fund the insurance cost.

Vice Mayor Espino commented that the banners would be a small capital improvement for the Downtown. He said that \$2,167 for all thirty banners is not much considering the amount of funds that were set aside in the budget.

Ms. Saborit emphasized that she would like the City to promote community- based events, which has been a topic of discussion for sixteen years. As a business owner, she would be spending more than \$7,000 for this event because of her love for Miami Springs. She would like Council's support and participation.

Vice Mayor Espino proposed utilizing \$1,500 from the Downtown event fund and approving the purchase of thirty banners totaling \$2,167 from the Revitalization fund. Councilman Lob said that he would second the motion.

City Attorney Seiden said that he understood the emergency nature of the proposal, but Council should not be handling the matter this way. The request should have been added as an addendum to the agenda. He suggested closing the Open Forum, move forward on the agenda to Other Business and add the request as an emergency item to the agenda by motion. Council should not set a policy by considering these types of requests during Open Forum.

The City Clerk asked to withdraw the motion on the floor. Vice Mayor Espino clarified that he only made a proposal. It was not a motion.

City Attorney Seiden asked for a motion to move the item to the Other Business portion of the agenda.

Councilman Lob moved to move the item to Other Business. Vice Mayor Espino seconded the motion.

City Attorney Seiden asked for a vote or general consensus for the purpose of moving to Other Business. He asked for a motion to consider the proposal that was presented during Open Forum regarding the City making a contribution to the upcoming event, on an emergency basis because there are no subsequent meetings scheduled before the event.

Councilman Lob moved to create an agenda item under Other Business to consider the proposal. Vice Mayor Espino seconded the motion, which carried unanimously on roll call vote.

(Council advanced to Other Business under agenda item 11)

5. Approval of Council Minutes:

5A) 01/25/2010 – Regular Meeting

Minutes of the January 25, 2010 Regular Meeting were approved as **amended**.

Councilman Best moved the item. Vice Mayor Espino seconded the motion which was carried 4-1 on roll call vote with Councilwoman Ator casting the dissenting vote.

6. Reports from Boards & Commissions:

6A) 01/14/2010 – Board of Parks and Parkways – Minutes

Minutes of the January 14, 2010 Board of Parks and Parkways meeting were received for information without comment.

6B) 01/19/2010 – Education Advisory Board – Minutes

Minutes of the January 19, 2010 Education Advisory Board meeting were received for information without comment.

6C) 01/20/2010 – Golf and Country Club Advisory Board – Minutes

Minutes of the January 20, 2010 Golf and Country Club Advisory Board meeting were received for information without comment.

6D) 01/27/2010 – Art in Public Places Ad-Hoc Committee – Minutes

Minutes of the January 27, 2010 Art in Public Places Ad-Hoc Committee meeting were received for information without comment.

6E) 01/28/2010 – Code Review Board – Notice of Lack of Quorum

Notice of Lack of a Quorum of the January 28, 2010 Code Review Board meeting was received for information without comment.

6F) 02/10/2010 – Golf and Country Club Advisory Board – Cancellation Notice

Cancellation Notice of the February 10, 2010 Golf and Country Club Advisory Board meeting was received for information without comment.

6G) 02/01/2010 – Zoning and Planning Board – Cancellation Notice

Cancellation Notice of the February 1, 2010 Zoning and Planning Board meeting was received for information without comment.

6H) 02/02/2010 – Code Enforcement Board – Minutes

Minutes of the February 2, 2010 Code Enforcement Board meeting were received for information without comment.

6I) 02/01/2010 – Board of Adjustment – Approval of Actions Taken at their Meeting of February 1, 2010, Subject to the 10-day Appeal Period

Actions taken by the Board of Adjustment at their meeting of February 1, 2010 were approved subject to the 10-day appeal period.

Vice Mayor Espino moved to approve. Councilman Lob seconded the motion which was carried 5-0 on roll call vote.

7. Public Hearings:

None.

8. Consent Agenda:

8A) Approval of the City Attorney's Invoice for January 2010 in the Amount of \$11,900.25

There was no discussion regarding this item.

Councilwoman Ator moved to approve the consent agenda. Councilman Lob seconded the motion which was carried 5-0 on roll call vote.

8B) Recommendation that Council Approve Purchases to Overland Carriers, Inc., Based Upon Obtaining Three Written Price Quotations, in an Amount not to Exceed \$25,000, for Sand, Rock and 50/50 for Various City-wide Street Repairs and to Fill Swales, pursuant to Section 31.11 (C) (2) of the City Code

There was no discussion regarding this item.

Councilwoman Ator moved to approve the consent agenda. Councilman Lob seconded the motion which was carried 5-0 on roll call vote.

9. Old Business:

9A) Appointments to Advisory Boards by the Mayor and Council Members

Mayor Bain **re-appointed** Sydney Garton to the Historic Preservation Board for a full 3-year term ending on January 31, 2013.

Councilwoman Ator moved to confirm the appointment. Councilman Lob seconded the motion which carried 5-0 on roll call vote.

Vice Mayor Espino (Group 2) **re-appointed** George Heider to the Golf and Country Club Advisory Board for a full 2-year term ending on July 31, 2011.

9B) Presentation of Work by the Two Artists Selected as Finalists to do the Art in Public Places for the Community Center

City Manager Borgmann read the title of the award.

City Manager Borgmann explained that per Miami-Dade County Ordinance 94-12, the City of Miami Springs Art in Public Places Ad-Hoc Committee has completed the selection process of site-specific art for the new Community Center.

City Manager Borgmann stated that the amount mandated by the ordinance is 1.5% set aside for commission, purchase, installation and ongoing maintenance of public art for additions or new construction of all governmental building. The total for the Community Center is \$92,697, based on a review of the construction budget by the Miami-Dade County Art in Public Places Professional Advisory Trust Board. Of this amount, 15% will be retained in an interest bearing account for ongoing maintenance and repair of the art work, \$5,000 was set aside as stipends to five finalists for the development and presentation of site-specific proposals, and approximately \$73,500 is to be awarded for implementation.

The Ad-Hoc Committee members selected the art work of Carlos Augusto Pereira who presented a series of murals with historical Miami Springs and activity-related themes for the first and second floor public lobbies of the main part of the Community Center. The second artist selected, Dana Estabrook, submitted a proposal for sixteen 5' high playful graphic images on PVC panels of a diversity of people engaged in various sports and physical activities, to be mounted in the gymnasium above the running track.

Presentation packages from each of the two artists were submitted to Council for review, according

to City Manager Borgmann. He noted that the Ad-Hoc Committee members were conscientious and had chosen two very strong, appropriate and marvelous bodies of work for the Community Center. He recognized Grant Writer/Public Information Specialist Carol Foster and Ad-Hoc Committee Secretary Marilyn Newton who were involved in the process.

Carol Foster introduced Committee members Laura Campbell, Aldo Bartolone and Mark Trowbridge who were present in the audience.

Ad-Hoc Committee member Mark Trowbridge of 260 Hibiscus Drive acknowledged all the artists for their great submissions. He thanked Councilwoman Ator for allowing him the opportunity to serve on the Committee. He commended all the artists who submitted their work, which involved a lot of time and effort. The Committee recommended Dana Estabrook for her whimsical graphics that are proposed to be placed around the running track and Carlos Augusto Pereira who captured the essence of the history of Miami Springs.

Committee member Laura Campbell stated that the process was well planned and went very smoothly thanks to the help of Carol Foster. The artistic presentations were very good and the Committee members had a good experience.

Committee member Aldo Bartolone echoed the sentiments of Mr. Trowbridge and Ms. Campbell in that it was a marvelous experience. He thanked Carol Foster for making the process easy and said that the community will be very pleased with the selections. He also thanked the two artists for donating additional artwork over and above what they originally presented.

Artist Dana Estabrook of 931 Wren Avenue stated that she was thrilled to be able to do the work for the new Miami Springs Community Center. She explained that this is her biggest project; her style is very modern and colorful. She displayed a 5' x 5' sample of her work mounted on PVC material, and presented a PowerPoint presentation showing the sixteen playful graphic images.

Vice Mayor Espino complimented Ms. Estabrook for a wonderful job. He felt that the images are modern and whimsical and at the same time they have a multi-generational appeal that will last for many years.

Ms. Estabrook stated that her goal was to design artwork that appeals to all types of people and to show that exercise should be fun.

To answer Councilwoman Ator's question, City Manager Borgmann clarified that the Ad-Hoc Committee's recommendation is for the selection of both artists. The athletic graphics are to be placed in the gymnasium area and the formal murals will be on the administrative side of the first two floors.

City Attorney Seiden explained that two separate motions would be required.

Ms. Estabrook explained that the spin cyclist and weightlifter proposed for the exercise room will actually be placed in the gym. There are a total of sixteen approved sports figures, excluding the

gamer.

Councilman Best moved to accept twelve pieces shown and four to come from Dana Estabrook for the sum of \$23,100. Vice Mayor Espino seconded the motion.

Councilwoman Ator asked for clarification that the sixteen pieces Council is approving are the ones that were recommended by the Art in Public Places Ad-Hoc Committee, as reflected in the minutes.

Ms. Estabrook answered affirmatively.

The motion was carried 5-0 on roll call vote.

Ms. Estabrook answered Council's questions about the floating anchor system that gives the artwork a three-dimensional appearance.

Artist Carlos Augusto Pereira stated that his proposal represents the history, legacy and aesthetic character of the City of Miami Springs, as well as the services and activities that the new Community Center will offer. The murals were designed to illustrate in a harmonious, educational and amusing way the diverse facets, where past, present and future merge. The murals will be executed with the "fresco" technique of the Old Masters in a graphic contemporary approach. Creativity and craftsmanship together will bring a memorable experience for the viewers and be a perpetual asset for the new Community Center.

Mr. Pereira displayed images on the overhead projector of the existing walls and the proposed murals for the first and second floors of the Community Center. He explained that every item used has a meaning or some relevance for the City of Miami Springs. He also incorporated the new logo and the City seal into his artwork. The murals also represent the many activities that will take place in the gymnasium. He pointed out the Circle gazebo and the historical Vertical Lift Bridge.

For the small wall on the left-hand side at the entrance, Mr. Pereira recreated an old post card with the seal, the year the Community Center will open and the physical address. The stamp on the post card is the only stamp that was issued to commemorate the life of Glenn Curtiss, aviator and pioneer, which he found very interesting.

Vice Mayor Espino stated that the artwork makes the Community Center and the City a destination, which is related to the slogan "At the Heart of it All".

Mr. Pereira continued his presentation of the artwork proposed for the second floor with historical landmarks, including the Bell Tower of the first Church built in the City, the Pueblo Hotel and the Glenn Curtiss Mansion. He explained that the wall outside of the theatre was not originally included as part of the project due to the budget limitations and he felt that it was important to have so he agreed to do it as a gift. The mural represents all the activities that may take place in the theatre, including a ballerina with a ribbon connecting the mask, which reads "At the Heart of it All". Another piece represents more details of the performing arts, especially music and the microphone in

the center represents the voice of all people, with the logo on the curtain as the backdrop. The work was created for Miami Springs.

Councilman Best complimented Mr. Pereira for using a tremendous amount of imagination and for incorporating the story of Miami Springs.

City Manager Borgmann stated that Mr. Pereira did so much research on his own to get the feel for the City of Miami Springs and the artwork is site-specific.

Mr. Pereira estimated that his work would take approximately four weeks to complete. He added that the paintings would be protected with a sealer, they are washable and they would be very easy to touch up if necessary.

To answer Councilwoman Ator's question, City Manager Borgmann responded that he doubted the artwork would be finished before the City takes possession of the building. He felt that the surface preparation work could begin at any time and the areas will be blocked off as the work is done. He suggested talking to the Construction Manager to see what he recommends.

Councilman Best moved to approve the series of murals as presented by Carlos Pereira for the amount of \$50,400 for the new Community Center. Councilman Lob seconded the motion, which carried unanimously on roll call vote.

City Manager Borgmann reported that painting of the exterior of the Community Center had started. He understands that the electrical is finished and that there would be power for the air conditioning today, which means that the floor installation could begin in a week to ten days. He estimates a grand opening no earlier than the first week of March.

9C) Status Report on Westward Drive Temporary Traffic Flow Changes

City Manager Borgmann had asked the Chief of Police to provide a status report on the Westward Drive temporary traffic flow changes. They provided hand written sketches and Chief Baan will explain what the process would entail for minimal expense.

Chief of Police Peter G. Baan stated that his initial plan was for closing one lane for only one block of Westward Drive and since each block is very unique he decided to provide a rough layout of how the barricades will be installed narrowing the street down to one lane both east and west bound.

Chief Baan explained that the plan is to maintain the lane next to the median, which will be a little wider to provide more safety. The plan includes the rental of reflective barricades that are visible during the evening hours. He said that this is only a draft plan that might have to be revised for more safety or convenience. The plan will be advertised well in advance utilizing the internet, sign boards, local news publications and a mailer to all residents and businesses in the City. They are proposing a three-day test during which Police personnel will be on site to maintain safety and gather data on the closure. Another mailer is planned for the purpose of obtaining feedback from the

citizens and businesses.

To answer Vice Mayor Espino's question, Chief of Police Baan explained that the current width of the lane is ten-feet and he is proposing a width of at least twelve-feet. If a permanent change is made, the barricades will be replaced with curbs. He would recommend setting up the test on a Saturday and running the test Sunday, Monday and Tuesday.

Councilman Best asked if the twelve-foot lane would accommodate the maneuvering of the buses.

Chief of Police Baan explained that the turning radius would be considered to make sure the buses can get around the corners. He added that he would need direction as to the actual dates the test would be conducted, with at least thirty days notice to the public.

Mayor Bain suggested that flyers could be distributed during the Springs River Festival in April, which would allow thirty days notice if the test is conducted at the end of May.

Chief of Police Baan explained that there is a safety concern about closing one lane in the 10 block of Westward Drive coming off the Circle heading westbound because it could cause a back up onto the Circle. Once the traffic engineering is in place for the final design it can then be made safe. He added that the same would apply to the 400 block in front of the Baptist Church when the traffic will merge into one lane.

Chief of Police Baan offered to address any concerns between now and the test date. Once the barricades are in place it might be slightly different than the diagram for practicality purposes.

Council **agreed** to approve the test for May 16, 17 and 18.

9D) Status Report Regarding the Request for Qualifications Process for a Firm to Provide Help in Implementing Improvements to the Downtown and N. W. 36th Street Areas

City Manager Borgmann read the title of the award.

The City Manager explained that at the request of Council at the January 25th meeting, Staff has been working on the development of an RFQ to retain the services of an outside individual or firm to assist the City with the implementation of the recommended changes to the Downtown area. He solicited copies of similar RFQ's from other cities around south Florida. Many were directed more to hiring a company to produce the underlying plan. Since the City already has a plan, the RFQ should focus more on a company with experience in successfully implementing a plan.

The RFQ he found to be most helpful is from Delray Beach. Although that RFQ incorporated a Community Redevelopment Agency (CRA), a "Master Plan", a specific development plan and a neighborhood redevelopment plan, the basic scope of the work appears to be in line with the City's needs. He provided the framework for the RFQ and the scope of services needed that he would like to discuss with Council to see if it is too broad, not broad enough or just right. There might be items

that Council would like to add.

The RFQ should also include some historical data about Miami Springs that would include demographics, the underlying economy, past downtown studies, etc. Most importantly would be the actual qualifications of the applicant, references, success rates, etc.

City Manager Borgmann reviewed a basic outline including Background, Issue Statement, Purpose, and Request for Qualifications to include: Review and evaluate all pertinent background studies; interview the Mayor and City Council, City Manager, appropriate staff and key stake holders in the business community. He reviewed several Program Development items and qualifications.

The City Manager listed nine items he felt should be considered in the Scope of Services. He asked Council to review the items and give their input.

Vice Mayor Espino felt there was consensus that the Issue Statement should include the development/redevelopment of Downtown and 36th Street.

Councilwoman Ator suggested eliminating Downtown and adding “commercial areas.”

Vice Mayor Espino suggested that the qualifications should stress urban planning and urban design, as well as grant writing experience.

Councilwoman Ator stated that the Architectural Review Board asked her to make a recommendation to the City Manager that the qualifications include architectural skills. She added that the Architectural Review Board would like to be involved in the process once it comes back to the City. They also feel that the Board of Adjustment should have input as well. She conveyed the fact that all members of the community have the right to review the documents and speak to the City Manager about the RFQ.

Councilwoman Ator felt that the Architectural Review Board raised a valid point. She does not want to delay the process, and they might hold a Special meeting within the next week or two. This is the feedback she is getting from the citizens on the board.

Mayor Bain added that the district boundary regulations for N. W. 36th Street are very important.

City Manager Borgmann referred to numbers eight and nine that included the district boundary regulations for both Westward Drive and 36th Street.

Councilman Lob felt that there should be greater emphasis under assessment for getting input from the stakeholders in the City.

City Manager Borgmann explained that there is a fine line between the interest of the owner of the building and the owner of the business.

Councilman Lob reiterated the importance on the emphasis of the stakeholders, including the building and business owners.

Councilwoman Ator is not interested on spending thousands of dollars for someone to go around and talk to the business owners in the City. She suggested scheduling a meeting to allow people the opportunity to participate either during the day or evening. She wants to make sure that the dollars are well spent.

Councilman Lob felt that not enough input from the businesses was sought in the past.

Mayor Bain felt that a professional who does their job would consider everyone's input in the community.

Vice Mayor Espino mentioned that the City Manager's recommendation includes creating an Advisory Committee. He felt that this would also help facilitate the business involvement.

Aldo Bartolone of 325 North Royal Poinciana Boulevard, President of the Miami Springs Airport Chamber of Commerce stated that the Chambers have a great deal of input because they represent the business community that interfaces with the entire community. He commented that there was an approval process with four charrettes, the business community was involved, as well as the residential community. He would ask that the Chamber be intimately involved in the process.

City Manager Borgmann asked if there were any additions to the nine items listed under the Scope of Services.

Mayor Bain felt that items two and three would go hand-in-hand in regard to parking.

Councilwoman Ator mentioned that the Scope of Services did not mention the Circle and the City must work with the County. She would like to facilitate that process as well.

To answer Councilman Best's question, City Manager Borgmann explained that success rates should be added under qualifications.

10. New Business:

10A) Resolution No. 2010-3474 – A Resolution of the City Council of the City of Miami Springs Reaffirming City Resolution 2009-3450; Allocating and Committing \$41,833.00 of Matching Supplemental Funding by the City; Complying with Bond Program's Conditions of Disbursement; Effective Date

City Manager Borgmann stated that the City received a Safe Neighborhood Parks grant to assist with the addition of the eight-inch water line that was required by the Fire Department as part of the Community Center construction. The County is requesting another resolution for the award of \$41,833.00.

City Attorney Jan K. Seiden read the resolution by title.

Vice Mayor Espino moved to adopt the resolution. Councilwoman Ator seconded the motion which was carried 5-0 on roll call vote.

10B) Ordinance No. 989-2010 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-070, CBD, Central Business District; by Adding Another Allowed Use to Subsection (B) of the Code Section; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

City Attorney Jan K. Seiden read the ordinance by title.

Attorney Seiden read the allowed use under Section 1 (B): *“Family restaurant/arcade; so long as the arcade use does not exceed 40% of the available business space, no alcoholic beverages are permitted on the premises, no gambling games/machines are permitted, no more than one pool table is permitted, the arcade area must be continually supervised and the family nature of the operation is maintained.”*

City Attorney Seiden stated that the Applicant had submitted a diagram for the layout of the food service and game room operation.

Mayor Bain proposed limiting the number of arcades in the Central Business District to two.

City Attorney Seiden asked if Council wanted to place a distance requirement between the two arcade establishments.

Mayor Bain was not as concerned about the distance between establishments as he was to limiting the number.

Council agreed to amend the ordinance limiting the number to two establishments in the Central Business District.

Vice Mayor Espino moved to approve the ordinance on first reading, as amended. Councilman Best seconded the motion which was carried 5-0 on roll call vote.

10C) Request that Council Approve an Expenditure in an Amount not to Exceed \$22,410 to Sungard Public Sector/Executime Software for a City-wide Time Management Interface System, as a Sole Source Provider, Pursuant to Section 31.11 (E) (6) (c) of the City Code

City Manager Borgmann read the title of the award. He explained that part of the expense will be funded from the Law Enforcement Trust Fund, thus requiring Council approval of \$9,188.10 toward the total expense of \$22, 410.00.

To answer the Mayor's question, City Manager Borgmann explained that the computer software will eliminate manual time sheets, which is a timely process and it will provide better reporting.

Finance Director William Alonso stated that the payroll is still being processed with time cards. At the end of the pay period someone must calculate how many hours are worked and the Payroll Clerk must manually input the hours into the payroll system. The new system will eliminate time cards, time sheets, and requests for leave. It will also add a level of control by eliminating the need to punch a time clock. In addition to reducing the amount of man hours required to complete the payroll, it will save on paper cost and storage.

Mayor Bain asked if the new system would reduce the amount of personnel required to process the payroll.

Finance Director Alonso responded that there is one Payroll Clerk in the Finance Department and the new system will free up her time to do other functions, the same as employees in other departments that calculate the time sheets.

City Manager Borgmann explained that the payroll is not a full-time job for one person, it might be four hours every other week for an employee in each department.

Finance Director Alonso added that efficiency is not the only benefit. The new system will produce reports that the Police Department is currently keeping track of on an Excel spreadsheet.

To answer Councilman Best's question, Finance Director Alonso clarified that the additional expense outside of the Law Enforcement Trust Fund would come from the unexpected revenue in the General Fund from the Florida League of Cities Insurance rebate.

Councilman Best moved to approve. Vice Mayor Espino seconded the motion.

City Attorney Seiden said that Council would approve the entire expenditure and make a separate motion because Council approval is required specifically for the Law Enforcement Trust Fund expense.

Mayor Bain asked if the new system would require training or annual maintenance.

Finance Director Alonso explained that the software is part of the SunGard H.T.E. system that requires the City to pay annual maintenance and this software would be included.

Councilwoman Ator asked if the monthly access fee is already included in the annual maintenance.

Finance Director Alonso explained that the monthly fee of \$800.00 per month will be additional to the annual maintenance. The first year is included in the \$22,000.

Councilwoman Ator commented that the monthly fee is \$730.00 for the first year and increases to \$854.00 in the fifth year. She asked if this fee would cover maintenance if there is a problem with

the system.

Finance Director Alonso answered affirmatively.

Mayor Bain asked Mr. Alonso if paying an additional \$8,000 per year for the system will be less expensive than the current payroll process.

Finance Director Alonso offered to provide a full cost analysis of how much the savings would be for paper, manpower and storage over the long run.

Vice Mayor Espino stated that most companies have a computerized payroll system.

Councilwoman Ator would agree that most companies have a computerized system, which is smart. She would also agree with the Mayor's point about the cost savings. She is more interested in knowing if there will be four hours additional work every two weeks from ten departments, which is hard to quantify.

Mayor Bain was concerned that the monthly cost could increase after five years.

Finance Director Alonso stated that hard copies of the payroll records are stored in boxes in a storage warehouse for which the City is paying a monthly fee, which will be eliminated by storing the records electronically.

Councilwoman Ator explained that she supports the computerized system, but she would like to see the benefit of what additional duties employees are planning on doing for the time they are not spending on payroll.

Chief of Police Peter G. Baan stated that he attended an on-line presentation on the software. Currently time sheets are used in the Police Department that are completed by the officers and approved by the supervisors, as well as having to complete paper leave slips. He would estimate that three supervisors would each save fifteen minutes per day, which is approximately \$50.00 per day. That supervisor can shorten his or her desk time and be out on the street instead. Police Officers now have to come off the street into the station to complete time sheets, which is also a timely process.

Chief Baan explained that the Police Department has a very complex salary structure that involves differential pay for various shifts, investigative pay, motor premium pay, K-9 pay, court time, overtime, grant funding and reimbursements, all of which requires a complex spreadsheet they utilize to track all the different categories. The software will save time by creating all the reports.

Vice Mayor Espino stated that automated systems save a substantial amount of time and productivity will increase.

Chief of Police Baan added that Police Officers will be able to utilize mobile data terminals in their

patrol cars instead of having to come into the Police Station to complete their payroll paperwork.

The motion carried 4-1 on roll call vote, with Mayor Bain casting the dissenting vote.

Mayor Bain explained that he did not like the fact that there is no comparison between the current system and the new payroll system, including the control. He would like an analysis that explains the questions that he has in his mind. He does not understand how the system works and he needs that confidence in order to be able to make a decision.

Finance Director Alonso responded that the control is set up in that each person has their own user name and password. He stated that he could have provided more detail, but it would have taken at least fifty pages.

Mayor Bain explained that the details could have been itemized to make the request easier to understand before voting on the item.

10Ci) Request that Council Approve an Expenditure of \$9,188.10 to Sungard Public Sector/Executime Software for the Police Department's Portion of the Software Cost, Utilizing Proceeds from the Law Enforcement Trust Fund

City Attorney Seiden requested a motion to authorize the use of the Law Enforcement Trust Funds for the Police portion of the software.

Councilwoman Ator moved the item. Vice Mayor Espino seconded the motion, which was carried 5-0 on roll call vote.

11. Other Business:

As directed by City Attorney Seiden, Council considered the proposal made by Lily Saborit under Open Forum.

Vice Mayor Espino moved to grant \$1,500 out of the Downtown event fund to cover the cost for the police service and insurance and approve the in-kind features for the event including the drop off and pick up of barricades, the blue trash bins and the golf carts. Councilman Lob seconded the motion, which carried unanimously on roll call vote.

Vice Mayor Espino moved to purchase thirty banners outright for a total of \$2,167 allocated from the Commercial Revitalization fund. Councilman Best seconded the motion.

Mayor Bain explained that he approves of donating \$1,500 toward the event, but he has reservations about purchasing thirty banners because it might be possible to obtain a better price by purchasing a larger quantity. He would not mind purchasing ten banners for special events, but not thirty.

Councilman Best stated that he initially proposed \$2,500 and the motion is for \$2,167, which is not out of line.

Councilwoman Ator explained that she is not opposed to the number of banners. As the Council Liaison to the Architectural Review Board, her issue is that the Board members had some concern over these types of banners versus moving forward with permanent signage, which they will address at their next meeting. She stated that the members were adamantly opposed to a temporary solution, and in that light she might support the Mayor's recommendation to purchase ten banners.

Vice Mayor Espino stated that he was also at the Architectural Review Board meeting, and he respectfully disagrees with the Board members because the banners are not mutually exclusive. The City of Doral has three types of signs down 36th Street and it does not affect the signage in other locations. He does not feel that the banners add to the sign pollution like the metal signs. He wants to move forward on the other signs as well, and this is a terrific way to put the Ad-Hoc Committee's recommendations to work.

On roll call vote the motion carried 4-1 with Mayor Bain casting the dissenting vote.

Vice Mayor Espino asked if drinking is allowed on the Circle.

Ms. Saborit said that she would alter her conversation that took place earlier with the City Manager. She developed a plan for a V.I.P. tailgate party around the Circle as a way to raise money. There were safety concerns expressed by Chief of Police Baan and she is going to take that risk at this point because she is investing an enormous amount of money. She would also like to add the champagne bar at the Circle and pull her own liquor liability license for that.

City Manager Borgmann explained that the City would have to approve alcoholic consumption in a public park, similar to what is done for the Springs River Festival.

City Attorney Seiden stated that Council approval would be needed to obtain the license.

Councilman Best moved to approve permission for Lily Saborit and Jester Productions to apply for a temporary license for the consumption of alcohol during the term of the event. Councilman Lob seconded the motion.

Chief of Police Peter G. Baan commented that when Ms. Saborit initially asked about the tailgate party he expressed a serious safety concern because the projections are for 1,000 to 1,500 people to attend with cars parking along the inside curb of the Circle, which will conflict with pedestrian activity.

Ms. Saborit said that the tailgate party would be a drive-in concert as a way to raise additional dollars. She has a \$2MM insurance policy and said that it would be as safe as possible. The City only requires \$1MM. She continued to express the importance of supporting the business community.

City Manager Borgmann clarified that Council would be giving approval, subject to Ms. Saborit obtaining a proper license from the State to serve liquor.

Councilman Best stated that was his motion.

Councilwoman Ator felt that serving liquor would be different than just running the champagne bar.

Ms. Saborit clarified that it would be strictly champagne, which is considered beer and wine.

Councilwoman Ator stated that this approval has nothing to do with tailgating around the Circle.

Mayor Bain felt that tailgating around the Circle is part of the event that Council approved. He said that Chief Baan expressed his concern about cars parked around the Circle and the amount of people.

Chief of Police Baan explained that the verbal agreement during the meetings with the City Manager did not include parking around the Circle. His projections on the police service that is needed to make the event safe were based on no parking on the inside of the Circle. He added that people might be having champagne and have difficulty moving the cars in and out before the police have a chance to handle the situation. He cannot guarantee the safety of the event with that design and it will require more Police Officers to control the entrance and exit of the Circle.

Chief of Police Baan stated that up to this point the agreement was for a concert with parking outside of the Circle and now there should be an adjustment to the security and Police service to compensate for the tailgating, which he still feels is unsafe. He has never seen any festivals where cars are allowed inside the festival area.

To answer Councilman Lob's question, Chief of Police Baan clarified that a car show is completely different because the cars are placed in the location before the show begins and the car owners are experienced in this activity and they know they must be escorted out by the Police.

Vice Mayor Espino felt that Council is approving a certain amount for Police service and if there are additional expenses the City does not have to cover them.

Mayor Bain asked if Council could hold a Special Meeting on Tuesday, February 9, 2010 to further discuss the request and address it in the proper format. He would have preferred to have received the information prior to the meeting.

Councilman Best **withdrew** his motion based on the Mayor's request. Councilman Lob **withdrew** his second.

City Attorney Seiden asked if Council was rescinding the action that was taken regarding the funding.

Mayor Bain and Vice Mayor Espino agreed that the decision regarding the funding stand. The meeting will be held to discuss how the event will be run.

Council **agreed** to hold a Special Meeting on Tuesday, February 9th at 6:00 p.m.

Ms. Saborit thought that Council approved the supplement liquor license and the purpose of the Special meeting would be to address the parking around the Circle.

Council informed Ms. Saborit that a motion was made for the liquor license, but it was never voted on.

Mayor Bain hoped that Ms. Saborit would meet again with the City Manager and develop a plan for the beer and wine license and the parking. He asked her to have an alternate option to deal with the situation of having to use the Circle for parking or to limit the amount of cars.

Ms. Saborit was of the opinion that the only alternative would be to supplement the event with a sponsorship for the event.

To answer Vice Mayor Espino's question, City Attorney Seiden clarified that Council would be able to take action during the Special meeting the next day because of the emergency nature. The City Clerk will publicize the meeting the best way possible under the circumstances and people at home will also have notice through the live streaming of the Council meetings on the internet.

12. Reports & Recommendations:

12A) City Attorney

Resolution

City Attorney Seiden stated that a copy of a resolution was received from the City of Sunny Isles Beach regarding Amendment 4 which is going on the ballot in November 2010, dealing with the proposition that if it passes, every amendment to the comprehensive plan would have to be dealt with a referendum of the voters of the respective communities. He asked if Council would be inclined to prepare a resolution to oppose it or in favor of it. The amendment would be in the Natural Resources and Scenic Beauty section of the Constitution, which is Article 2, Section 7 and reads as follows:

“Public participation in local government comprehensive land use planning benefits the conservation and protection of Florida’s natural resources and scenic beauty and the long-term quality of life of Floridians. Therefore, before a local government may adopt a new comprehensive land use plan, or amend a comprehensive land use plan, such proposed plan or plan amendment shall be subject to the vote of the electors of the local government by referendum following preparation by the Local Planning Agency, consideration by the governing body as provided by general law and notice thereof in a local newspaper of general circulation. Notice and referendum

will be provided by general law. This amendment will become effective immediately upon the approval of the electors of the State of Florida.”

City Attorney Seiden explained that the amendment is sponsored by the Florida Hometown Democracy Land Use Group. At this point, Council would lose control and whatever is decided would then go to a referendum at the expense of the local government.

Mayor Bain stated that Council could adopt a resolution supporting the amendment that would be sent to the legislature, but the reality is that the decision will be made by a vote of the people.

Vice Mayor Espino does not support the amendment and Council’s posture is to inform the public of the collective stance of Council on a particular issue.

City Attorney Seiden explained that every resolution is a statement of Council’s position on a particular issue. The current comprehensive plan process allows small scale amendments a couple times per year without restriction, as long as they meet certain qualifications and this could never be done within a one-year period.

Council **agreed** to schedule an agenda item to consider a resolution.

Special Meeting

To answer City Attorney Seiden’s question, Council **agreed** that his attendance was needed at the Special meeting scheduled for Tuesday, February 9th at 6:00 p.m.

12B) City Manager

“Operation Springs Help Haiti”

City Manager Borgmann reported that the “Operation Springs Help Haiti” proposed by the students at the last meeting will take place from 9:00 a.m. to 1:00 p.m. on Saturday, February 13th along Curtiss Parkway with adult supervision and fund raising activities.

4-way Stop Sign

City Manager Borgmann announced that a report was received from the County indicating that their research does not justify the installation of a 4-way stop sign at Albatross and Plover Avenue.

Vice Mayor Espino felt that it was not appropriate for the County to refuse the request of the City and its citizens.

City Attorney Seiden stated that the request should go through County Commissioner Rebeca Sosa’s office.

Skate Park

City Manager Borgmann reported that the next Council agenda would include an update on the various locations for the skate park.

Neighborhood Relations Committee

City Manager Borgmann received a copy of correspondence that was sent to Mayor Bain from Jose Abreu, Director, Miami International Airport about establishing a Neighborhood Relations Committee. He explained that one member shall be a resident of the City of Miami Springs who is nominated by the Mayor and the purpose of the letter was to solicit the Mayor's nomination.

Mayor Bain asked Council to let him know of anyone who might want to volunteer their time. He will personally call Mr. Abreu about this.

Peoples Transportation Tax Meeting

City Manager Borgmann received an invitation from the County to attend a Peoples Transportation Planning meeting at the Beacon Council on Tuesday, February 16th at 3:00 p.m. The County wants to propose some changes on the method of distribution of the surtax to each of the municipalities.

Curtiss Mansion

City Manager Borgmann urged everyone to go and see the progress at the Curtiss Mansion renovation project.

Swimming Pool

City Manager Borgmann announced that the swimming pool should re-open by the first week of March.

Library Renovation

City Manager Borgmann stated that correspondence was received from the Library representatives and they are still in the process of selecting a replacement contractor.

Baseball Sign-ups

City Manager Borgmann reminded everyone of the T-ball, softball and baseball registration on Saturday mornings at the Field House.

Downtown Event

City Manager Borgmann stated that he would not apologize for not having an agenda item to address the proposal for the Downtown event made by Lily Saborit during Open Forum for the simple fact that the information was not ready. Chief of Police Baan and Assistant City Manager Gorland participated in the meetings with him and the initial meeting was held with Lily two weeks ago. A second meeting was held on Friday, February 5th after the agenda was posted. Additional research

was requested and another meeting was held today at 2:30 p.m. Some of the plans presented tonight were changes from what was discussed today. He has no problem with the funding approved by Council or the extra meeting, but the bottom line was that it was a last minute proposal. He agreed that it should have been an agenda item for a future meeting, but since the event was planned to be held prior to the next Regular Council meeting, there was no other way to address this issue. She was invited to speak during Open Forum and Lily said herself tonight that she had made changes.

Mayor Bain said that he would have liked some warning that this was going to happen because he had heard about the proposal, but did not know where it stood.

12C) City Council

Curtiss Parkway Lighting Project

Vice Mayor Espino announced that there is a lot of excitement about the installation of the lights on Curtiss Parkway

Chamber of Commerce Meeting

Vice Mayor Espino stated that the Chamber of Commerce would meet at 7:30 a.m. on Tuesday, February 9th at Burritoville. He asked everyone to join and support the Chamber.

Cancer Relay for Life

Vice Mayor Espino reported that the Cancer Relay for Life is quickly approaching on Saturday, February 27th from 9:00 a.m. to 9:00 p.m. on the Circle. He urged everyone to join for an evening of food, entertainment and celebration of those individuals who have won their battle against cancer, as well as memorializing those who did not.

Sidewalks

Councilman Lob would like to get a cost estimate to pressure clean the Downtown sidewalks because the solvent used to clean the buildings left streaks on the sidewalk. Even though it is the responsibility of the business owners he would like an estimate, because many of the stores are empty. He added that the City could take the first step to beautify the Downtown.

City Manager Borgmann clarified that the Code states that the sidewalk is the property owner's responsibility, regardless of whether the stores are vacant or not.

Signage

Councilwoman Ator expressed to the Architectural Review Board Council's desire to move forward with the signage and how important it is. They are planning to meet on Wednesday, February 10, 2010 at 6:00 p.m.

Tree Ordinance

Councilwoman Ator attended the Board of Parks and Parkways meeting when they discussed the ordinance that passed in September 2009, related to fruit trees. She said that the Board would be revisiting the matter since there may have been some miscommunication as to what the definition of a fruit tree really is.

Rain Barrel Workshop

Councilwoman Ator asked about the date for the rain barrel workshop. City Manager Borgmann informed her that the workshop had been postponed until April.

2010 Census

Councilwoman Ator suggested that someone could make a short presentation at a Council meeting related to the Census so that people who watch the meeting will have a better understanding of the process.

Chamber of Commerce

Councilwoman Ator had volunteered to assist the Chamber of Commerce with the solicitation for new members but she has not yet received a logo or sample letter, although she has asked numerous times. She asked the City Manager to remind the Chamber Vice President.

Movie Night

Councilwoman Ator reported that the next All Angels Movie Night would be held at the Circle on Friday, February 19th, featuring “Bolt” and “Harry Potter and the Sorcerer’s Stone”.

Valentine’s Day Event

Councilman Best hoped that Council will sort out the details of the proposed Valentine’s Day event at the Special Meeting on Tuesday, February 9th at 6:00 p.m.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 9:48 p.m.

Billy Bain
Mayor

ATTEST:

Magalí Valls, CMC
City Clerk

Approved as written during meeting of: 2/22/2010.

Transcribed by S. Hitaffer.