



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, March 10, 2014, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:06 p.m.

The following were present:

- Mayor Xavier M. Garcia
- Vice Mayor Billy Bain
- Councilman Michael Windrem
- Councilman George V. Lob
- Councilman Jaime A. Petralanda

Also Present:

- City Manager Ronald K. Gorland
- Assistant City Manager/Finance Director William Alonso
- City Attorney Jan K. Seiden
- Chief of Police Peter G. Baan
- Building & Code Compliance Director H. "Tex" Ziadie
- Acting City Clerk Suzanne S. Hitaffer
- Assistant City Clerk Elora R. Sakal

2. Invocation: There was no invocation.

Salute to the Flag: Students from Springview Elementary School led the audience in the Pledge of Allegiance and Salute to the Flag

The Mayor presented baseball caps to the students who participated in the salute to the flag.

3. Awards & Presentations:

A) March Yard of the Month – Karl and Melanie Odin – 210 Fern Way

Mayor Garcia presented the March Yard of the Month Award to Mr. Odin's daughters on his behalf.

B) Presentation by Miami-Dade County Fire Rescue Department Regarding the Department's Accomplishments and Services to the City of Miami Springs

Miami-Dade County Fire Chief Dave Downey thanked Council and Staff for allowing him to make a presentation. He is accompanied by Chief of Operations, Arthur Holmes. He said that it has been a little over a year since he was appointed Fire Chief and he had been in the fire service for 32 years as both a firefighter and paramedic. Miami-Dade Fire Rescue (MDFR) serves the City and is a full service fire rescue department. There are 66 stations and over 140 units that cover the County. Last year, MDFR responded to approximately 240,000 calls for service in Miami-Dade County.

Mr. Downey commented that there are 2,400 full-time employees and 2,000 of those employees are firefighters and paramedics. MDFR is the second largest department in the nation that is fully accredited by the International Accreditation Agency. MDFR was awarded an EMS Excellence Award from the Congressional Fire Service Institute. Despite the budget challenge, there were no layoffs, reductions in service or unit shut downs.

Mr. Downey spoke specifically about Station 35 in Miami Springs. Services have been provided since 1979 and last year, approximately 3,400 calls were responded to and 87% of those were serviced from Station 35. There are seven other stations within 5.5 miles that also serve the City. MDFR has the highest number of crossed trained firefighter/paramedics in the nation. MDFR conducts a customer service feedback; the highest score is a five and MDFR has a 4.8. The average response time County-wide is six minutes and thirty seconds and the average response time within the City is five minutes and forty seconds. He distributed a self-survey card that anyone can request from the City Clerk's office.

Mayor Garcia thanked Mr. Downey and the MDFR for the services that they provide to the City. He mentioned the issue with the rolling brown outs and appreciated that MDFR realizes how important Station 35 is to the City and surrounding municipalities.

4. Open Forum:

Sale of City Property

Evelio Cabrera of 540 Hunting Lodge Drive asked if the City had ever sold city property before.

Mayor Garcia advised Mr. Cabrera that Council does not enter into a dialogue under open forum. He asked Mr. Cabrera to provide the City Clerk with his telephone number and he will contact him with the information.

Discussion ensued with regards to having the open forum questions and answers available on the City website.

Noise Ordinance

Arlene Wildenburg Hawks of 549 Payne Drive addressed her concerns about the noise ordinance and the noise and parking issue with Woodys West End Tavern. She has spoken with the City Manager, the Police Chief and Building and Code Compliance Director. Recently, Mr. Suco was granted a permit to extend the playing of music on Friday and Saturday evenings.

Ms. Hawks said that she cannot sit in her backyard without hearing the music from Woodys and she is farther than 25 feet from the business. She asked that in reference to the permit, Council apply some pressure to the City Manager to revoke it. She believes that Mr. Suco should be the one to solve the issue. She independently contacted Mr. Suco about having a private party at his establishment with 100 people. When she inquired about parking, his email said that he would utilize the surrounding neighborhood to accommodate the parking.

Sale of City Property

John McCarty of 424 Hunting Lodge Drive explained his family's history within the City of Miami Springs. He is opposed to selling any part of the Golf Course. Selling any part of the Golf Course is a very bad precedent and it could be the beginning of selling of the Golf Course for real-estate development. He questioned if the City has ever rezoned a piece of property and sold it to a private development.

Police Department

Former Councilwoman Helen Gannon of 219 Miami Springs Avenue is unhappy with the increase of robberies in Miami Springs. She alleged that there was a robbery at the Curtiss Mansion. She spoke in support of the Police Department and asked that Council support the Police Department and come to some type of an agreement. She asked all of the Police Officers who were at the meeting to give their names.

Commercial Vehicle Ordinance

Omar Azze of 333 South Drive is concerned about the commercial vehicle ordinance. He explained a situation with regards to a big-rig being parked in his neighbor's home at his prior house in Hialeah and hopes that will not happen in this City.

Mayor Garcia asked Mr. Azze to provide his phone number to the City Clerk so he can respond to his concern.

Noise Ordinance

Andres Natalino of 601 Ludlam Drive expressed his concern about the noise ordinance. He feels that the noise coming from Woodys on the weekends is getting out of hand.

Mayor Garcia asked Mr. Azze to provide his phone number to the City Clerk so he can respond to his concern.

Noise Ordinance

Maggie Amaya of 185 Flagler Drive expressed her concerns regarding the noise ordinance and the issues occurring with Woodys. She does not mind the occasional party, but Woodys has music events every Friday and Saturday night. She has a two story home and the noise from Woodys goes right into her bedroom. She hates that she has to call the police every weekend to complain about the noise. She distributed petitions with almost fifty signatures from people who have issues with the noise coming from Woodys. She has filled out public records requests asking for multiple documents and she is asking for relief from Council to revoke the permit that Mr. Suco requested.

Police Department

Mayor Garcia explained that as a resident of the City of Miami Springs, he would like to express to everyone that the Police Officers who are present tonight also live in the community and have children who play sports with his kids. Even though Council cannot discuss what goes on behind closed doors in negotiations, he wants everyone to know that it is very important to Council that something fair is done.

Mayor Garcia continued explaining that he wants the Police Officers to know that Council does care about them. Council is working their hardest and he promises that Council is going to do their best. According to the noise ordinance, what was presented to Council was a misunderstanding and it was not Council's intent to make any drastic changes to the ordinance. Determination on what to do with the ordinance will be discussed later on during this meeting.

5. Approval of Council Minutes: None

6. Reports from Boards & Commissions:

6A) 02-13-2014 – Board of Parks and Parkways – Minutes

Minutes of the February 13, 2014 Board of Parks and Parkways meeting were received for information without comment.

6B) 02-24-2014 – Board of Appeals – Minutes

Minutes of the February 24, 2014 Board of Appeals meeting were received for information without comment.

6C) 03-03-2014 – Zoning and Planning Board – Cancellation Notice

Cancellation Notice of the March 3, 2014 Zoning and Planning Board meeting was received for information without comment.

6D) 03-04-2014 – Code Enforcement Board – Cancellation Notice

Cancellation Notice of the March 4, 2014 Code Enforcement Board meeting was received for information without comment.

6E) 03-03-2014 – Board of Adjustment – Approval of Actions Taken at their Meeting of March 3, 2014, Subject to the 10-day Appeal Period

City Attorney Jan K. Seiden explained that the applicant's attorney withdrew the variance request and there were no actions taken by the Board of Adjustment.

7. Public Hearings:

7A) 2nd Second Reading – Ordinance No. 1068-2014 - An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 93-05, Garbage, Garden Trash, and Rubbish; Placement in Receptacles for Collection and Removal; By Providing Additional Regulations for the Placement of Trash and Recycling Materials by Multi-Family Residential and Commercial Sites Adjacent to City Streets and for the Retrieval of Trash and Recycling Receptacles; Establishing Inapplicability to Alley Pickups and Single Family Residential Zoning Districts of City; Repealing All Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date

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

City Attorney Seiden said that the intent of the ordinance is to require that the trash receptacles not be put out for pick-up until 24 hours before pick-up and then removed no later than 24 hours after pick-up.

Mayor Garcia opened the public hearing to those persons wishing to speak. There were no speakers, and the public hearing was closed.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 5-0 on roll call vote.

8. Consent Agenda: (approved with one motion)

8A) Approval of City Attorney's Invoice for February 2014 in the Amount of \$10,165.50, as Funds were Approved in the FY 13/14 Budget

There was no discussion regarding this item.

Vice Mayor Bain moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Mayor Garcia casting the dissenting vote.

8B) Recommendation that Council Approve an Expenditure in an Amount Not to Exceed \$8,000.00, on an "As Needed Basis" to The Miami Herald Publishing for Marketing and Advertising the Golf Course as Funds were Approved in the FY 13/14 Budget, as a Sole Source Provider for Larger Circulation Notifications of Advertising, Pursuant to Section 31.11 (E)(6)(c) of the City Code

City Manager Ronald K. Gorland distributed an example of the advertisement that was in the paper and said that it was well received.

There was no discussion regarding this item.

Vice Mayor Bain moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Mayor Garcia casting the dissenting vote.

8C) Recommendation that Council Award a Bid to Neff Rental, Utilizing Miami-Dade County Bid # 8446-5/17-1, in the Amount Not to Exceed \$8,000.00, on an "As Needed Basis", for Rental of Tractor and Lift Equipment as Funds were Approved in the FY 13/14 Budget, Pursuant to Section 31.11 (E)(5) of the City Code

There was no discussion regarding this item.

Vice Mayor Bain moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote, with Mayor Garcia casting the dissenting vote.

8D) Recommendation that Council Award a Bid to Sullivan Electric & Pump Inc., Utilizing Miami-Dade County Bid # 6819-5/17-1, in the Amount of \$22,000.00 to Rebuild the West Pump Station at the Miami Springs Golf Course, for Fiscal Year 2013-2014, Pursuant to Section 31.11 (E)(5) of the City Code

There was no discussion regarding this item.

Vice Mayor Bain moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Mayor Garcia casting the dissenting vote.

8E) Recommendation that Council Award a Bid to Florida Superior Sand, Utilizing the Miami-Dade County Contract # 9408-1/14-1 in the Amount of \$35,000.00 on an "As Needed Basis" to Purchase Medium Grade Particle Sand, for the Fiscal Year 2013-2014, Pursuant to Section 31.11 (E)(5) of the City Code

There was no discussion regarding this item.

Vice Mayor Bain moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Mayor Garcia casting the dissenting vote.

8F) Recommendation that Council Award a Bid to Howard Fertilizer & Chemical Company Inc., Utilizing the Town of Davie Bid # B-12-34-3, in the Amount of \$20,000.00, on an "As Needed Basis", for Custom Blended Fertilizers, for the Fiscal year 2013-2014, Pursuant to Section 31.11 (E)(5) of the City Code

There was no discussion regarding this item.

Vice Mayor Bain moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Mayor Garcia casting the dissenting vote.

9. Old Business:

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

No appointments were made.

9B) Determination of Next Steps Regarding the Commercial Vehicle and Noise Ordinances

By consensus, Council agreed to hold a Special meeting on April 9th at 7:00 p.m. to discuss Ordinance No. 1061-2014. They will leave the noise ordinance on the table and re-entertain it at another time.

10. New Business:

10A) Resolution No. 2014-3614 – A Resolution of the City Council of the City of Miami Springs Amending the Current Schedule of Charges for the Use of City Recreation Facilities and Related Services; Effective Date

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

Councilman Windrem moved the item. Councilman Lob seconded the motion.

City Manager Gorland read the memo in its entirety.

Mayor Garcia said that there were many residents that raised this issue.

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

10B) Recommendation from the Board of Parks and Parkways Regarding the Proposed Sign Wall for Curtiss Parkway

City Manager Gorland read the recommendation memo from the Board of Parks and Parkways regarding the construction of a sign wall on Curtiss Parkway.

To answer Councilman Lob's question, City Manager Gorland clarified that the work would be done in-house.

The drawings for the sign wall and the cost will be brought back to Council.

Councilman Lob approved the recommendation in concept. Councilman Petralanda seconded the motion which was carried 5-0 on roll call vote.

11. Other Business:

11A) Update to Proposed Fund Balance Designations

Assistant City Manager/Finance Director William Alonso presented an update on the proposed fund balance designations. He explained that the remaining fund balance this year is \$292,341 that can be designated. The City already has \$77,360 for the pool shoring project. The hurricane contingency fund would have to be reduced from \$500,000 to \$215,025 in order to maintain the 25% fund balance requirement.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 5-0 on roll call vote.

12. Reports & Recommendations:

12A) City Attorney

Apology for Absence

City Attorney Seiden apologized for not being present at the last meeting. He hopes to not miss anymore meetings.

12B) City Manager

City Events

City Manager Gorland commented that there are many events going on in the City and he encouraged everyone to visit the City website to know what those events are.

12C) City Council

Optimist Club Mulch Drive Fundraiser

Vice Mayor Bain had a nice weekend working at the mulch drive and there were many young gentlemen who helped. He had the opportunity to go hunting with one of them and on the way home the young gentleman bought him lunch.

Optimist Club Mulch Drive Fundraiser

Councilman Windrem commented that he bought 10 bags of mulch and will be starting that project this weekend.

Audience Participation

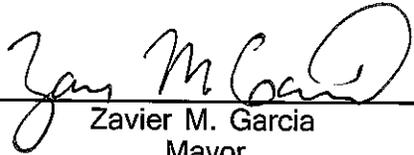
Mayor Garcia thanked everyone who attended the meeting tonight and hopes that the residents continue to attend the meetings to become more informed of what is going on throughout the City.

Optimist Club Mulch Drive Fundraiser

Mayor Garcia congratulated the Optimist Club for a great success with the mulch drive. He encouraged people to sign up and become members of the Optimist Club.

13. Adjournment

There being no further business to be discussed the meeting was adjourned at 8:10 p.m.


Zavier M. Garcia
Mayor

ATTEST:


Suzanne S. Hitaffer, OMC
Acting City Clerk



Approved as written during meeting of: 03-24-2014

Transcription provided by Elora R. Sakal

Words ~~stricken through~~ have been deleted. Underscored words represent changes. All other words remain unchanged.