



CITY OF MIAMI SPRINGS, FLORIDA

CITY CLERK'S SUMMARY OF COUNCIL ACTIONS
Regular Meeting of Monday, December 10, 2012 - 7:00 p.m.
City Hall – Council Chambers

AGENDA

<u>ITEM #</u>	<u>SUBJECT</u>	<u>ACTION TAKEN</u>
1.	Call to Order/Roll Call	All present. The meeting was called to order at 7:06 p.m.
2.	Invocation	Offered by Councilman Lob.
	Salute to the Flag	The audience participated.
		Students from Miami Springs Elementary led the audience in the Pledge of Allegiance.
		Mayor Garcia presented baseball caps to the students who participated in the "I Led the Pledge" program.
3.	Awards & Presentations	
3A)	Yard of the Month Award	Mayor Garcia presented the Yard of the Month Award for December 2012 to Clifford and Merilynn Kleinhample of 190 Shadow Way.
3B)	Certificate of Sincere Appreciation	In the absence of former Police Chief Gene Duffy, Mayor Garcia recognized him as a former member of the Police and Firefighters Retirement System board who served for twenty-six years.

- 3C) Presentation by B. Reardon – Energy Systems Group
 Bryan Reardon of Energy Systems Group gave a Power Point presentation regarding a feasibility study they conducted. Council directed the City Administration to place the Investment Grade Energy Audit Agreement between Energy Systems Group, LLC and the City of Miami Springs on the agenda for consideration at the next Council meeting.
Motion: Councilman Best
Second: Councilman Lob
Vote: 5-0
4. Open Forum:
 Shingle Roofs
 Vice Mayor Ator said that Todd Stiff had mentioned to her that he wanted to voice his opposition to shingle roofs, but he had to leave.
5. Approval of Council Minutes
(Simultaneously approved)
- 5A) 11-19-2012 Regular Meeting
 Minutes of the November 19, 2012 Regular Meeting were **approved as written**.
Motion: Councilman Best
Second: Councilman Lob
Vote: 5-0
- 5B) 11-26-2012 Special Meeting
 Minutes of the November 26, 2012 Special Meeting were **approved as written**.
Motion: Councilman Best
Second: Councilman Lob
Vote: 5-0
- 5C) 11-28-2012 Special Meeting
 Minutes of the November 28, 2012 Special Meeting were **approved as written**.
Motion: Councilman Best
Second: Councilman Lob
Vote: 5-0

6. Reports from Boards & Commissions

- 6A) Revitalization and Redevelopment Ad-Hoc Committee
Cancellation Notice of the November 19, 2012 Revitalization and Redevelopment Ad-Hoc Committee meeting was received for information. Councilman Lob commented that Chairman Martinez proposed that Council look into the cost of continuing the new lighting and possibly selling the old lights.

City Manager Gorland suggested that the Revitalization and Redevelopment Ad-Hoc Committee members could do the research themselves.

Council directed the Revitalization and Redevelopment Ad-Hoc Committee to work with Staff in developing the pricing for new lighting that was installed on Canal Street and continue that lighting to replace the old lighting, and to determine if the old lighting can be sold.
- 6B) Zoning and Planning Board
Cancellation Notice of the December 3, 2012 Zoning and Planning Board meeting was received for information without comment.
- 6C) Board of Adjustment
Cancellation Notice of the December 3, 2012 Board of Adjustment meeting was received for information without comment.
- 6D) Code Enforcement Board
Cancellation Notice of the December 4, 2012 Code Enforcement Board meeting was received for information without comment.
- 6E) Architectural Review Board
Cancellation Notice of the December 5, 2012 Architectural Review Board meeting was received for information without comment.
- 6F) Recreation Commission
Cancellation Notice of the December 11, 2012 Recreation Commission meeting was received for information without comment.
- 6G) Board of Parks and Parkways
Cancellation Notice of the December 13, 2012 Board of Parks and Parkways meeting was received for information without comment.

7. **Public Hearings:**

7A) "Second" Second Reading:
Ordinance No. 1040-2012

On "second" second reading, Council **adopted** an ordinance updating the five-year Schedule of Capital Improvements of the City's Comprehensive Plan as mandated by Florida Statutes Sections 163.3177 (3) (b); providing a conflicts clause and severability clause.
Motion: Councilman Best
Second: Councilwoman Bain
Vote: 5-0

7B) Second Reading:
Ordinance No. 1043-2012

On second reading, Council **adopted** an ordinance amending Code of Ordinance Section 150-010, Roof Materials, Requirements and Re-roofs, by deleting all references to the two year sunset provision, thereby including asphalt shingles as an approved roofing material for the City, striking subsection (H) of the ordinance as being inappropriate and outdated.
Motion: Councilman Best
Second: Councilwoman Bain
Vice Mayor Ator: "no"
Councilman Best: "aye"
Councilwoman Bain: "aye"
Councilman Lob: "aye"
Mayor Garcia: "aye"
Vote: 4-1

7C) Second Reading:
Ordinance No. 1044-2012

On second reading, Council **adopted** an ordinance amending Code of Ordinance Section 150-002 – Definitions, by clarifying and updating the definitions of rear yard [Subsection (C) (79)] and side yard [Subsection (C) (80)].
Motion: Councilman Best
Second: Councilwoman Bain
Vote: 5-0

- 7D) Second Reading:
Ordinance No. 1045-2012 On second reading, Council adopted an ordinance amending Code of Ordinance Section 150-164, N. W. 36th Street, by removing any and all references to the required participation of the City Architectural Review Board in the design review process mandated by the ordinance.
Motion: Councilwoman Bain
Second: Councilman Lob
Vice Mayor Ator: "no"
Councilman Best: "aye"
Councilwoman Bain: "aye"
Councilman Lob: "aye"
Mayor Garcia: "aye"
Vote: 4-1
- 7E) Second Reading:
Ordinance No. 1046-2012 On second reading, Council adopted an ordinance amending Code of Ordinance Section 32-20, Establishment and Membership, by revising the membership of the City's Memorial Committee, to meet current participation availability.
Motion: Vice Mayor Ator
Second: Councilman Best
Vote: 5-0
- 7F) Second Reading:
Ordinance No. 1047-2012 On second reading, Council adopted an ordinance amending Code of Ordinance Section 97-05, Senior Citizen Additional Homestead Tax Exemption; by providing a revised provision authorizing qualified seniors to apply for additional Homestead Tax Exemption benefits.
Motion: Councilman Lob
Second: Councilman Best
Vote: 5-0
8. Consent Agenda:
- 8A) City Attorney's Invoice Council approved payment of the City Attorney's invoice for November, 2012 in the amount of \$12,204.00.
Motion: Vice Mayor Ator
Second: Councilman Best
Vote: 5-0
9. Old Business:
- 9A) Advisory Board Appointments None

- 9B) "Second" First Reading:
Ordinance No. 1042-2012
- On first reading, Council **approved, as amended**, an ordinance amending Code of Ordinance Section 150-034 – Installation of Central Air Conditioning and Heating Units, Pool Pumps and Equipments and Sprinkler Pumps and Equipment, by providing an additional site location for the placement of such equipment on newly constructed property and clarifying that all approved locations are not to be within the required setback areas.
- Motion:** Councilman Lob
Second: Councilwoman Bain
Vice Mayor Ator: "no"
Councilman Best: "aye"
Councilwoman Bain: "aye"
Councilman Lob: "aye"
Mayor Garcia: "aye"
Vote: 4-1
- 9C) Code of Ethics and
Citizens Bill of Rights
- A motion to direct the City Attorney to draft an ordinance regarding the Citizens Bill of Rights to put a question on the ballot during the April 2nd Election died for lack of a second.
- A motion to include the Code of Ethics discussion during a Special Meeting died for lack of a second.
10. **New Business:**
- 10A) Art in the Sky Project
- Susan Baan, representing the Miami Springs Middle School PTA promoted the Art in the Sky Project. She thanked the Mayor for his assistance in obtaining contributions which made it unnecessary for her to request a contribution from the City Council.
- 10B) New Year's Eve Celebration
- Council **approved** a request from Fred Suco of Woody's to host a New Year's Eve celebration with live music until 1:00 a.m.
- Motion:** Councilman Best
Second: Councilman Lob
Vote: 5-0
- 10C) Woman's Club
- Council postponed a decision on this item until the January meeting.

- 10D) Resolution No. 2012-3567 Council **approved** a resolution authorizing the City Manager to apply for a FY 2013 Edward Byrne Memorial Justice Assistance grant from the federal drug control and system improvement program, through the office of grants coordination justice assistance grant administration for Miami-Dade County; authorizing the City Manager to execute grant contracts and agreements, execute contracts and agreements to accomplish grant funding purposes, expend funding for established and authorized purposes, receive and expend additional funding that might become available, execute amendatory application documentation, and to exercise all contractual rights, authorizations and privileges available to the City.
Motion: Councilman Lob
Second: Councilwoman Bain
Vote: 5-0
- 10E) Ordinance No. 1048-2012 On first reading, Council **approved** an ordinance amending Code of Ordinance Section 35-53, Benefit Amounts and Eligibility; by providing additional provisions to Subsection (K), Deferred Retirement Option Plan ("DROP"), to expand and further clarify and explain plan eligibility.
Motion: Councilman Lob
Second: Councilman Best
Vote: 5-0
- 10F) Ordinance No. 1049-2012 On first reading, Council **approved** an ordinance amending Code of Ordinance Section 35-55, Contributions; by providing a two year plan for the City to reduce required police retirement plan contributions.
Motion: Councilman Lob
Second: Councilwoman Bain
Vote: 5-0
11. Other Business: None
12. Reports & Recommendations:
- 12A) City Attorney None

12B)

**City Manager
PBA Negotiations**

City Manager Gorland reported that the City is making progress in getting approval from Tallahassee on the proposed Miami Springs PBA agreement and hopefully the process will be completed in time for Council to hold the meeting on December 26th and make the disbursement to the Police Officers. The City has met their obligations to the PBA and the Police morale has improved considerably. He feels that there is more confidence that the City is dealing in good faith and can now move forward.

Burglary Suspect

City Manager Gorland announced that Chief of Police Pete Baan informed him that a prime suspect in a lot of the break-ins that have been occurring throughout the City has been identified. He commended Chief of Police Baan and the Department for a great job in solving the cases.

Filming in Town

City Manager Gorland reported that "Magic City" is in process of filming at a location on Azure Way and the stage settings that were set up will be removed. "Graceland" is another filming that is in process and Colgate will be filming a commercial at Holleman's on January 18, 2013.

Congratulations

City Manager Gorland congratulated Councilman Best on his daughter's graduation from Florida International University.

Events

City Manager Gorland announced that at least fifteen to twenty City events are posted on the website.

Christmas at the Gazebo

City Manager Gorland reminded everyone of Christmas at the Gazebo on Saturday, December 15th, with a parade beginning at 5:45 p.m. at City Hall followed by the Christmas tree lighting at the Gazebo at 6:00 p.m. Wristbands are currently on sale for Miami Springs and Virginia Gardens residents that are necessary to participate in the activities. Non-residents can purchase the wristbands beginning on Wednesday, December 12th, or at the event based on availability.

12B)	Senior Exemption	City Manager Gorland announced that an article regarding the income eligibility for the Senior Exemption was misstated in the Herald Neighbors; the cap is now over \$27,000 and the \$20,000 figure stated in the article was the initial figure that has increased every year based on the consumer price index. The article will be restated correctly.
	Happy Holidays	City Manager Gorland wished everyone a Merry Christmas and a safe holiday.
12C)	City Council	
	Sign Code	Vice Mayor Ator reiterated her desire to address the sign code and the sign pollution that was previously addressed by the Architectural Review Board. She said that the sign code cannot be enforced because of the way it is written and she has been asking, and was promised that the code would be addressed.
	Tech for Seniors	Vice Mayor Ator reported that AT&T was at the Community Center and held a technology seminar for the seniors. She appreciates the work of Elderly Services Director Karen Rosson and the City's support since this was a last minute event. One of her long-term projects in the organizations that she works in is the senior citizen digital divide and she encourages work in this area.
	Farmers Market	Vice Mayor Ator worked at the Farmers Market on Saturday, December 8 th and she spoke with the vendors who love the event and the customers. She and her husband Bill will be working at the Market again on Saturday, December 15 th .
	Chamber of Commerce	Vice Mayor Ator reported that the Chamber of Commerce will meet on Thursday, December 20 th at Johnny's and she encouraged everyone to attend and become a member of the organization.
	Taste of the Springs	Vice Mayor Ator announced that the Chamber of Commerce is sponsoring the "Taste of the Springs" that is scheduled for Sunday, February 10, 2013.

12C)	Movie Night	Vice Mayor Ator reported that the next Movie Night will be held at All Angels on Friday, December 21 st , instead of the Circle, in light of the issues that were raised. The January Movie Night will be held after the Martin Luther King Holiday weekend on Friday, January 25 th at All Angels. There are plans to have the food trucks and to make it a fund raiser. The Church appreciates the City's support during the past years in paying for the police services.
	Happy Holidays	Vice Mayor Ator wished everyone Happy Holidays.
	Graduation	Vice Mayor Ator hopes to be celebrating a graduation within the next year since her husband is studying for his Doctorate degree.
	Happy Holidays	Grace Bain wished everyone Happy Holidays. She is grateful that there are many events for the families and kids to attend and celebrate the holidays.
	Happy Birthday	Councilwoman Bain wished her daughter Holly a Happy Birthday on Tuesday, December 11 th .
	Happy Holidays	Councilman Best wished everybody a Merry Christmas and Happy Hanukkah season.
	Congratulations	Councilman Best expressed his elation over his daughter Kristen's graduation and the ceremony at Florida International University. She now hopes to attend nursing school at Barry University. He and his wife are very proud of their daughter and wish her well in the future.
	Congratulations	Councilman Lob congratulated County Commissioner Rebeca Sosa for her appointment to the position of Chair to the County Commission. He acknowledged her for being the first Hispanic woman selected for the position.
	Happy Holidays	Councilman Lob wished everyone Happy Holidays. He urged residents to participate in the many events.

- 12C) **Christmas Trees** Councilman Lob announced that the Optimist Club tree lot has a few trees left for those who have not yet purchased their Christmas trees. He reiterated his wishes for Happy Holidays and Happy New Year.
- Christmas Trees** Mayor Garcia mentioned that there are a few trees remaining at the Optimist Club tree lot at Blessed Trinity field and he urged everyone to purchase their Christmas tree from the organization.
- Classic Car Show** Mayor Garcia reported that the Classic Car Show was a spectacular event sponsored by Jumping Jack with a great turnout. His daughter was disappointed that they did not purchase a car. He liked the fact that bringing a "Toy for Tots" was the entry fee for the people displaying their cars.
- Happy Holidays** Mayor Garcia wished everyone a Merry Christmas and Happy Hanukkah. He is honored and appreciates working with Council as their Mayor.
- Appreciation** Mayor Garcia expressed his appreciation for serving the residents as the Mayor of Miami Springs.
13. **Adjourn** Meeting adjourned at 10:05 p.m.