



## *City of Miami Springs, Florida*

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, February 24, 2014, at 7:00 p.m.

### **1. Call to Order/Roll Call**

The meeting was called to order at 7:11 p.m.

The following were present:

Mayor Zavier 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  
Chief of Police Peter G. Baan  
Golf and Country Club Director Paul O'Dell  
Building & Code Compliance Director H. "Tex" Ziadie  
Professional Services Supervisor Tammy L. Romero  
Assistant City Clerk Elora R. Sakal

### **2. Invocation: Offered by Councilman Windrem**

**Salute to the Flag:** Students from AIE Charter School lead 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: (This item was discussed after Agenda Item 4)**

#### **3A) Presentation of the Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ending September 30, 2013**

Assistant City Manager/Finance Director William Alonso said that Andrew Fierman of Alberni Caballero would present the report.

Andrew Fierman, Partner of Albemni Caballero referred to the Introductory Section, on page six, which is the Certificate of Achievement for Excellence in Financial Reporting. It is a prestigious award that comes from the Government Finance Officers Association. Pages one and two explain the Financial Section. The first section discusses what has been audited and the second discusses management's responsibilities. There is also a section that explains the auditor's responsibilities and under what standards the audit is performed.

Mr. Fierman stated that the fourth section is the opinion section which is the most important section. Pages three through nineteen discuss the Management's Discussion and Analysis. It provides an overview of the year and compares current year to prior year and gives an explanation. Pages twenty through twenty-eight are the basic financial statements which include the Government wide Statement of Net Position and Statement of Net Assets as well as the fund financial statements for the governmental funds and proprietary funds. Pages twenty-nine through fifty-six are the notes to the basic financial statements.

Mr. Fierman explained that he is pleased to report that they did not note any significant deficiencies or weaknesses in internal control or any instances of non-compliance. They did not encounter any difficulties in performing or completing the audit and there were no disagreements with management. He thanked City Manager Gorland, Mr. Alonso, Controller Alicia Gonzalez and staff for their cooperation and assistance throughout the entire process. It was a very smooth audit and it was due primarily to the professionalism and responsiveness of the Finance team.

Mr. Alonso stated that these reports are usually presented the second meeting in January of each year. The reason it was delayed this year was because this was the first year for implementation of one of the entities for the tax credit transaction with CMI. One of the entities became a component unit for the City and had to be incorporated.

#### **4. Open Forum:**

##### **Downtown Casino**

James E. McDonald, Village of Pinecrest Council member voiced his opposition to building a destination casino in the downtown area. The Village of Pinecrest adopted a resolution opposing the casino. He said that the community already has gambling at various locations. Downtown Miami is going through a positive transformation with museums, the Adrienne Arsht Center for the Performing Arts, Midtown and the Port of Miami and he would not want to attract the kind of tourists that will come to a destination casino.

Council member McDonald said that legislators who have been historically opposed to destination gambling have changed their opinions this year because of effective lobbying and there is discussion about allowing destination casinos in Miami-Dade and Broward County, while the entire state will have a vote on the issue.

Council member McDonald asked Council to consider passing a resolution urging the Legislature to not allow destination casinos in Miami.

## **Parking Issues**

Ania Amat of 590 Ragan Drive thanked Council and Councilman Petralanda for responding to her email so quickly. She stated that she is very proud of living in Miami Springs because it is such a small and safe community. Her concern is that she is seeing an influx of people that do not reside in this City and they are using her neighborhood as their personal parking lot. Her neighbor has already been approached and harassed by a stranger. Many people are loitering in the area and she wants to enjoy the feeling of safety in her own home.

Ms. Amat commented that she addressed this issue with Building and Code Compliance Director Tex Ziadie and is aware that he is against signage for non-residents or for certain hours of limitation. There must be something that can be done to prevent loitering and to protect the rights of residents. She also wants to discuss the noise ordinance. She has a certain expectation of privacy. She works odd hours since she is a police officer so if she is sleeping or resting she likes that she can call the police if there is a loud party next door to her.

## **Noise Ordinance**

Deborah Ferrero of 219 Miami Springs Avenue said that she has a hard time sleeping at night and the change of this ordinance will affect her sleeping. The curfew should be at 11:00 p.m.

## **Noise Ordinance**

Former Councilwoman Helen Gannon of 219 Miami Springs Avenue explained that her daughter is very involved in the City and understands everything that goes on in the City. She speaks from her heart and a handicapped person does not need any noise bothering them when they are trying to sleep. She has been living in Miami Springs for over 60 years and there has never been a necessity to change the noise ordinance. This ordinance is ridiculous and it will "open a can of worms".

Ms. Gannon said that if the ordinance is changed it will not give the children a chance at life to grow up and become good people. She explained that people will be making a lot of noise with their cars when leaving these parties late at night by speeding away and slamming doors.

## **Police Department**

Ms. Gannon stated that she was in her front yard early one morning and saw a young man walking around and she noticed him looking for a key under a mat of a home. He walked to the side of the house and opened the door and went in the home. She immediately called the police and they surrounded the home within minutes and arrested the boy. He had \$6,000 worth of jewelry that belonged to the woman who lived at the home.

Ms. Gannon believes that this City has the finest Police Department in the United States. For them to have to come to this meeting and hold a sign in front of Council is not right. She urged Council to be right for the City.

## **Noise Ordinance**

Jorge Valdes of 601 Ludlam Drive commented that he is a property owner of an apartment building across from Woodys and he is concerned with the noise ordinance. There are families and children that live in the apartment building that need to wake up early for school and if this ordinance goes into effect it will be a nuisance. He constantly receives phone calls from the apartment dwellers complaining about the music from Woodys and he advises them to contact the police. The police control the situation but then the noise level goes back up when the police leave.

Mr. Valdes said that he has been the landlord for the apartment building for 18 years and has worked quite hard to coincide with Woodys when it used to be an inside bar. Apparently with time, the business has grown and there are more tables on the outside. A band performs and it is advertised until 1:00 a.m. He asked Council to reconsider the ordinance. He also added that the Police Department has done an excellent job for this City and he would like to keep it that way.

## **Noise Ordinance**

Olga Valdes of 115 Bentley Drive stated that she supports what Mr. Valdes said in reference to Woodys because of the noise level. She enjoys Woodys and has been there many times but the owner needs to consider those who need to wake up early. She hopes that Council reconsiders this ordinance. She also asked that Council support the Police Department because they are awesome.

## **Noise Ordinance**

Donna Hernandez of 769 Pinecrest Drive said that she would like to reiterate what she spoke about at the last Council meeting which was the lack of transparency and certain issues. Before all these flyers were passed out this weekend, nobody knew that there was a noise ordinance to be changed. She clarified for Mr. Valdes that the ordinance as it is now states that a person can call the police at any time. She does not think that any child or adult that needs to get up early in the morning during the week is going to be happy with the noise ordinance at 11:00 p.m.

Ms. Hernandez is not asking for the partying to stop by any means. What is being asked is that when it is 9:00 p.m. or 10:00 p.m. that the volume be lowered. She has a vested concern for what happens to the apartment building that Mr. Valdes owns because she owns property right behind the building. If he cannot rent out those apartments due to the noise and the property value goes down then her property value will go down as well. Council did not take into consideration that these businesses are surrounded by residential properties.

Ms. Hernandez read some tips to reduce music which included lowering the base or sub-woofers and turning the speakers to face another way. Councilman Lob was nice enough to show her how to access the ordinances that show the old and new language. She tried to look for the ordinance on her own at home and could not find it.

Ms. Hernandez said that the City should advertise the meetings on the marquee on the Circle and state that a noise ordinance will be discussed. It is such an easy solution and she wishes that Council would take it into consideration.

Mayor Garcia informed those who do not frequent Council meetings that during open forum, residents are welcome to come up and speak but Council does not enter into a debate. When items are discussed during the meeting, there is dialogue that Council enters into with those who sign up to speak on those particular items.

Councilman Lob commented that it is often said that Council does not listen but they do. The website has been changed and the agenda is on the front page.

### **Noise Ordinance**

Nestor Suarez of 550 Wren Avenue said that this City is a beautiful and quiet town. Everyone wants to keep the quiet community because they pay a lot to live here and they want their property values to continue to rise. He had an issue with a neighbor and his motorcycle and he was able to call the police at 10:00 p.m. sharp and within minutes the noise was gone. He wants to live in the type of community where at 10:00 p.m. it is quiet.

Mr. Suarez said that from Sunday nights to Thursday nights the noise should be cut off at 10:00 p.m. and then weekends can be debated. He gave an example of the River Cities Festival that closes at midnight on Friday and Saturday and then at 8:00 p.m. on Sunday. He added that the police response time is great and this City has the best cops. The City has to keep that core part that makes Miami Springs great.

### **Golf Course Losses**

Miami Springs Police Officer, Jorge Capote of 201 Westward Drive commented that at the last Council meeting, Council forgot to discuss an agenda item 11A which was the first quarter budget status report. Instead they discussed agenda item 11B which was the red light revenue budget shortfall. He said that the numbers were disturbing. He said that in the first quarter, the Golf Course lost \$257,067 and that is part of a budgeted loss of \$726,993. He filled out a public records request to know how much the golf course lost. He continued by explaining the losses for the golf course from 2000 to 2012.

Officer Capote said that he understands that for those years it was a capital enterprise fund. Starting in 2005 it was changed and the City had numbers they figured they were going to lose and they have been short every year. He continued to breakdown the annual losses from 2005 through September 30, 2013.

Officer Capote stated that the total loss from 2000 to 2013 is \$8,161,856, for the period ending September 30, 2013. When the projected loss of \$726,993 for this year is added to the total loss, the amount is \$8,888,849. The numbers have been short every year since 2000. A month ago when he spoke about his pension, which he is prohibited to do now, he told Council that this information is not new to them. There is something going on at the dais that does not make sense. He questioned how it is okay to average a \$600,000 loss every year for 14 years. It is very upsetting that he cannot discuss his pension.

### **Noise Ordinance**

Charlie Hernandez of 769 Pinecrest Drive would like to bring a sense of unity, consideration and a neighborly feel to areas that play music and have residences nearby. He is a big music lover and spends a lot of time at the River Cities Festival listening to the bands.

Mr. Hernandez agrees with the open forum speakers and he believes that sometimes it takes an open dialogue between the establishment, the music lovers and the residences. One of his objectives is to try and reach out and come to some type of agreement during an informal meeting.

### **Noise Ordinance**

Fredy Albiza of 1063 Nightingale Avenue stated that he does not think that many people realize the provisions in the current noise ordinance. The current noise ordinance provides for "no noise" whether it is 3:00 p.m. or 12:00 a.m. in the residential area. The 10:00 p.m. curfew is for the businesses. He is glad that it is being changed in some ways but he understands that there needs to be limitations.

Mayor Garcia said that Mr. Albiza is correct. There is no set curfew in the current ordinance. He also agrees with Mr. Hernandez about coming to an agreement with everyone involved. Council only meets twice a month and they do not get the opportunity to discuss items until they are at a Council meeting.

### **5. Approval of Council Minutes: (approved with one motion)**

#### **5A) 02-10-2014 – Regular Meeting**

Minutes of the February 10, 2014 Regular meeting were approved as written.

Councilman Windrem moved the item. Councilman Petralanda seconded the motion which was carried unanimously on voice vote.

#### **5B) 02-12-2014 – Special Meeting**

Minutes of the February 12, 2014 Special meeting were approved as written.

Councilman Windrem moved the item. Councilman Petralanda seconded the motion which was carried unanimously on voice vote.

### **6. Reports from Boards & Commissions:**

#### **6A) 01-09-2014 – Architectural Review Board – Minutes**

Minutes of the January 9, 2014 Architectural Review Board meeting were received for information without comment.

#### **6B) 01-21-2014 – Education Advisory Board – Minutes**

Minutes of the January 21, 2014 Education Advisory Board meeting were received for information without comment.

**6C) 01-30-2014 - Historic Preservation Board - Minutes**

Minutes of the January 30, 2014 Historic Preservation Board meeting were received for information without comment.

**6D) 02-06-2014 - Disability Advisory Board - Minutes**

Minutes of the February 6, 2014 Disability Advisory Board meeting were received for information without comment.

**6E) 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.

Council sat as the Board of Appeals at 8:11 p.m.

The Mayor reconvened the City Council meeting at 8:22 p.m.

(Agenda Item 7D was discussed after the Board of Appeals)

**7. Public Hearings:**

**7A) Second Reading - Ordinance No. 1061-2014 - An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-015, Parking of Commercial Vehicles In City Limits, to Update And Clarify Which Commercial Vehicles May or May Not Be Parked in the Residential, Multi-Family Residential, Business, and Commercial Zoning Districts of The City; Repealing All Ordinances or Parts Of Ordinances In Conflict; Effective Date**

City Manager Gorland read the ordinance by title.

Mayor Garcia opened the public hearing to those persons wishing to speak.

Donna Hernandez of 769 Pinecrest Drive said that at the last meeting she discussed a large commercial vehicle that parked on her street and she has not seen that vehicle in a while. She thanked Council for addressing this issue. She feels that the fine violation process should be corrected. Currently, the property owner is the person who gets fined while other cities fine the vehicle and not the property the vehicle is parked on.

Building and Code Compliance Director Harold "Tex" Ziadie commented that most Code Compliance Departments do not have the authority to fine people while the Police Department does have that authority. Code Compliance only has the authority to deal with the person who owns the property. A ticket is not given until the Code Compliance Officer speaks with the property owner.

Don Riedinger of 991 Hunting Lodge Drive commented that while he understands the intent of the ordinance, he believes that it is very vague. He questioned if the Public Works vehicles and the equipment on the golf course were going to be included in this ordinance.

There were no additional speakers, and the public hearing was closed.

City Manager Gorland clarified that this does not apply to City vehicles.

Vice Mayor Bain commented that this ordinance does not apply to government vehicles either.

Mayor Garcia asked to defer the ordinance and all other ordinances until the City Attorney is present.

Vice Mayor Bain suggested having another Workshop meeting to discuss the ordinances again but there are some ordinances that could be passed tonight.

Councilman Windrem moved to defer this item. Councilman Petralanda seconded the motion which was carried 5-0 on roll call vote.

(Agenda Item 9B was discussed after Agenda Item 7A)

**7B) Second Reading – Ordinance No. 1062-2014 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-030(J) Sign Regulations/Temporary Signs; By Clarifying The Location of Open House and Talking House Signs; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date**

City Manager Gorland read the ordinance by title.

Mayor Garcia opened the public hearing to those persons wishing to speak.

Don Riedinger of 991 Hunting Lodge Drive wondered why the City is giving realtors permission to put signs in the public right-of-way. He agrees with eliminating the signs from every street corner.

There were no additional speakers, and the public hearing was closed.

Councilman Lob commented that the City is specifically stating what right-of-ways are allowed.

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

Councilman Windrem said that this ordinance is more restrictive but it still allows realtors the chance to market and sell homes.

**The motion was carried 4-1 on roll call vote with Vice Mayor Bain being the dissenting vote.**

**7C) Second Reading – Ordinance No. 1064-2014 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 99-08, Construction Sounds; By Adding Other Prohibited Sounds and Establishing a New Permitted Sound Period; Repealing All Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date**

City Manager Gorland read the ordinance by title.

Mayor Garcia opened the public hearing to those persons wishing to speak.

Don Riedinger of 991 Hunting Lodge Drive expressed his concern for the provisions of this ordinance. He questioned if the ordinance excludes certain electrical tools.

There were no additional speakers, and the public hearing was closed.

**Vice Mayor Bain moved the item. Councilman Lob seconded the motion.**

Councilman Lob asked if a decibel level would have any benefit of being inserted into the ordinance and Mayor Garcia replied that it was discussed that there was no way to regulate the decibel sound.

Building and Code Compliance Director Ziadie clarified for Mr. Riedinger that this ordinance does include all other home and lawn maintenance machines and equipment as it is stated at the end of the ordinance.

Councilman Petralanda asked if the wording could be changed to add "construction equipment" and Mr. Ziadie responded that originally it said "construction sounds" and it is now being changed to "property maintenance noise". Construction sound is limited in its meaning.

Councilman Petralanda asked if this ordinance was revised by the City Attorney and Mr. Ziadie replied that the City Attorney drafted the ordinance.

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

(Agenda Item 7E was discussed after Agenda Item 7C)

**7D) Second Reading – Ordinance No. 1065-2014 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 99-02, Operation of Radio, Phonographs, or Other Sound Making Devices or Ensembles, and Section 99-03, Hours of Operation of Sound Making Devices; By Changing the Periods in Which the Sounds and Noises Set Forth in Each Ordinance Are Prohibited; Repealing All Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date**

City Manager read the ordinance in its entirety.

Mayor Garcia opened the public hearing to those persons wishing to speak.

Martin Crossland of 900 Plover Avenue expressed his concerns for the noise ordinance. Noise levels have changed over the years and he suggested implementing decibel levels.

Bill Tallman of 901 Falcon Avenue voiced his concern for the noise ordinance. He feels that it is important to know what is and is not permitted under the current law. He noted that there was no review by the Code Review Board of this topic. Miami-Dade County also has a noise ordinance and the City needs to be sensitized to that.

Brian McDonald of 1130 Oriole Avenue expressed his concern for the noise ordinance. Mr. Ziadie had stated at the first reading of this ordinance that the Department has had no issues with this ordinance.

Don Riedinger of 991 Hunting Lodge Drive commented on his concerns for the noise ordinance. He does not see any reason to make the changes being proposed in the ordinance. He lives on the golf course and it is difficult to determine where the noise is coming from. He also owns property on Canal Street and noises from a restaurant were disturbing his tenants.

Donna Hernandez of 769 Pinecrest Drive referred to an article regarding the impact of loud noises and music. If the ordinance is changed, she is afraid that the stress and anxiety amongst the residents may increase. Regulations need to be in place that will protect everyone. She questioned the 25 feet that is in the ordinance.

Michael Gavila of 684 Morningside Drive expressed his concerns for the noise ordinance. He suggested having two different times to prohibit the noise; one for during the week and another for the weekend.

Thomas Huey of 641 Raven Avenue voiced his opinion on the noise ordinance. He agreed with earlier comments about using some type of decibel levels.

Fernando Lumbreras of 1100 Plover Avenue expressed his concern about the noise ordinance. Children and adults need to wake up early to go to school and work during the week.

Ray Martinez of 95 Deer Run had concerns with the noise ordinance. He questioned why this change is necessary and how it will benefit the citizens of Miami Springs.

Mayor Garcia clarified that the ordinance for discussion is only for the residential area and does not benefit any businesses.

Ann Trina Aguila of 901 Oriole Ave voiced her opinion on the noise ordinance because she has children who need to wake up early during the week for school.

Jen Fernandez of 1151 Oriole Ave expressed her concern for the noise ordinance and asked Council to reconsider passing this ordinance.

Jorge Valdes of 601 Ludlam Drive asked if the apartment building he mentioned earlier is considered residential and Mayor Garcia replied that the building he mentioned is a business.

There were no additional speakers, and the public hearing was closed.

Mayor Garcia explained that the change being proposed for Ordinance No. 1065-2014 is within the residential area. The proposed changes will not affect the times and restrictions for businesses; this was not Council's intent.

Mr. Ziadie clarified that Ordinance No. 1065-2014 actually has two components dealing with both the residential and businesses. Section 99-02 does relate to any building or premises. The ordinance will have to be rewritten to separate residential from business.

Mayor Garcia said that if Council agrees, he would like to separate residential from business. This will be discussed again at the next Council meeting.

Vice Mayor Bain appreciated everyone coming to the meeting to voice their opinions. He believes that the ordinance needs to be done all over again.

Mayor Garcia commented that many people who spoke mentioned that they wanted to keep the ordinance at 10:00 p.m. but the ordinance in residential areas is not 10:00 p.m. The existing code says that a person can make a complaint at any time. He commented that the City does have a decibel reader, but it was not effective.

**Councilman Petralanda moved to reject the proposed ordinance and leave the ordinance as it is. Councilman Windrem seconded the motion which was carried 5-0 on roll call vote.**

Mayor Garcia clarified for Ms. Hernandez that there will not be a workshop meeting and this item will be discussed again at a Council meeting and it will be a new first reading. The residents will be able to sign up under the agenda item and give their thoughts and opinions.

Discussion ensued regarding the residents being notified of the sound ordinance changes.

**(Agenda Item 7A was discussed after Agenda Item 7D)**

**7E) Second Reading – Ordinance No. 1066-2014 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-013, Residential Plantings, Fences, and Walls; By Permitting of Decorative Gates on Side and Rear Yard Fences and Walls; Repealing All Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date**

City Manager Gorland read the ordinance by title.

Mayor Garcia opened the public hearing to those persons wishing to speak.

Don Riedinger of 991 Hunting Lodge Drive expressed his concern for this ordinance.

There were no additional speakers, and the public hearing was closed.

**Councilman Lob moved the item. Vice Mayor Bain seconded the motion which was carried 5-0 on roll call vote.**

**7F) Second Reading – Ordinance No. 1067-2014 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 93-10, Location, Accessibility, And Appearance of Multi-Family Residential and Commercial Garbage and Recycling Receptacles; By Removing The Provisions Related To Amortized Compliance; Acknowledging Non-Conforming Sites And Providing Safety Regulations; Repealing All Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date**

City Manager Gorland read the ordinance by title.

Mayor Garcia opened the public hearing to those persons wishing to speak.

Don Riedinger of 991 Hunting Lodge Drive expressed his concern for this ordinance.

There were no additional speakers, and the public hearing was closed.

Building and Code Compliance Director Ziadie explained that this ordinance was drafted years ago and was never enforced as to the notification provisions. If it were to be enforced, there would be a vast majority of the commercial property owners and multi-family property owners who could not comply and would have to apply for a variance. The major reason for not enforcing this is due to the parking issue that the City has. As previously discussed, the property owners will have to provide some method of securing their dumpsters.

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

**7G) 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 Manager Gorland read the ordinance by title.

Building and Code Compliance Director Ziadie said that there was a mistake in the agenda. The ordinance was read and approved on first reading at the last meeting and it should say "second reading".

City Manager Gorland noted that it will be placed on the next agenda as a second reading and will be re-advertised as a second reading.

Mayor Garcia opened the public hearing to those persons wishing to speak.

Don Riedinger of 991 Hunting Lodge Drive said that commercial properties on Canal Street are not putting their trash receptacles back on their property within 24 hours and City Manager Gorland replied that the City will check the area to ensure that they are complying.

There were no additional speakers, and the public hearing was closed.

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

8. Consent Agenda: None

9. Old Business:

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

There were no appointments to Advisory Boards.

(Agenda Item 7B was discussed after Agenda Item 9A)

**9B) Vacant Land Contract – The City of Miami Springs and Springs on the Green LLC**

City Manager stated that Mr. Perez-Vichot and City Attorney Seiden have signed off on this contract.

Don Riedinger of 991 Hunting Lodge Drive commented that he disagrees with selling any piece of the golf course for any reason. He has not seen any advertisement for this election.

Mayor Garcia clarified for Mr. Riedinger that the City had the property appraised and chose the highest of the appraised values that were brought to the City.

Councilman Windrem stated that there is no connection between the Property Assessor's evaluation and an appraisal.

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

**9C) ConEdison Energy Savings Recommendations for Proposed Project Totaling \$1.6MM and a Payback of 13.07 Years or a Second Option Totaling \$1.3MM and a Payback of 10.54 Years**

City Manager Gorland said that there are two separate transactions that are occurring; one is the purchase of energy savings equipment and the other is taking some of the savings and purchasing light poles with the savings. The benefit is there but Council should understand that there are two separate transactions to vote on and both do not have to be chosen.

Councilman Petralanda asked what would be done with the old equipment and Kevin Farris of ConEdison Solutions replied that the City would decide what they would like to do with the old equipment and it could be worked into the contract.

Councilman Petralanda asked if there would be a savings of approximately \$24,000 a year for ten years if Council chose option two and Doug Henning of ConEdison responded in agreement and said that the lower cost option is only new fixtures.

Mayor Garcia said that if Council chooses to include the lights then this would be the best way to do it because it is coming from the savings.

Professional Services Supervisor Tammy Romero clarified that both options include lights. The discussion is about including the pole fixtures or not.

Discussion ensued regarding the possible savings if option two was chosen.

City Manager Gorland stated that this is a relatively inexpensive way to return some money to the commercial district with new lighting. It was part of a larger plan that was placed on hold over the last few years.

Councilman Lob asked if the lights on Canal Street are as expensive as the lights being proposed and City Manager Gorland responded that he was uncertain of how much the poles cost on Canal Street.

Mr. Henning explained that ConEdison was given some plans for the poles that were almost twice as expensive as what they are currently proposing. They chose the most cost effective poles that they believed would fit best.

Discussion ensued regarding the light wattage and how advanced it has become.

**Councilman Windrem moved to approve option one. Councilman Lob seconded the motion.**

Councilman Lob appreciated ConEdison's work and he would like to get prices from other companies.

To answer Mayor Garcia's question, Ms. Romero commented that a Request for Proposal (RFP) could be done. In speaking to Mr. Henning, the City could purchase all of the fixtures and fittings as opposed to the fixtures coming from ConEdison.

Mayor Garcia said that the City would have to come up with the funds for those items and it would come from the General Fund as opposed to being paid for through the ConEdison savings proposal.

Ms. Romero commented that ConEdison took the proposal that was given to the City by Calvin Giordano for the downtown revitalization. She was not involved in the research process.

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

(Agenda Item 10D was discussed after Agenda Item 9C)

**10. New Business:**

**10A) Board of Parks and Parkways Recommendation for the Yard of the Month for March, April and May 2014**

The addresses are as follows:

March - 210 Fern Way  
April - 1070 Ibis Avenue  
May - 564 Palmetto Drive

**Vice Mayor Bain moved the item. Councilman Lob seconded the motion which was carried 5-0 on roll call vote.**

**10B) Historic Preservation Board Recommendation to Purchase a Bronze Designation Plaque for the H. O. Goodlett House - 141 Shadow Way**

Mayor Garcia asked if there are funds budgeted for these types of purchases and City Manager Gorland replied "no".

Mayor Garcia said that if there is no urgency in having this plaque done now, he would like to consider this item during the budget process.

**By consensus, Council agreed to consider this item during the budget process.**

**10C) Request to Serve Wine at a Private Performance at the Rebeca Sosa Theatre on Saturday, March 1, 2014, from 5:00 to 8:30 p.m.**

Vice Mayor Bain asked what type of alcoholic beverages will be served and City Manager Gorland replied that the request was to only serve wine.

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

(Agenda Item 9A was discussed after Agenda Item 10C)

**10D) Golf Course DERM/RER 5-Year Capital Expenditure Plan**

City Manager Gorland read the memorandum outlining the Golf Course DERM/RER 5-year Capital Expenditure Plan.

Golf Director Paul O'Dell explained that the City was written up by DERM/RER in September of 2012 for many incidents that the City was not in compliance with. The City met with DERM and they were very accepting of what was discussed. The golf course will comply with the issues in phases. Several steps have already been completed to meet compliance and DERM is very happy with the changes. He expects the changes to be made over the next five years.

City Manager Gorland noted that the City will keep tracking this issue over the next few years from a capital expenditure standpoint.

(Agenda Item 10A was discussed after Agenda Item 10D)

**11. Other Business: None**

**12. Reports & Recommendations:**

**12A) City Attorney**

None.

**12B) City Manager**

**Miami Springs Farmers Market**

City Manager Gorland encouraged everyone to attend the farmers market. It ends on March 29<sup>th</sup>.

**Little League Opening Ceremony**

City Manager Gorland reported that the Little League Opening Ceremony will be held at Prince Field on March 1<sup>st</sup> with a parade starting at 9:00 a.m.

## **12C) City Council**

### **Archery Club**

Councilman Lob commented that the Optimist Archery Club hosted the Florida Archery Association In-Door Championship last weekend. It was a great event in the City and there were shooters from all over South Florida and they enjoyed the hospitality of our City.

### **Archery Club**

Councilman Petralanda echoed what Councilman Lob stated. He added that there was a good turnout and everyone seemed to have fun.

### **Audience Participation**

Councilman Petralanda thanked all of the residents who attended the meeting tonight and voiced their opinions. This is what democracy is about and he encourages more people to attend and participate in the meetings.

### **Audience Participation**

Councilman Windrem thanked everyone who attended tonight's meeting. He appreciated all of the insight. He is having a great time serving on Council and the work is productive and important. Even though Council may not always agree, they will do what is best for the City.

### **Assistant City Clerk**

Councilman Windrem commended and thanked Assistant City Clerk Elora R. Sakal for doing such an excellent job sitting in for Acting City Clerk Suzanne Hitaffer tonight.

Councilman Lob agreed with Councilman Windrem's comment.

### **Parking Situation**

Vice Mayor Bain spoke with City Manager Gorland about the parking situation with Ania Amat and was told that it was being dealt with and she came tonight and said otherwise.

Building and Code Compliance Director Ziadie explained that he spoke with Ms. Amat and he wanted to correct something that she said tonight; she said that he was against signs and what he told her was if signs were installed then it would apply to all of the residents in the area, including her. Ms. Amat would like to have specific signs installed for residents and another sign installed for non-residents and he said that cannot be done.

Vice Mayor Bain asked if this issue is the responsibility of the City or the Airport and City Manager Gorland replied that it is Miami Springs' property.

Mr. Ziadie commented that under the code, the Dade County Aviation Department that owns that parking lot has the same preferential use over that swale that a residential property does. The code does not differentiate between commercial and residential properties.

Mr. Ziadie said that the swale in discussion is a public right-of-way. It belongs to the City in a sense but technically the City does not have deed rights to that property. The City has the authority to implement parking regulations or restrictions. He explained to Ms. Amat what his recommendation was going to be to Council which was to not install any signage or restrict parking because it would affect everyone in that area. His secondary recommendation was to ask the City Manager to request that the Police Department strictly enforce any parking safety regulations in regard to people who are parking there and to increase police presence.

Vice Mayor Bain asked if Council will have a report on the next agenda of what the outcome was with this situation and City Manager Gorland replied affirmatively.

Chief of Police Baan commented that the majority of parking in that area is from the people who reside in the apartments across the street. He would not recommend signage prohibiting parking.

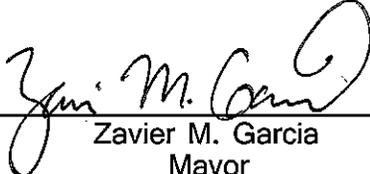
Councilman Petralanda asked if signage could be installed on half of the distance instead of the entire block and Chief of Police Baan replied that Council could do whatever they want.

Mayor Garcia spoke with the residents and they do not want the parking to be restricted from their use. He would like for Mr. Ziadie to communicate with Ms. Amat again to clarify the issue.

Mr. Ziadie stated that he is in that area when he puts up the sign for Council meetings and he sees the residents walking to and from their cars to the apartments. He can almost guarantee that they do not want signage. He does not know of another solution besides the increase in police presence that will satisfy the issue.

13. Adjournment

There being no further business to be discussed the meeting was adjourned at 10:52 p.m.

  
\_\_\_\_\_  
Zavier M. Garcia  
Mayor



ATTEST:

  
\_\_\_\_\_  
Elora R. Sakal  
Assistant City Clerk

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

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