



**City of North Miami**  
**City Hall | 2nd Floor | Council Chambers**  
**776 NE 125th Street**  
**North Miami, FL 33161**

**Regular Council Meeting**  
**Summary Minutes**  
**April 12, 2017**

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A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, April 12, 2017, beginning at 7:02 pm.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known).

**Note:** The actual agenda and all backup materials for each City Council meeting can be found on the website at:

[http://www.northmiamifl.gov/government/Minutes\\_Agendas/CouncilAgendaList.aspx](http://www.northmiamifl.gov/government/Minutes_Agendas/CouncilAgendaList.aspx)

## **ROLL CALL**

- PRESENT:  
Mayor Joseph  
Vice Mayor Galvin  
Councilwoman Keys  
Councilman Bien-Aime  
Councilman Desulme

## **PLEDGE OF ALLEGIANCE**

- Assistant Chief *Robert Bage*, North Miami Police Department

## **INVOCATION**

- Minister *Naomi Blemur*, A Balance Life Ministry

## **ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)**

- Presentation by Commissioner Sally A. Heyman
- City Attorney's Office Semi-Annual Report reset for next Council Meeting
- Tab J pulled at 8:03 PM
- Tab D should be changed to show sponsored by Mayor Smith Joseph.

## **SPECIAL PRESENTATION(S)**

- Certificate of Recognition presented to *E.May Avil North Miami Public Library*, in honor of National Library Week.
- Certificate of Recognition presented to *Friends of the Library*, in honor of National Library Workers Day.
- Certificate of Recognition presented in honor of National Volunteer Month.
- Certificate of Commendation presented to Commander *Walter Sidd, III*, on his retirement with the North Miami Police Department after 28 years of service.

## **CITY EVENTS – ANNOUNCEMENT**

- Cassandra Timothy, Public Information Specialist, announced upcoming events for the City of North Miami. All City events can be found on the website at: [www.northmiamifl.gov/celebrate](http://www.northmiamifl.gov/celebrate).

## **CITY PROJECTS UPDATE – NONE**

## **CONSENT AGENDA**

- TAB A through TAB G

**TAB A – PASSED - APPROVAL OF MINUTES** — March 28, 2017

**TAB B – PASSED – [Resolution no. 2017-R-47](#)** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, AUTHORIZING THE AWARD OF A CITY-ISSUED FIREARM TO RETIRED POLICE COMMANDER WALTER SIDD, III, IN RECOGNITION OF TWENTY-EIGHT (28) YEARS OF SERVICE TO THE CITY OF NORTH MIAMI AND THE NORTH MIAMI POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

**TAB C – PASSED – [Resolution no. 2017-R-48](#)** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MUTUAL AID AGREEMENT AND JOINT DECLARATION BETWEEN THE CITY OF NORTH MIAMI AND THE CITY OF INDIAN CREEK TO PROVIDE ADEQUATE LEVELS OF POLICE SERVICES; PROVIDING AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

**TAB D – PASSED – [Resolution no. 2017-R-49](#)** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A “SISTER CITY” AFFILIATION WITH THE CITY OF ST. LOUIS DU NORD, HAITI THROUGH THE SISTER CITIES PROGRAM; FURTHER AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE SAID “SISTER CITY” AFFILIATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

**TAB E – PASSED – [Resolution no. 2017-R-50](#)** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, RATIFYING THE SUBMITTAL OF A GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF HEALTH TO SECURE A GRANT TO UPGRADE EXISTING FLUORIDATION SYSTEMS AT THE WINSON WATER TREATMENT PLANT; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

**TAB F – PASSED – [Resolution no. 2017-R-51](#)** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS TO TROPICHEM ENTERPRISES, IN THE AGGREGATE AMOUNT NOT TO EXCEED FIFTY TWO THOUSAND FIVE HUNDRED DOLLARS (\$52,500.00) ON AN ANNUAL BASIS, FOR THE PURCHASE AND DELIVERY OF WISPROFLOC-N-STARCH (“FLOCCULENT”), AS REQUIRED FOR THE TREATMENT OF POTABLE WATER IN THE DAILY OPERATION OF THE WINSON WATER TREATMENT PLANT, PIGGYBACKING THE CITY OF COCOA, FLORIDA, INVITATION TO BID NO. B-14-17-COC; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

**TAB G – [Resolution no. 2017-R-52](#)** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, AUTHORIZING THE CITY MANAGER TO EXERCISE THE SECOND OPTION TO RENEW A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND ELAN LAWN AND LANDSCAPE SERVICES, INC., FOR THE PROVISION OF TREE TRIMMING SERVICES FOR A PERIOD OF ONE (1) YEAR, AT A COST NOT TO EXCEED NINETY THOUSAND DOLLARS (\$90,000.00), IN ACCORDANCE WITH INVITATION FOR BID TREE TRIMMING SERVICES IFB NO. 09-13-14, AS AMENDED; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Councilman Desulme moved to approve the consent agenda. Seconded by Vice Mayor Galvin. Council voted; **passed unanimously**.

## **PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.**

### **RESOLUTIONS**

**TAB H – [Resolution no. 2017-R-53](#)** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS FROM PORT CONSOLIDATED, INC. FOR THE PURCHASE AND DELIVERY OF UNLEADED GASOLINE AND DIESEL FUEL FOR CITY OWNED VEHICLES, IN AN AMOUNT NOT TO EXCEED NINE HUNDRED THOUSAND DOLLARS (\$900,000.00) PER YEAR, IN ACCORDANCE WITH THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE GROUP - RFP NUMBER E-13-17, IN ORDER TO MAINTAIN A CONTINUOUS SUPPLY AND DELIVERY OF MOTOR FUEL AS REQUIRED FOR CITY OPERATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Elected City Clerk, read the Resolution title for the record. Motion made by Vice Mayor Galvin to move the item. Seconded by Councilwoman Keys. Council voted; **passed 5 - 0.**

**TAB I – Resolution no. 2017-R-54 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A LANDSCAPE, TURF AND IRRIGATION MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), IN SUBSTANTIALLY THE ATTACHED FORM, DESIGNATING AND SETTING FORTH THE RESPONSIBILITIES OF EACH PARTY WITH REGARDS TO THE MAINTENANCE OF BEAUTIFICATION IMPROVEMENTS INSTALLED ON NW 7TH AVENUE BETWEEN NW 119TH STREET AND NW 143RD STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

Michael Etienne, Elected City Clerk, read the Resolution title for the record. Motion made by Councilman Desulme to move the item. Seconded by Mayor Joseph. Council voted; **passed 5 - 0.**

**TAB J – PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SELECTION OF SFM SERVICES, INC., AS THE LOWEST, RESPONSIVE AND RESPONSIBLE CONTRACTOR TO PERFORM THE BEAUTIFICATION PROJECT ALONG N.W. 7TH AVENUE BETWEEN N.W. 119 STREET AND N.W. 143 STREET, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN INVITATION FOR BID NO. 25-16-17 - STATE ROAD 7 BEAUTIFICATION PROJECT; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH SFM SERVICES, INC., FOR THE PROVISION OF SERVICES IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY-THREE THOUSAND EIGHT HUNDRED EIGHT DOLLARS (\$173,808.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**Withdrawn from the agenda**

## **LEGISLATIVE MATTERS**

**ORDINANCES- SECOND READING- NONE**

**ORDINANCE FIRST READING-**

**TAB K – PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, ENTITLED “GARBAGE AND TRASH” TO INCLUDE PROVISIONS FOR REGULATION OF LITTERING, UNSOLICITED ADVERTISING MATERIALS AND MAINTENANCE STANDARDS FOR DUMPSTER ENCLOSURES; ESTABLISHING STANDARDS FOR ISSUANCE OF NONEXCLUSIVE FRANCHISE PERMITS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

Michael Etienne, Elected City Clerk, read the Ordinance title for the record. Motion made by Vice Mayor Galvin to move the item. Seconded by Mayor Joseph. Council voted; **5 – 0** by roll call vote.

**TAB L – PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES ENTITLED, “BUILDING STANDARDS AND REGULATIONS”, TO CREATE SECTION 5-35 ENTITLED, “PERMITTED BUILDING CONSTRUCTION HOURS” AND SECTION 5-36 ENTITLED, “CONSTRUCTION SITE MAINTENANCE”, TO INCLUDE CONSTRUCTION REGULATIONS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.**

Michael Etienne, City Clerk, read the Ordinance title for the record. Motion made by Councilwoman Keys to move the item with the following amendments:

1. Address the current definition of weather warning and replacing that with to be consistent with the Noah definition of hazardous weather conditions which we believe to be the box definition.
2. Consolidate the definition of residential zones to include single family and multifamily and all other zones will have the hours address for commercial.
3. Holidays will have the same schedule that is included for Saturdays and Sundays of 9 AM to 5 PM for constructions.

Council voted; **Passed 4 – 1** by roll call vote. Vice Mayor Galvin voted NO.

**TAB M –PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA AMENDING CHAPTER 12 OF THE CITY CODE OF ORDINANCES, ENTITLED “NUISANCES”, ARTICLE IV, ENTITLED “NOISES” SPECIFICALLY AT SECTION 12-15, ENTITLED “SPECIFIC PROHIBITIONS” TO PROHIBIT NOISE OUTSIDE OF THE AUTHORIZED CONSTRUCTION HOURS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

Michael Etienne, Elected City Clerk, read the Ordinance title for the record. Motion made by Councilman Desulme to move the item. Seconded by Mayor Joseph. Council voted; **Passed 4 – 1** by roll call vote. Vice Mayor Galvin voted NO.

**TAB N –PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ESTABLISHING A COMPENSATION RATE FOR MEMBERS OF THE PERSONNEL BOARD IN ACCORDANCE WITH SECTION 15-6 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI; PROVIDING FOR REPEAL, SEVERABILITY, AND AN EFFECTIVE DATE.**

Michael Etienne, City Clerk, read the Resolution title for the record. Motion made by Councilman Desulme to move the item. Seconded by Mayor Joseph. Council voted; **Passed 5 – 0** by roll call vote.

**QUASI-JUDICIAL ITEM(S) - NONE**

## REQUESTS-PETITIONS-COMMUNICATIONS

### CITIZENS' FORUM

- A variety of residents spoke on issues of interest.

### COUNCIL REPORTS

- REPORTED:
  - Mayor Joseph
  - Councilwoman Keys
  - Vice Mayor Galvin
  - Councilman Desulme
- NO REPORTS
  - Councilman Bien-Aime

### CITY CLERK'S REPORT – REPORTED

- Board, Committee & Commission Appointments:

**Quality Education Board**

Vice Mayor Galvin

Vanessa Pierre

Desulme motioned to approve the appointment. Seconded by Councilwoman Keys.  
Council voted; **passed 5-0.**

### CITY ATTORNEY'S REPORT – REPORTED

### CITY MANAGER'S REPORT – NONE

### ADJOURNMENT

- Meeting adjourned at 8:49 pm.