

SUMMARY MINUTES
North Miami City Council
776 N.E. 125th Street, 2nd Floor, Council Chambers
North Miami, FL 33161

REGULAR MEETING HELD ON:
TUESDAY, DECEMBER 13, 2011
7:00 P.M.

1. CALL TO ORDER / ROLL CALL OF MEMBERS

Mayor Andre Pierre: Here
Councilwoman Marie Steril: Here
Councilman Scott Galvin: Here
Councilman Jean Marcellus: Here
Councilman Michael Blynn: Here
Quorum Present: 5-0

2. PLEDGE OF ALLEGIANCE / INVOCATION

Pledge of allegiance takes place and lead by Sgt. Tim Blanchard. Invocation takes place and lead by Pastor George.

3. ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)

City Manager announces that he would like to add Tab "O" onto the agenda, a request made by Councilman Marcellus.

4. SPECIAL PRESENTATION(s)

- a) Recognition of the North Miami Scholar of Take Stock in Children by Miguel Seco and Dr. Claude.*
- b) Proclamation in honor of AIDS Awareness Month by Mayor Pierre.*
- c) Senator Oscar Braynon addressed legislative issues.*

5. CITY EVENTS – ANNOUNCEMENT

Pam Solomon announces City of North Miami events.

6. CONSENT AGENDA

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – November 22, 2011
Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

EXTENSION OF NORMAL CLOSING HOURS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS ON
NEW YEAR'S EVE
Sponsored by: Michael Etienne, City Clerk

[TAB C]

PROPOSED RESOLUTION AUTHORIZING AND APPROVING A NEW RECREATION PROGRAM AND RENTAL FEE SCHEDULE FOR THE PARKS AND RECREATION DEPARTMENT FOR CALENDAR YEAR 2012

Sponsored by: City Administration

Responsible Staff Person: Jeff Geimer, Parks & Recreation Director

[TAB D]

PROPOSED RESOLUTION RATIFYING THE CITY MANAGER'S EXECUTION OF A LEASE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND MITEL BUSINESS SYSTEMS, INC., TO PIGGYBACK AN AGREEMENT WITH THE NATIONAL JOINT POWERS ALLIANCE FOR TELEPHONE EQUIPMENT AND RELATED SERVICES TO MAINTAIN THE CITY'S TELECOMMUNICATIONS SYSTEM

Sponsored by: City Administration

Responsible Staff Person: Ruby C. Johnson, Purchasing Director

[TAB E]

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK TO TAKE ALL NECESSARY ACTION AND EXECUTE ALL DOCUMENTS AFFECTING THE HEALTH, SAFETY AND WELFARE OF THE CITY DURING THE CITY COUNCIL'S RECESS FROM DECEMBER 14, 2011 THROUGH JANUARY 10, 2012

Sponsored by: Stephen E. Johnson, City Manager

[TAB F]

PROPOSED RESOLUTION URGING THE STATE OF FLORIDA LEGISLATURE TO PASS LEGISLATION STRENGTHENING FLORIDA LAWS RELATED TO SEX TRAFFICKING, CONSISTENT WITH THE INITIATIVES PROPOSED BY STATE ATTORNEY KATHERINE FERNANDEZ RUNDLE

Sponsored by: Andre D. Pierre, Mayor

[TAB G]

PROPOSED RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INITIATE LITIGATION FOR THE FORECLOSURE OF CERTAIN CODE ENFORCEMENT LIENS AND FOR MONEY JUDGMENT

Sponsored by: Roland Galdos, Interim City Attorney

Councilman Galvin pulled Tab G from the consent agenda for clarification/discussion. After clarification/discussion, Consent Agenda A-G was moved by Councilman Blynn and Seconded by Councilman Galvin. Consent agenda was passed/approved by a 5-0 vote of the Council.

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

7.A. QUASI-JUDICIAL ITEMS -- [NONE]

No quasi-judicial items were discussed.

7.B. LEGISLATIVE MATTERS

7.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING

[TAB H]

PROPOSED ORDINANCE (**SECOND READING**) AMENDING CHAPTER 29, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING ARTICLE III, DIVISION 2 ENTITLED “GENERAL DEVELOPMENT REVIEW PROCEDURES”, SPECIFICALLY AT SECTION 3-210 ENTITLED “CERTIFICATE OF RE-OCCUPANCY” TO REQUIRE A CERTIFICATE OF RE-OCCUPANCY EACH TIME THERE IS A TRANSFER OF TITLE OF A RESIDENTIAL PROPERTY; ALLOWING FOR THE ISSUANCE OF CONDITIONAL CERTIFICATES OF RE-OCCUPANCY WHERE LIFE SAFETY VIOLATIONS EXIST SUBJECT TO TERMS SET BY THE BUILDING OFFICIAL; AND ESTABLISHING PENALTIES FOR NONCOMPLIANCE

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

Tab H was moved by Councilman Blynn and Seconded by Councilman Galvin. Tab H was passed/approved by a 5-0 vote of the Council.

[TAB I]

PROPOSED ORDINANCE (**SECOND READING**) AMENDING CHAPTER 2, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES ENTITLED “ADMINISTRATION,” BY AMENDING ARTICLE III, DIVISION 10 ENTITLED “SENIOR CITIZENS’ ADVISORY BOARD”, SPECIFICALLY AT SECTION 2-201 RELATING TO COMPOSITION OF THE BOARD AND SECTION 2-203 MEETINGS AND RECOMMENDATIONS

Sponsored by: City Administration

Responsible Staff Person: Miguel Seco, Governmental Affairs Manager

Tab I was moved by Councilman Blynn and Seconded by Councilman Marcellus. Tab I was passed/approved by a 5-0 vote of the Council.

7.B.2. ORDINANCES – FIRST READING – [NONE]

No First Reading Ordinances were discussed.

7.B.3. RESOLUTIONS

[TAB J]

COMMUNITY BASED ORGANIZATIONS (CBOs) PRESENTATIONS

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

Tab J was not voted on. Maxine Calloway presented information to the Council and public regarding the Community Based Organizations staff recommendations and recommended grant awards. Representatives of the Community Based Organizations that applied for this grant provided a brief discussion regarding their organizations to the council and public.

[TAB K]

PROPOSED RESOLUTION APPROVING THE AWARD OF FISCAL YEAR 2011-2012 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO NOT-FOR-PROFIT COMMUNITY BASED ORGANIZATIONS (CBOs)

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

Tab K was moved by Councilman Blynn and Seconded by Councilwoman Sterile. Tab K was passed/approved by a 5-0 vote of the council.

[TAB L]

PROPOSED RESOLUTION APPROVING A WAIVER OF PLAT FOR THE PROPERTY LOCATED AT 1125 NE 125TH STREET, IN ACCORDANCE WITH SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES AND CHAPTER 28 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

Tab L was moved by Councilman Blynn and Seconded by Councilwoman Steril. Tab L was passed/approved by a 5-0 vote of the council.

[TAB M]

PROPOSED RESOLUTION APPROVING A WAIVER OF PLAT FOR THE PROPERTY LOCATED AT 12108-12190 BISCAYNE BOULEVARD, IN ACCORDANCE WITH SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES AND CHAPTER 28 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

Tab M was moved by Councilman Blynn and Seconded by Councilwoman Steril. Tab M was passed/approved by a 5-0 vote of the council.

8. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB N]

TERMITE REMEDIATION REQUEST IN TOWNHOUSE ISSUE

Sponsored by: Councilman Scott Galvin

Councilman Galvin discussed issues concerning him regarding termite remediation in townhouses in the City of North Miami.

[TAB O- ADD ON]

DISCUSSION ON EXISTING REMEDIATION SERVICE AT THE BISCAYNE LANDING SITE.

Sponsored by: Councilman Jean Marcellus

Councilman Marcellus discussed and asked questions regarding the Biscayne Landing deep well permits. The entire Council discussed this matter and addressed/discussed Councilman Marcellus concerns and/or questions.

9. CITIZENS' FORUM

Mayor Pierre opened citizens' forum. Many residents of the City of North Miami addressed the council with comments, questions, and concerns.

10. COUNCIL REPORTS

Mayor Andre D. Pierre, Esq.

Mayor Pierre makes a motion to pay the interim city attorney \$175,000.00 dollars annually, seconded by Councilman Galvin, passed/approved by a 4-0 vote of the council (councilwoman Steril was not present to vote). Mayor Pierre provides his report and addressed the public and council with comments, questions, and concerns.

Vice-Mayor Marie Erlande Steril

Vice-Mayor Steril provides her report and addressed the public and council with comments, questions, and concerns.

Councilman Michael R. Blynn, Esq.

Councilman Blynn makes a motion to remove City Manager Johnson from the committee to find a new city attorney, seconded by Councilman Marcellus, motion failed/did not pass/not approved by the council, 2-2 (Mayor Pierre did not approve, Councilman Galvin did not approve, Councilwoman Steril was not present). Councilman Blynn provides his report and addressed the public and council with comments, questions, and concerns.

Councilman Scott Galvin

Councilman Galvin appointed Chief Kenny Each as a committee member on the committee to find a new city attorney; this motion was seconded by Mayor Pierre and passed/approved by a 4-0 vote of the council (councilwoman Steril was not present to vote). Councilman Galvin provides his report and addressed the public and council with comments, questions, and concerns.

Councilman Jean R. Marcellus

Councilman Marcellus provides his report and addressed the public and council with comments, questions, and concerns.

11. CITY CLERK'S REPORT

Clerk Etienne provides his report and addressed the public and council with comments, questions, and concerns.

12. CITY ATTORNEY'S REPORT

Interim City Attorney Roland provides his report and addressed the public and council with comments, questions, and concerns.

13. CITY MANAGER'S REPORT

City Manager Johnson provides his report and addressed the public and council with comments, questions, and concerns.

14. ADJOURNMENT

Council meeting adjourned.