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CITY COUNCIL MEETING

FEBRUARY 26, 2013

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SUMMARY MINUTES

REGULAR COUNCIL MEETING

February 26, 2013

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, February 26, 2013, beginning at 7:02 p.m.

(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 at: www.northmiamifl.gov

Flag salute led by Chief Marc Elias, Jr.

Inspirational Message

- ◆ Rabbi Jory Lang, Temple Beth Moshe

ROLL CALL

Vice Mayor Steril	Here
Councilman Galvin	Here
Mayor Pierre	Here
Councilman Marcellus	Here
Councilman Blynn	Here

Additions, Deletions or Withdrawals

Tab G1, added

SPECIAL PRESENTATION(s)

- ◆ Presentation of the *Winners of the Black History Month 2013 Art and Essay Contest*

Mayor Pierre recognized Councilman Michael R. Blynn, presenting Rabbi Lang with a Proclamation. Whereas Mayor Pierre proclaimed February 23, 2013, to be *Day of Temple Beth Moshe*, in the City of North Miami.

- ◆ Senator Oscar Braynon will address the Legislative Pre-session

Senator Oscar Braynon gave a brief report to Council regarding the legislative pre-session commencing next week. Council discussion.

- ◆ Presentation of the *Winners of the Black History Month 2013 Art and Essay Contest*

Mayor Pierre recognized Lucia Gonzalez, Library Manager; and Inez Couch, President of Friends of the Library; presenting winners Michael Ivory, North Miami Senior High; Wesley Jean, North Miami Senior High; and Chelsea Asu, JFK Middle School; of the Black History Month 2013 Art and Essay Contest.

- ◆ Presentation by Rabbi Ricky

Mayor Pierre recognized Rabbi Ricky giving a brief report regarding an upcoming event in the community.

- ◆ Presentation of “Employee of the Quarter,” *Andrea McDonald, Executive Secretary*, Office of the City Manager

Mayor Pierre recognized Dr. Lumane Pluviose-Claude, Deputy City Manager; presenting Employee of the Quarter plaque to *Andrea McDonald, Executive Secretary*, Office of the City Manager.

CITY EVENTS – ANNOUNCEMENT

Pam Solomon, Public Information Manager, announced upcoming events for the City of North Miami.

CONSENT AGENDA

TAB A - APPROVAL OF MINUTES

– Regular Council Meeting – February 12, 2013

TAB B – AUTHORIZATION FOR EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND (LETF) AND FEDERAL EQUITABLE SHARING FUNDS (FEDERAL)

TAB C – PROPOSED RESOLUTION RELATING TO EARTH HOUR PARTICIPATION ON MARCH 23, 2013; URGING OTHER MUNICIPALITIES TO REGISTER AND PARTICIPATE IN EARTH HOUR

Councilman Blynn moved to approve the Consent Agenda, Tabs A through C, seconded by Mayor Pierre; passed unanimously.

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

QUASI-JUDICIAL ITEM(S)

Michael Etienne, Esquire, City Clerk, swore in anyone speaking on Tab D and Tab E, for true and correct testimony.

TAB D – PROPOSED ORDINANCE (SECOND READING) ADOPTING A SMALL SCALE LAND USE AMENDMENT TO THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN FUTURE LAND USE MAP, FOR THE PROPERTY GENERALLY LOCATED ON THE NORTHWEST QUADRANT OF NORTHEAST 135TH STREET AND 6TH AVENUE, CONSISTING OF FIVE ADJACENT LOTS TOTALING APPROXIMATELY 1.1 ACRES IN SIZE, FROM A MEDIUM DENSITY RESIDENTIAL LAND USE DESIGNATION TO A HIGH DENSITY RESIDENTIAL LAND USE DESIGNATION, AND TO EXPAND THE NEIGHBORHOOD REDEVELOPMENT OVERLAY (NRO) DISTRICT BOUNDARY, DEPICTED ON THE FUTURE LAND USE MAP, TO INCLUDE THE SUBJECT PROPERTY IN ORDER TO ALLOW FOR THE PROPOSED REDEVELOPMENT OF THE VACANT SITE, CONSISTENT WITH THE INTENT OF THE CITY COMPREHENSIVE PLAN; FURTHER AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE SUBJECT LAND USE AMENDMENT, AS REQUIRED BY FLORIDA LAW

Mr. Etienne read the Ordinance title for the record. No public discussion. John Dellagloria, representing the petitioner, present. Councilman Marcellus moved to approve the Ordinance, seconded by Councilman Galvin; passed unanimously by roll call vote.

TAB E – PROPOSED ORDINANCE (SECOND READING) AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT

REGULATIONS”, BY AMENDING THE CITY OF NORTH MIAMI OFFICIAL ZONING MAP, REFERENCED IN ARTICLE 1, SECTION 1-106, TO REFLECT THE REZONING OF AN AREA CONSISTING OF EIGHT (8) CONTIGUOUS LOTS, LOCATED ON THE NORTHWEST QUADRANT OF NORTHEAST 135TH STREET AND NORTHEAST 6TH AVENUE TOTALING APPROXIMATELY 2.1 ACRES IN SIZE AND GENERALLY IDENTIFIED AS LOTS 1, 2, 3, 11 AND 12, CURRENTLY ZONED R-5, AND LOTS 13, 14 AND 15, CURRENTLY ZONED R-4, OF BLOCK 1, SMALLWOOD MANOR SUBDIVISION, FROM THE CURRENT R-4 AND R-5 MULTIFAMILY RESIDENTIAL ZONING DESIGNATION TO AN R-6 MULTIFAMILY RESIDENTIAL ZONING DESIGNATION; AND TO FURTHER EXPAND THE NEIGHBORHOOD REDEVELOPMENT OVERLAY (NRO) DISTRICT BOUNDARY DEPICTED ON THE OFFICIAL ZONING MAP, TO INCLUDE THE SUBJECT LOTS 1, 2, 3, 11 AND 12, IN ORDER TO ALLOW FOR THE FUTURE REDEVELOPMENT OF THE VACANT SITE, CONSISTENT WITH THE INTENT OF THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN

Mr. Etienne read the Ordinance title for the record. No public discussion. John Dellagloria, representing the petitioner, present. Councilman Galvin moved to approve the Ordinance, seconded by Councilman Marcellus; passed unanimously by roll call vote.

LEGISLATIVE MATTERS

ORDINANCES – SECOND READING AND PUBLIC HEARING

TAB F - PROPOSED ORDINANCE (SECOND READING) ESTABLISHING AN ADDITIONAL HOMESTEAD EXEMPTION FOR CERTAIN LOW-INCOME QUALIFYING SENIOR CITIZENS WHO ARE LONG-TERM RESIDENTS PURSUANT TO ARTICLE VII, SECTION 6(D), FLORIDA CONSTITUTION AND SECTION 196.075, FLORIDA STATUTES, TO BE APPLIED TO TAXES LEVIED BY THE CITY IN ACCORDANCE WITH SECTION 29-8, MIAMI-DADE COUNTY CODE OF ORDINANCES, AS AMENDED FROM TIME TO TIME; AND FURTHER PROVIDING THAT A COPY OF THIS ORDINANCE BE FILED WITH MIAMI-DADE COUNTY PROPERTY APPRAISER; PROVIDING FOR THE ANNUAL SUBMISSION OF A SWORN STATEMENT TO THE PROPERTY APPRAISER; ALLOWING SUPPORTING DOCUMENTATION; PROVIDING FOR WAIVER OF EXEMPTION; PROVIDING FOR COMMENCEMENT OF EXEMPTION

Mr. Etienne read the Ordinance title for the record. No public discussion. Councilman Galvin moved to approve the Ordinance, seconded by Vice Mayor Steril; passed 4-0, by roll call vote. Councilman Marcellus away from the dais.

RESOLUTIONS

TAB G – PROPOSED RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORS PROPOSED AMENDMENTS TO THE CITY OF NORTH MIAMI CHARTER, AS AMENDED, PURSUANT TO SECTION 6.03 OF THE MIAMI-DADE COUNTY CHARTER AND SECTION 6-49 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, AND IN ACCORDANCE WITH THE COMPREHENSIVE REVIEW AND RECOMMENDATIONS OF THE CITY OF NORTH MIAMI CHARTER REVIEW BOARD, AS REVIEWED, REVISED, AND APPROVED FOR SUBMITTAL BY THE MAYOR AND CITY COUNCIL; PROVIDING FOR REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORS FOR APPROVAL OR DISAPPROVAL; CALLING FOR AN ELECTION ON THE PROPOSED AMENDMENTS TO THE CITY CHARTER TO BE HELD ON MAY 14, 2013; PROVIDING FOR NOTICE OF ELECTION; PROVIDING FOR PROCEDURE FOR BALLOTING; PROVIDING FOR INCLUSION IN THE CITY CHARTER; PROVIDING FOR SEVERABILITY

Mr. Etienne read the Resolution title for the record. No public discussion.

Regine Monestime, City Attorney read the proposed Charter Amendments:

1. Appraisals required for Sale of Property.

Councilman Galvin moved to approve ballot question 1, seconded by Vice Mayor Steril; passed unanimously.

2. Term of Office of Mayor.

Council discussion. Mayor Pierre amended ballot question 2 to become effective in 2017. Charter Review Board Members, Carol Keys, Kenny Each and Lucie Tondreau gave brief reports on the item. Council discussion. Mayor Pierre moved to approve ballot question 2, as amended to become effective in 2017. Motion failed due to lack of second.

3. Council Candidacy Requirement. (Now becomes Question 2.)

Vice Mayor Steril moved to approve ballot question 2, seconded by Councilman Galvin; passed unanimously.

4. Charter Update. (Now becomes Question 3.)

Councilman Galvin moved to approve ballot question 2, seconded by Mayor Pierre; passed unanimously.

5. Filling of Vacancies. (Now becomes Question 4.)

Councilman Blynn moved to approve ballot question 2, seconded by Councilman Galvin; passed unanimously.

6. Recall of Elected Officers. (Now becomes Question 5.)

Councilman Galvin moved to approve ballot question 2, seconded by Councilman Blynn; passed unanimously.

Mr. Etienne gave a brief report to Council regarding verification procedures for candidates.

TAB G-1 – PROPOSED RESOLUTION REVISING THE GUIDELINES FOR THE SELECTION OF HONOREES TO THE CITIZENS’ HALL OF FAME

Mr. Etienne read the Resolution title for the record. Council discussion. Public discussion. Councilman Marcellus moved to approve the Resolution, seconded by Councilman Galvin; for discussion. Council discussion. Councilman Blynn moved a friendly amendment to the guidelines, allowing Council members, one nomination per year and the Mayor two nominations per year to the Citizens’ Hall of Fame; accepted by Councilman Marcellus. Council voted; passed 4-1. Vice Mayor Steril denied.

TAB H - PROPOSED RESOLUTION ADOPTING A “RESIDENTIAL ROOFING PROGRAM”, AND FURTHER APPROVING GUIDELINES FOR THE RESIDENTIAL ROOFING PROGRAM FUNDED BY THE CITY’S GENERAL FUND ACCOUNT

Mr. Etienne read the Resolution title for the record. Councilman Blynn moved to approve the Resolution, seconded by Vice Mayor Steril; for

discussion. No public discussion. Stephen E. Johnson, City Manager, gave a brief report to Council. Council discussion. Council voted; passed unanimously.

REQUESTS – PETITIONS – COMMUNICATIONS

TAB I - DISCUSSION REGARDING CREATION OF THE 501(c)(3) STATUS OF NORTH MIAMI EDUCATIONAL FOUNDATION, INC. (CONTINUED FROM FEBRUARY 12, 2013 COUNCIL MEETING)

Mr. Etienne read the title for the record. No public discussion. Mr. Johnson gave a brief report to Council and requested naming recommendations of nominations to the initial Board of Directors. Council discussion. Councilman Galvin moved to continue the request until the item is advertised as Nominations to the Nonprofit Board. Mayor Pierre reviewed the criteria for selection of the nominees. Councilman Blynn seconded the motion to table the item until the next Council meeting; for discussion. Council discussion. Council voted; passed unanimously.

TAB J - DISCUSSION REGARDING 2014 NORTH MIAMI MARDI GRAS

Mr. Etienne read the title for the record.

Mayor Pierre recognized State Representative Daphne Campbell.

Ringo Cayard, petitioner, gave a brief presentation to Council. Public discussion. Mayor Pierre asked the audience for a show of hands of all in favor of the event; many hands went up. Mayor Pierre asked the audience if anyone was opposed; no hands went up. Council discussion. Councilman Galvin moved to continue the item until more information is provided. Council discussion. Councilman Marcellus moved to direct the City Manager and the City Attorney to negotiate a final contract with Mr. Cayard for Council approval at the next Council meeting, seconded by Councilman Blynn; passed unanimously. Ms. Monestime requested Council provide input to be included in the agreement.

TAB K – DISCUSSION REGARDING FUNDING FOR THE POLICE ATHLETIC LEAGUE (PAL) BUILDING

Mr. Etienne read the title for the record. No public discussion. Mayor Pierre requested Council allocate \$1 million from Biscayne Landing proceeds to PAL. Council discussion. Councilman Blynn moved to give

permission to staff to locate a building for PAL. Vice Mayor Steril requested a presentation from PAL regarding the program at the next Council meeting.

TAB L - RECOMMENDATION TO NAME MARLEINE BASTIEN TO NORTH MIAMI CITIZENS' HALL OF FAME

Mr. Etienne read the title for the record. Public discussion. Council discussion. Councilman Marcellus moved to approve the recommendation, seconded by Mayor Pierre; passed unanimously.

Mayor Pierre announced the Haitian Women of Miami are having an upcoming event, 20th Anniversary Dancing Under the Stars at the Little Haiti Cultural Center. Mayor Pierre moved to give a \$15,000 donation. Council discussion. Councilman Galvin amended the motion to give \$1,000. Councilman Marcellus amended the motion to give \$5,000, seconded by Vice Mayor Steril; passed 3-2. Councilman Blynn and Councilman Galvin denied.

TAB M – RECOMMENDATION TO NAME FARAH JUSTE TO NORTH MIAMI CITIZENS' HALL OF FAME

Mr. Etienne read the title for the record. Public discussion. Council discussion. Councilman Marcellus moved to approve the recommendation, seconded by Councilman Galvin; for discussion. Council discussion. Mr. Etienne clarified that earlier discussion determined that approval of this Recommendation would be an exception to the guidelines. Ms. Monestime recommended following the guidelines as passed. Council voted; passed 3-2 unanimously. Councilman Blynn and Councilman Galvin denied. Councilman Galvin noted that his denial was based on the approval of the guidelines for nominations earlier in the meeting but recognizes Ms. Juste as an outstanding nominee.

TAB N - DISCUSSION REGARDING HAITI CUP 2013 SOCCER TOURNAMENTS AT NORTH MIAMI'S ATHLETIC STADIUM

Mr. Etienne read the title for the record. Council discussion. Councilman Blynn moved stopping amplification at 10 pm unless the event is a sporting event. Motion failed for lack of second.

CITIZENS' FORUM

A variety of residents spoke on issues of interest.

COUNCIL REPORTS

Various items of interest presented by Council.

Mayor Pierre moved to name the voting wing at the Library the Desaline Victor Voting Wing, seconded by Councilman Marcellus; passed unanimously.

CITY MANAGER'S REPORT

Mr. Johnson reported on:

- Water billing system/conversion process has been completed.

CITY ATTORNEY'S REPORT

Ms. Monestime reported on:

- Fee waivers approved at the last meeting for Pierre Toussaint Leadership Learning Center, Beth Moshe Congregation and Lively Stones for Jesus Ministries, have provided complete applications and are compliant with approved guidelines.

CITY CLERK'S REPORT

(NONE)

ADJOURNMENT

Meeting adjourned at 11:08 p.m.