CITY OF NORTH MIAMI
REGULAR COUNCIL MEETING
SUMMARY MINUTES
June 23, 2015

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, June 23, 2015, beginning at 7:21 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

ROLL CALL

Mayor Joseph	Here
Councilman Galvin	Here
Vice Mayor Keys	Here
Councilman Bien-Aime	Here
Councilman Desulme	Here

PLEDGE OF ALLEGIANCE

- Detective Michael Tovar, North Miami Police Department – Officer of the Month

INVOCATION

- Councilman Scott Galvin, District 1

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

- TAB H -1 - added to the consent agenda
- TAB F & G – removed from the agenda

SPECIAL PRESENTATION(s)

- 2nd Quarter Budget Presentation by Arthur Sorey, Budget Director

- Annual Audit Report & Comprehensive Annual Financial Report (CAFR) by Harvey, Covington & Thomas, LLC, Independent Certified Public Accountants Firm

CITY EVENTS – ANNOUNCEMENT - NONE

CONSENT AGENDA

- TABS A THROUGH H

TAB A – PASSED

APPROVAL OF MINUTES – Regular Council Meeting – June 23, 2015

TAB B – **PASSED** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND FORENSIC LOGIC, INC. TO PROVIDE FOR THE NORTH MIAMI POLICE DEPARTMENT'S PARTICIPATION IN THE LAW ENFORCEMENT ANALYSIS PORTAL (LEAP) SYSTEM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB C – **PASSED** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, 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 UPS FOUNDATION FOR GRANT FUNDS FROM THE KEEP AMERICA BEAUTIFUL/UPS COMMUNITY TREE AND RECOVER TREE PLANTING GRANT PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB D – **PASSED** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SUBMISSION OF AN APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE UNIVERSITY OF SOUTH FLORIDA TO SECURE GRANT IN SUPPORT OF THE HIGH VISIBILITY ENFORCEMENT FOR PEDESTRIANS AND BICYCLE SAFETY PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB E – **PASSED** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, 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 UNITED STATES DEPARTMENT OF JUSTICE FOR A GRANT FROM THE BULLETPROOF VEST PARTNERSHIP PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB F - **PULLED** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, 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 UNITED STATES DEPARTMENT OF JUSTICE FOR GRANT FUNDS FROM THE COMMUNITY ORIENTED POLICING SERVICES (COPS) HIRING PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB G – **PULLED** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, 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 MIAMI FOUNDATION FOR GRANT FUNDS FROM THE PUBLIC SPACE CHALLENGE GRANT PROGRAM TO BE USED TOWARD RENOVATING OLEANDER PARK TO BUILD A K-9 TRAINING FACILITY, A TOT-LOT, A MINI-DOG PARK, AND A COMMUNITY GARDEN; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB H – **PASSED** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE AMENDMENT TO THE FISCAL YEAR 2014-2015 REVENUE AND EXPENSE BUDGET, TO INCLUDE THE RECEIPT AND APPROPRIATION OF GRANT FUNDS FROM VARIOUS SOURCES, FOR THE NORTH MIAMI PUBLIC LIBRARY AND THE NORTH MIAMI POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB H-1 – **PASSED** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHOR IZING THE SUBMITTAL OF A GRANT APPLICAT ION AND AUTHORI ZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE UNITED STATES DEPARTMENT OF JUSTICE FOR GRANT FUNDS FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) 2015 ENHANCED LAW ENFORCEMENT PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

Councilman Galvin moved to approve the consent agenda, Tabs A, B, C, D, E, H through H -1, seconded by Councilman Desulme; **passed unanimously**. Tabs F and G pulled from the agenda.

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

RESOLUTIONS

TAB I - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A FUNDING ALLOCATION OF ONE MILLION TWO HUNDRED FOURTEEN THOUSAND FOUR HUNDRED TWENTY-SIX DOLLARS ($1,214,426.00) TO THE NORTH MIAMI MUSEUM OF CONTEMPORARY ART ("MOCA") AS WELL AS AN INTEREST FREE LOAN FROM THE CITY OF NORTH MIAMI TO THE MUSEUM OF CONTEMPORARY ART, INC., IN THE AMOUNT OF SIX HUNDRED FIFTY THOUSAND DOLLARS ($650,000.00), WITH THAT AMOUNT TO BE REIMBURSED TO THE CITY WITHIN FOUR (4) YEARS FROM THE LOAN DATE; AND FURTHER AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE FUNDING ALLOCATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Mayor Joseph; **passed 5-0**.

TAB J - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING ADDITIONAL FUNDING FOR THE COMPLETION OF THE NORTH MIAMI PUBLIC LIBRARY INTERIOR RENOVATION AND REMODELING PROJECT, IN THE AMOUNT NOT TO EXCEED SEVEN HUNDRED THOUSAND DOLLARS ($700,000.00); AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO AMEND THE AGREEMENT EXECUTED ON AUGUST 7, 2014, BETWEEN THE CITY OF NORTH MIAMI AND SA CONSULTANTS, LLC, AS THE CONTRACTOR FOR THE LIBRARY RENOVATION AND REMODELING PROJECT, IN ACCORDANCE WITH RESOLUTION NO. 2014-R-62; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval by Vice Mayor Keys and seconded by Councilman Galvin; **passed 5-0.**

TAB K - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE TERMINATION OF A SERVICE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND AMERICAN TRAFFIC SOLUTIONS, INC.; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval by Councilman Desulme and seconded by Councilman Bien-Aime; **passed 4-1**. Vice Mayor Keys voted no.

TAB L - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, REQUESTING A DESIGNATION FROM THE FLORIDA STATE LEGISLATURE AND THE FLORIDA DEPARTMENT OF TRANSPORTATION OF SR 922 (NE 123RD ST) FROM BISCAYNE BLVD (THE WESTERN TERMINUS), TO THE END OF THE STATE SYSTEM ROADWAY (AT THE NORTH MIAMI CITY LIMITS), TO BE KNOWN AS "STANLEY G. TATE BOULEVARD"; AND AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval with amendments by Councilman Galvin and seconded by Vice Mayor Keys; **passed 5-0.**

TAB M - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ESTABLISHING TIMELINES FOR PUBLIC RECORDS REQUESTS; ELIMINATING CERTAIN FEES AND COSTS; AND ASSIGNING PERSONNEL TO EFFECTUATE COMPLIANCE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval with amendments by Mayor Joseph and seconded by Councilman Galvin; **passed 5-0**.

ORDINANCES – FIRST READING –

TAB N - PROPOSED ORDINANCE (SECOND READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, UNDER DIVISION 9, ENTITLED "FENCES, WALLS, AND OTHER SIMILAR STRUCTURES", SPECIFICALLY AT SECTION 5-901 ENTITLED "GENERAL STANDARDS FOR RESIDENTIAL AND NONRESIDENTIAL DISTRICTS", AND SECTION 5-902 ENTITLED "MAXIMUM HEIGHT", TO CLEARLY ESTABLISH APPROPRIATE REGULATIONS FOR THE CONSTRUCTION AND USE OF OPAQUE FENCES AND WALLS IN RESIDENTIAL DISTRICTS, AND TO FURTHER ORGANIZE AND STREAMLINE THE SPECIFIC SECTIONS FOR GREATER CLARITY AND CONSISTENCY WITH THE INTENT OF THE NORTH MIAMI COMPREHENSIVE PLAN; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Mayor Joseph; **passed 5-0**.

TAB O - PROPOSED ORDINANCE (SECOND READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 21, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "CODE COMPLIANCE", BY AMENDING ARTICLE II, ENTITLED "CODE COMPLIANCE PROCEDURES" AT DIVISION 1. ENTITLED "CODE COMPLIANCE NOTICE OF VIOLATION PROCEDURE", SPECIFICALLY AT SECTION 21-20 ENTITLED "FINES; COSTS OF REPAIR" TO INCREASE THE MAXIMUM DAILY FINES FOR CODE VIOLATIONS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Councilman Desulme; **passed 5-0**.

TAB P - PROPOSED ORDINANCE (SECOND READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 4, DIVISION 3, ENTITLED "NON-RESIDENTIAL DISTRICTS," SPECIFICALLY AT SECTION 4-302 ENTITLED "USES PERMITTED", TO ESTABLISH "RETAIL SHOWROOM, AUTOMOBILE" AS A SPECIAL EXCEPTION USE IN THE C-2BW ZONING DISTRICT, TO FOSTER ECONOMIC GROWTH, AND AMENDING ARTICLE 7, AT SECTION 7-101 ENTITLED "DEFINITIONS", TO PROVIDE FOR A DEFINITION OF "RETAIL SHOWROOM, AUTOMOBILE," AS WELL AS ESTABLISHING CLEAR REGULATIONS FOR SAID USE, CONSISTENT WITH THE INTENT OF THE NORTH MIAMI COMPREHENSIVE PLAN; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Councilman Bien-Aime; **passed 4-1.** Vice Mayor Keys voted no.

ORDINANCES – FIRST READING

TAB Q - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 5, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "BUILDING STANDARDS AND REGULATIONS", BY AMENDING ARTICLE IV, ENTITLED "MINIMUM HOUSING STANDARDS", SPECIFICALLY

AT SECTION 5-30, ENTITLED "OCCUPANCY STANDARDS" TO PROHIBIT THE ADVERTISEMENT OF RENTALS OF SINGLE FAMILY HOMES FOR PERIODS OF LESS THAN THREE MONTHS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Vice Mayor Keys; **passed 5-0.**

TAB R - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 12, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "NUISANCES", BY AMENDING ARTICLE III, ENTITLED "MAINTENANCE OF SWALE AREAS", SPECIFICALLY AT SECTION 12-10, ENTITLED "STANDARD OF MAINTENANCE" TO PROHIBIT THE PLACEMENT OF ITEMS ON TREES IN THE SWALE AREA; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Vice Mayor Keys; **passed 5-0.**

REQUESTS – PETITIONS – COMMUNICATIONS – NONE

TAB S - DISCUSSION AND POTENTIAL DIRECTION GIVEN REGARDING LEGAL COLLECTION FROM INDIVIDUALS OF IRS FINES INCURRED.
CITIZENS' FORUM.

Item was postponed until the next meeting. Staff will provide updates to the City Council.

DISCUSSION REGARDING THE CITY ATTORNEY RENEWAL OF EMPLOYMENT MONTH TO MONTH CONTRACT.

Mayor Joseph opened for discussion. A motion was made by Councilman Galvin to 1) terminate the month to month contract for the City Attorney to go out for an open bid 2) appoint the Deputy City Attorney, Roland Galdos, to Interim City Attorney seconded by Vice Mayor Keys; **passed 4-1**. Councilman Bien-Aime voted no.

COUNCIL REPORTS

- Various items of interest presented by Council.

CITY CLERK'S REPORT –
Board and Committee appointments

Board of Adjustment

Vice Mayor Keys	Holly Cohen
Councilman Desulme	Michael McDearmaid
Mayor Joseph	Laura Hill – Alternate
Mayor Joseph	Peggy Boule
Councilman Galvin	Dotie Joseph
Vice Mayor Keys	Roseline Philippe – At large

Moved by Councilman Galvin and seconded by Councilman Bien-Aime; **passed 5-0**

Planning Commission Board

Councilman Desulme	Kevin Seifried	
Councilman Galvin	Jason James	
Mayor Joseph	Kenny Each – At large	
Mayor Joseph	Peggy Boule	
Councilman Desulme	Charles Ernst	(replacing Daniel Calixte)
Vice Mayor Keys	Bob Pechon	
	Mary Irvin – Alternate	
	Michael McDearmaid – Alternate	

Moved by Councilman Galvin and seconded by Councilman Bien-Aime; **passed 5-0**.

Quality Education Board

Vice Mayor Keys	Soraya Trujillo (replacing Sandy Baker Hover)

Moved by Vice Mayor Keys and seconded by Councilman Galvin; **passed 5-0**.

CITY ATTORNEY'S REPORT

- Reported

CITY MANAGER'S REPORT

- Reported

ADJOURNMENT

- Meeting adjourned at 12:15 pm.