

SUMMARY MINUTES

REGULAR COUNCIL MEETING

May 22, 2012

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, May 22, 2012, beginning at 7:05 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 Sergeant Angel Rivera, Officer of the Month

Inspirational Message

- ◆ Pastor Fanfan

ROLL CALL

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

Additions, Deletions or Withdrawals

Tab L, added

SPECIAL PRESENTATION(s)

- ◆ Proclamation in honor of *National Bike Month*

Mayor Pierre recognized Jeff Geimer, Parks and Recreation Director, presenting a Proclamation, in honor of *National Bike Month*; Whereas Mayor Pierre proclaimed May, 2012, to be *National Bike Month*, in the City of North Miami.

- ◆ Recognition in honor of *ASPIRA R.A.M. Chess Team*

Mayor Pierre recognized Ileana Pena, Principal of Aspira, along with Francilla Nune and Jorge Trujillo in recognition of the *ASPIRA R.A.M. Chess Team*, presenting certificates to the team.

CITY EVENTS – ANNOUNCEMENT

Miguel Seco, Governmental Affairs Manager, on behalf of Pam Solomon, Public Information Officer, announced upcoming events for the City of North Miami.

CONSENT AGENDA

TAB A - APPROVAL OF MINUTES

– Regular Council Meeting – May 8, 2012

TAB B – PROPOSED RESOLUTION APPROVING THE EXECUTION OF A COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE CITY OF MIAMI TO PROVIDE ADEQUATE LEVELS OF POLICE SERVICES

TAB C – PROPOSED RESOLUTION ADOPTING A REVISED CLASSIFICATION AND PAY PLAN FOR UNCLASSIFIED EMPLOYEES OF THE CITY, FOR THE 2011-2012 FISCAL YEAR BUDGET

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

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

LEGISLATIVE MATTERS

ORDINANCES – SECOND READING AND PUBLIC HEARING

TAB D – PROPOSED ORDINANCE (SECOND READING) AMENDING CHAPTER 29 OF THE 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 SELF STORAGE AS A PERMITTED USE ALONG NON-MAJOR CORRIDORS IN THE C-1 ZONING DISTRICT, TO ENCOURAGE ECONOMIC GROWTH CONSISTENT WITH THE INTENT OF THE COMPREHENSIVE PLAN

Michael Etienne, Esquire, City Clerk, read the Ordinance title for the record. No public discussion. Councilman Blynn moved to approve the Ordinance, seconded by Councilman Galvin; passed unanimously, by roll call vote.

TAB E - PROPOSED ORDINANCE (SECOND READING) AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES ENTITLED, “ALCOHOLIC BEVERAGES” SPECIFICALLY AT SECTION 3-2 ENTITLED, “DEFINITIONS” TO INCLUDE A DEFINITION FOR ADULT ENTERTAINMENT BUSINESS, AT SECTION 3-3 ENTITLED, “ALCOHOLIC BEVERAGES IN ADULT ENTERTAINMENT BUSINESSES PROHIBITED” TO REMOVE THE PROHIBITION OF THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN ADULT ENTERTAINMENT BUSINESSES, AND AT SECTION 3-11 ENTITLED, “DISTANCE REQUIREMENTS” TO ESTABLISH A DISTANCE SEPARATION REQUIREMENT FOR ADULT ENTERTAINMENT BUSINESSES, IN ACCORDANCE WITH STATE LAW

Mr. Etienne read the Ordinance title for the record. Public discussion. Maxine Calloway, Community Planning and Development Director gave a brief report to Council. Council discussion. Councilman Blynn moved to defer the item along with Tab F for 30 days, seconded by Mayor Pierre; for discussion. Public discussion. Jeff Cazeau, representing the applicant, present, along with the applicants; gave a brief report to Council. Council voted; passed 4-1. Councilman Galvin denied.

TAB F – PROPOSED ORDINANCE (SECOND READING) AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES ENTITLED, “LAND DEVELOPMENT REGULATIONS”, BY AMENDING ARTICLE 5, DIVISION 3 ENTITLED, “ADULT ENTERTAINMENT USES”, SPECIFICALLY AT SECTION 5-303 ENTITLED, “NO ADDITIONAL ZONING CONDITIONS, RESTRICTIONS, SAFEGUARD OR CONDITIONS”, IN ORDER TO REMOVE THE PROHIBITION ON THE CONSUMPTION, POSSESSION, AND SALE OF ALCOHOLIC BEVERAGES

Deferred, see Tab G.

TAB G - PROPOSED ORDINANCE (SECOND READING) AMENDING CHAPTER 5, ARTICLE VII, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES ENTITLED "ABANDONED REAL PROPERTY REGISTRATION", SPECIFICALLY AT SECTIONS 5-66, 5-68, 5-70, AND 5-71, TO REQUIRE MORTGAGEES TO PAY AN ANNUAL REGISTRATION FEE, TO POST ABANDONED PROPERTIES WITH CONTACT INFORMATION, TO REPORT ANY CHANGE IN THE STATUS OF THE PROPERTY, AND TO PROVIDE FOR PENALTIES FOR NON COMPLIANCE; AND FURTHER REQUIRING ABANDONED PROPERTIES TO BE IN COMPLIANCE WITH ALL CITY CODES

Mr. Etienne read the Ordinance title for the record. No public discussion. Councilman Blynn moved to approve the Ordinance, seconded by Vice Mayor Marcellus; passed unanimously, by roll call vote.

TAB H – PROPOSED ORDINANCE (SECOND READING) AMENDING CHAPTER 2, ARTICLE III, DIVISION 5 OF THE CODE OF ORDINANCES, ENTITLED "CODE ENFORCEMENT BOARD," SPECIFICALLY FROM SECTION 2-96 THROUGH 2-104, TO ELIMINATE "CODE ENFORCEMENT BOARD" AND REPLACING IT WITH "SPECIAL MAGISTRATE", DEFINING THE QUALIFICATIONS, POWERS AND COMPENSATION OF THE SPECIAL MAGISTRATE; AND FURTHER REPEALING ARTICLE III, DIVISION 5.2, ENTITLED "SUPPLEMENTAL CODE ENFORCEMENT MECHANISM; SPECIAL MAGISTRATES", SECTION 2-108 ENTITLED "SPECIAL MAGISTRATES"

Mr. Etienne read the Ordinance title for the record. No public discussion. Council discussion. Mayor Pierre moved to approve the Ordinance, seconded by Councilwoman Steril; for discussion. Council discussion. Regine Monestime, City Attorney, gave a brief report to Council. Public discussion. Council discussion. Council voted; passed 3-2, by roll call vote. Councilman Blynn and Councilman Galvin denied.

RESOLUTIONS

TAB I – PROPOSED RESOLUTION CALLING AND PROVIDING FOR A REFERENDUM ELECTION ON TUESDAY, AUGUST 14, 2012, IN THE CITY OF NORTH MIAMI TO DETERMINE WHETHER THE

CITY SHALL BE AUTHORIZED BY THE VOTERS TO ISSUE GENERAL OBLIGATION BONDS OF THE CITY OF NORTH MIAMI IN AN AMOUNT NOT TO EXCEED FIFTEEN MILLION DOLLARS (\$15,000,000.00) TO FINANCE THE RENOVATION AND EXPANSION OF THE CITY OF NORTH MIAMI MUSEUM OF CONTEMPORARY ART (MOCA)

Mr. Etienne read the Resolution title for the record. Councilman Blynn moved to approve the Resolution, seconded by Councilman Galvin; for discussion. Public discussion. Bonnie Clearwater, MOCA Director and Chief Curator, gave a brief report to Council. Council discussion. Councilman Blynn moved to approve and to add an additional \$30,000 for an educational campaign. Councilman Blynn withdrew the amended motion to add an additional \$30,000 for an educational campaign. Council voted; passed unanimously.

REQUESTS – PETITIONS – COMMUNICATIONS

TAB J – UPDATE REGARDING WASTE PRO REFUNDS TO NORTH MIAMI CUSTOMERS

Mr. Etienne read the title for the record. Stephen Johnson, City Manager; and Aleem Ghany, Public Works Director; gave brief reports to Council. Council discussion. Russell Mackie, Waste Pro of Florida, gave a brief report to Council. Council discussion. Councilman Galvin requested additional information and asked that this item be added on the next Council Agenda. Ms. Monestime advised confidential information would be redacted on Waste Pro documents.

TAB K – REVIEW AND DISCUSSION OF POLICIES AND PROCEDURES FOR USE OF CITY FACILITIES, CITY FUNDS, FEE WAIVERS, ETC., UNDER RESOLUTION 2010-33

Mr. Etienne read the title for the record. Council discussion. Mayor Pierre requested staff develop a policy for use of city facilities along with a Resolution. Council discussion.

Council discussion regarding a disaster preparedness workshop she is hosting in sister city, Delmas, Haiti. Councilwoman Steril moved to move forward with the disaster preparedness workshop in Delmas, Haiti, on June 4th, seconded by Mayor Pierre; passed 3-2. Councilman Blynn and Councilman Galvin denied.

**TAB L – DISCUSSION REGARDING SPONSORSHIP OF \$5,000 FOR
SANT LA 2012 ANNUAL FUNDRAISING EVENT**

Mr. Etienne read the title for the record. Mayor Pierre moved to approve the request, seconded by Councilman Galvin; for discussion. Council discussion. Council voted; passed 4-1. Councilman Blynn denied.

CITIZENS' FORUM

(NONE)

COUNCIL REPORTS

Vice Mayor Marcellus moved to request sponsorship in the amount of \$3,000 for a magazine promoting Haitian Constitution, seconded by Mayor Pierre; failed 2-2. Councilman Blynn and Councilman Galvin denied; Councilwoman Steril away from the dais.

Various items of interest presented by Council.

Mayor Pierre noted the city has been designated as a “Playful City” and thanked Jeff Geimer, Parks and Recreation Director.

CITY CLERK'S REPORT

Mr. Etienne commended the City Manager, Public Works Director and IT Director for a phenomenal job in moving projects and city clerk's office renovations.

CITY MANAGER'S REPORT

(NONE)

CITY ATTORNEY'S REPORT

(NONE)

ADJOURNMENT

Meeting adjourned at 9:57 p.m.