

MINUTES

OF THE
REGULAR
CITY COUNCIL MEETING

OCTOBER 20, 2009



PREPARED BY:
SUSAN A. OWENS, CMC,
CITY CLERK

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MINUTES

(CNMB-CC MINUTES TAPE #427)

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1. ROLL CALL OF THE CITY OFFICIALS:

MAYOR	MYRON ROSNER, PRESIDING
VICE MAYOR	FRANTZ PIERRE
COUNCILWOMAN	BETH E. SPIEGEL
COUNCILWOMAN	PHYLLIS S. SMITH
COUNCILMAN	JOHN PATRICK JULIEN
COUNCILMAN	PHILIPPE DEROSE
COUNCILWOMAN	BARBARA KRAMER

CITY MANAGER	KELVIN L. BAKER
CITY ATTORNEY	DARCEE S. SIEGEL
CITY CLERK	SUSAN A. OWENS

2. INVOCATION: MAYOR MYRON ROSNER, CITY OF NORTH MIAMI BEACH

3. SALUTE TO THE AMERICAN FLAG

4. REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO AGENDA:

DEFERMENTS: ITEM #5(C)

PRESENTATION OF THE EMPLOYEE OF THE MONTH AWARD BY VICE MAYOR FRANTZ PIERRE AND KELVIN L. BAKER, CITY MANAGER, TO *CHERYL M. FRABIZIO* AS THE *EMPLOYEE OF THE MONTH* FOR SEPTEMBER 2009

ITEM #5 (E)

PRESENTATION OF PROCLAMATION BY MAYOR MYRON ROSNER AND VICE MAYOR FRANTZ PIERRE TO OAK GROVE SCHOOL PROCLAIMING THE WEEK OF *OCTOBER 23-31, 2009 AS RED RIBBON WEEK*

5. PRESENTATIONS

A. PRESENTATION BY ROSLYN PARKER, PRESIDENT OF SAFESPACE FOUNDATION, INC. FOR PARTICIPATION IN THE DOMESTIC VIOLENCE WALK

PRESENTATION WAS MADE BY ROSLYN PARKER, PRESIDENT OF SAFESPACE FOUNDATION, INC. TO MAJOR KATHY KATERMAN AND CHIEF RAFAEL P.

HERNANDEZ.

- B. PRESENTATION OF FORFEITURE CHECK BY THE DRUG ENFORCEMENT ADMINISTRATION TO CHIEF RAFAEL P. HERNANDEZ. ON BEHALF OF THE CITY OF NORTH MIAMI BEACH

PRESENTATION WAS MADE BY DEPUTY SPECIAL AGENT RANDY BOWMAN OF THE MIAMI DRUG ENFORCEMENT AGENCY, TO CHIEF RAFAEL P. HERNANDEZ.

- C. PRESENTATION OF THE EMPLOYEE OF THE MONTH AWARD BY VICE MAYOR FRANTZ PIERRE AND KELVIN L. BAKER, CITY MANAGER, TO *CHERYL M. FRABIZIO* AS THE *EMPLOYEE OF THE MONTH* FOR SEPTEMBER 2009

ITEM DEFERRED (SEE PAGE 1).

- D. PRESENTATION OF PROCLAMATION BY MAYOR MYRON ROSNER AND COUNCILMAN JOHN PATRICK JULIEN TO NORMAN LaPORTE

PRESENTATION WAS MADE BY MAYOR ROSNER AND COUNCILMAN JOHN PATRICK JULIEN.

- E. PRESENTATION OF PROCLAMATION BY MAYOR MYRON ROSNER AND VICE MAYOR FRANTZ PIERRE TO OAK GROVE SCHOOL. PROCLAIMING THE WEEK OF *OCTOBER 23-31, 2009 AS RED RIBBON WEEK*

ITEM DEFERRED (SEE PAGE 1).

AT THIS TIME, COUNCILWOMAN SPIEGEL REMINDED EVERYONE OF THE NEED FOR VOLUNTEERS TO SERVE ON THE CIVIL SERVICE BOARD. MAYOR ROSNER ADDED THAT SEVERAL OTHER BOARDS AND COMMISSIONS ALSO NEED VOLUNTEERS; AND, THAT THE PUBLIC CAN REVIEW THE DIFFERENT BOARDS AND THEIR CURRENT NEEDS ON THE CITY WEBSITE.

6. APPOINTMENTS:

NONE

7. APPROVAL OF MINUTES:

SEPTEMBER 22, 2009

OCTOBER 6, 2009 (DEFERRED)

MOTION by COUNCILMAN JULIEN, seconded by VICE MAYOR PIERRE TO APPROVE THE MINUTES OF SEPTEMBER 22, 2009.

MOTION by COUNCILMAN JULIEN, seconded by COUNCILWOMAN SMITH TO AMEND THE MINUTES OF SEPTEMBER 22, 2009 TO REFLECT THE FOLLOWING:

1. DELETION OF THE WORD "WE" ON PAGE 15, THIRD LINE DOWN.
2. TO CHANGE THE WORD "MOOR" ON PAGE 22, SIXTH LINE DOWN TO THE WORD "MORGUE".

AND TO APPROVE THE MINUTES OF SEPTEMBER 22, 2009, AS AMENDED.

MOTION CARRIED.

8. CITY MANAGER'S REPORT
KELVIN L. BAKER

- A. THE CITY MANAGER REPORTED THAT THE CITY CAFÉ IS BACK OPEN. THE CITY HAS MET ALL OF THE REQUIREMENTS OF THE FOOD ADMINISTRATION, ONE OF THESE STATE ORGANIZATIONS THAT HAD TO COME IN AND GIVE THEIR SEAL OF APPROVAL. THE CITY MANAGER STATED THAT THE CITY IS BACK UP AND RUNNING; SO, IF YOU'RE IN CITY HALL, WE'D LOVE TO HAVE YOUR BUSINESS.

9. CITY ATTORNEY'S REPORT
DARCEE S. SIEGEL

- A. THE CITY ATTORNEY STATED THAT, AS WAS IN THE NEWSPAPER THIS WEEK WITH MORTGAGE FORECLOSURES, SHE WANTED THE COUNCIL TO KNOW THAT AS OF TODAY HER OFFICE IS HANDLING 164 MORTGAGE FORECLOSURE LAWSUITS OF RESIDENTS HERE IN THE CITY, AND IT'S STILL CLIMBING. LIKE EVERYWHERE ELSE IN THE COUNTRY, UNFORTUNATELY, OUR CITY HAS BEEN HIT PRETTY HARD, AS HAS SOUTH FLORIDA.

10. PUBLIC COMMENT

- A. BERT KEHREN
3302 N.E. 171 ST
North Miami Beach, FL

RE: COUNCIL COMPENSATION, CONGRATULATIONS TO CHIEF HERNANDEZ ON THE CHECK RECEIVED THIS EVENING, AND BOARD AND COMMITTEE VACANCIES

- B. MARISE HAYDEN
16415 N.E. 35 AVE
North Miami Beach, FL

RE: TAXPAYERS' RIGHT TO BE HEARD AND THE CITY BUDGET

- C. RICHARD RIESS
23 N.W. 169 ST
North Miami Beach, FL

RE: SPOKE ON BEHALF OF MARY HILTON REGARDING COUNCILMAN
JULIEN'S PRESENTATION ON COUNCIL SALARY AND WELLNESS
BENEFIT TOTALS

- D. ALLISON ROBIE
2131 N.E. 179 ST
North Miami Beach, FL

RE: COUNCILMAN JULIEN'S PRESENTATION ON COUNCIL SALARY AND
WELLNESS BENEFIT TOTALS AND THE SELECTION OF THE NEW
AUDITING FIRM

- E. MUBARAK KAZAN
15564 N.E. 12 AVE
North Miami Beach, FL

RE: TIME FOR PUBLIC SPEAKING, FUNDS FOR THE PANZOU PROJECT,
VOLUNTEERS FOR BOARDS AND COMMISSIONS, THE SELECTION OF
THE NEW AUDITING FIRM, AND THE DRUG TRADE

- F. NORMAN EDWARDS
1640 N.E. 175 ST
North Miami Beach, FL

RE: COUNCIL COMPENSATION AND COUNCIL DUTIES

- G. BRUCE LAMBERTO
3420 N.E. 165 ST
North Miami Beach, FL

RE: COUNCIL COMPENSATION, VOLUNTARY COUNCIL COMPENSATION
REDUCTIONS, AND TRAVEL EXPENSES

 DUE TO TECHNICAL DIFFICULTY EARLIER IN THE MEETING, MS. ROSLYN PARKER,
 PRESIDENT OF SAFESPACE FOUNDATION, INC., COMPLETED HER PRESENTATION TO THE
 COUNCIL AT THIS TIME.

 AT THIS TIME, MAYOR ROSNER GRANTED COUNCILMAN JULIEN A MOMENT OF
 PERSONAL PRIVILEGE TO ADDRESS THE RESIDENTS REGARDING THE POWERPOINT
 PRESENTATION HE PRESENTED TWO WEEKS AGO ON CURRENT AND HISTORICAL
 COUNCIL COMPENSATION AND WELLNESS BENEFITS.

11. MISCELLANEOUS ITEMS

NONE

12. WAIVER OF FEE

NONE

13. BUSINESS TAX RECEIPT MATTERS

CITY CLERK

NONE

14. LEGISLATION

A. ADMINISTRATION OF TESTIMONY OATH (CITY CLERK)

*RECENT FLORIDA SUPREME COURT RULINGS REGARDING MUNICIPAL
 ZONING MATTERS REQUIRE ALL CITIZENS WHO WILL BE PRESENT BEFORE
 THE LEGISLATIVE BODY OR CITY COUNCIL TO FOLLOW THE RULE OF
 TESTIMONY OATH (CITY CLERK TO ADMINISTER OATH).*

B. RESOLUTIONS (SERIATIM NO. 2009-67):

Resolution No. R2009-63 entitled "A RESOLUTION OF THE MAYOR AND CITY
 COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA APPROVING
 THE TEMPORARY PLACEMENT OF A THIRD MODULAR CLASSROOM AT THE
 TORAS EMES ACADEMY, 1051 NORTH MIAMI BEACH BOULEVARD;
 PROVIDING FOR REVIEW OF THE CONTINUATION OF THE TEMPORARY
 MODULAR CLASSROOM AT THE END OF FIVE YEARS, SHOULD IT
 CONTINUE TO EXIST AT THAT TIME", was introduced by MOTION of
 COUNCILMAN JULIEN, seconded by COUNCILMAN DEROSE.

MOTION CARRIED.

MOTION BY COUNCILMAN DEROSE, seconded by COUNCILWOMAN SMITH to ADOPT
 RESOLUTION NO. R2009-63.

AT 9:01 P.M. COUNCILMAN JULIEN AND COUNCILWOMAN SPIEGEL LEFT THE MEETING
TO ATTEND A MANDATORY TRAINING SESSION FOR THE POLICE OFFICERS' AND
FIREFIGHTERS' RETIREMENT BOARD, WHICH THEY BOTH SERVE ON.

MOTION by COUNCILWOMAN KRAMER to AMEND RESOLUTION NO. R2009-63 BY
REDUCING THE TIME ALLOWED UNTIL REVIEW TO THREE YEARS, seconded by
COUNCILMAN DEROSE. MOTION FAILED.
BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR PIERRE	YES	
COUNCILWOMAN SPIEGEL	ABSENT	
COUNCILWOMAN SMITH	NO	(VOTE: 3 YES; 2 NO;
COUNCILMAN JULIEN	ABSENT	2 ABSENT)
COUNCILMAN DEROSE	YES	
COUNCILWOMAN KRAMER	YES	
MAYOR ROSNER	NO	

MOTION by COUNCILWOMAN SMITH, seconded by VICE MAYOR PIERRE to ADOPT
RESOLUTION NO. R2009-63 AS PRESENTED. MOTION CARRIED.
BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR PIERRE	YES	
COUNCILWOMAN SPIEGEL	ABSENT	
COUNCILWOMAN SMITH	YES	(VOTE: 5 YES;
COUNCILMAN JULIEN	ABSENT	2 ABSENT)
COUNCILMAN DEROSE	YES	
COUNCILWOMAN KRAMER	YES	
MAYOR ROSNER	YES	

Names of Party(ies) Appearing:

1. ROBERT NIX, City of North Miami Beach Community Development Director
17011 N.E. 19 AVE
North Miami Beach, FL
2. ABRAHAM ANTON
1365 N.E. 171 ST
North Miami Beach, FL

3. RABBI EFRAIM PALGON
1100 N.E. 175 ST
North Miami Beach, FL
4. JOSEPH PAGLINO
1270 N.E. 162 ST
North Miami Beach, FL
5. ROBERT BRASS
18020 N.E. 9 PL
North Miami Beach, FL
6. JONATHAN BRAUNSHWERGL
1275 N.E. 176 ST
North Miami Beach, FL
7. RABBI ARIEL ASKATSKY, Toras Emes Executive Director
7320 San Sebastian DR
Boca Raton, FL

Resolution No. R2009-66 entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, RECOGNIZING CITY GOVERNMENT WEEK, OCTOBER 18-24, 2009 AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES", was introduced by MOTION of COUNCILMAN DEROSE, seconded by VICE MAYOR PIERRE. MOTION CARRIED.

MOTION by COUNCILMAN DEROSE, seconded by COUNCILWOMAN SMITH to ADOPT RESOLUTION NO. R2009-66. MOTION CARRIED.
WITH COUNCILMAN JULIEN AND COUNCILWOMAN SPIEGEL ABSENT.

C. ORDINANCES – FIRST READING, BY TITLE ONLY (SERIATIM NO. 2009-24):

Ordinance No. 2009-22 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE ZONING AND LAND DEVELOPMENT CODE, SECTION 24-52, B-2, GENERAL BUSINESS DISTRICT REGULATIONS, SUBSECTION (B), USES PERMITTED, TO ALLOW PET SHOPS AND PET GROOMERS WITHIN AIR CONDITIONED AND SOUNDPROOFED BUILDINGS ON PROPERTY THAT DOES NOT ADJOIN RESIDENTIAL ZONING OR DEVELOPMENT AS PERMITTED LAND USES IN THE B-2, GENERAL BUSINESS, ZONING DISTRICT, AND DELETING PET SHOPS AND DOG GROOMERS FROM PARAGRAPH (C) (1) USES PERMITTED CONDITIONALLY: EFFECTIVELY ADDING THESE LAND USES TO THE

PERMITTED USE LIST IN ALL BUSINESS ZONING DISTRICTS B-3 THROUGH B-5 THAT INCLUDE THE LAND USES PERMITTED IN THE B-2 ZONING DISTRICT AS PERMITTED USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE, PROVIDING FOR AN EFFECTIVE DATE" was introduced by MOTION of COUNCILWOMAN SMITH, seconded by COUNCILMAN DEROSE.

MOTION CARRIED.

MOTION by COUNCILMAN DEROSE, seconded by COUNCILWOMAN SMITH to ADOPT ORDINANCE NO. 2009-22.

MOTION by COUNCILWOMAN SMITH, seconded by COUNCILWOMAN KRAMER, to TABLE ORDINANCE NO. 2009-22. MOTION CARRIED.
WITH COUNCILMAN JULIEN AND COUNCILWOMAN SPIEGEL ABSENT.

Names of Party (ies) Appearing:

1. ROBERT NIX, Community Development Director
17050 N.E. 19 AVE
North Miami Beach, FL
2. FORTUNA SMUKLER
3207 N.E. 168 ST
North Miami Beach, FL
3. MUBARAK KAZAN
15564 N.E. 12 AVE
North Miami Beach, FL

Ordinance No. 2009-23 entitled "AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE TEXT OF CHAPTER XXIV, "ZONING AND LAND DEVELOPMENT" OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, SECTION 24-41, "LANGUAGE", TO ADD THE WORDS "MUST" AND "WILL" AS MANDATORY; TO ADD LIMITED LIABILITY COMPANY AS AN ENTITY TO BE CONSIDERED TO BE INCLUDED WITHIN THE WORD "PERSON"; TO ADD SOURCES TO BE USED TO DEFINE WORDS THAT ARE NOT OTHERWISE DEFINED IN THE ZONING AND LAND DEVELOPMENT CODE; AND TO PROVIDE THAT UNDEFINED WORDS OR PHRASES THAT CLEARLY REFERENCE WORDS AND PHRASES THAT ARE DEFINED IN THE CODE SHALL BE CONSTRUED TO BE THE DEFINED WORDS AND PHRASES; AND AMENDING THE FULFORD CITY CENTER ZONING DISTRICT SECTION 24-

58.3, "SITE DESIGN" SUBSECTION (A) "SITE DESIGN PRINCIPLES" TO PROVIDE A STANDARD FOR WHAT CONSTITUTES "PRINCIPAL RETAIL USE" AND TO PROVIDE STANDARDS FOR THE ALLOWABLE MIX OF LAND USES ON THE SECOND AND HIGHER FLOORS OF BUILDINGS; AND TO CHANGE SUBSECTION (H) SO THE TERM "PARKING STRUCTURES" READS "PARKING GARAGES", AND TO CHANGE THE REQUIREMENT THAT THE ENTIRE PARKING GARAGE BE HIDDEN BEHIND A PRINCIPAL BUILDING TO REQUIRE ONLY THE FIRST FLOOR TO BE HIDDEN BEHIND A PRINCIPAL BUILDING; TO ALLOW PARKING GARAGES FACING SECONDARY STREETS TO BE SCREENED FROM VIEW BY A FAÇADE AND LANDSCAPING INSTEAD OF BY A BUILDING; TO PROVIDE DESIGN STANDARDS FOR PARKING GARAGES; TO PROVIDE STANDARDS FOR PUBLIC PARKING GARAGES IN PRIVATE OWNERSHIP AS A PRINCIPAL LAND USE; EXEMPTING GOVERNMENT OWNED PARKING GARAGES FROM THE FULFORD CITY CENTER DESIGN REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE", was introduced by MOTION of COUNCILMAN DEROSE, seconded by COUNCILWOMAN SMITH. MOTION CARRIED.

MOTION by COUNCILMAN DEROSE, seconded by COUNCILWOMAN SMITH to ADOPT ORDINANCE NO. 2009-23.

MOTION by COUNCILWOMAN SMITH, seconded by COUNCILWOMAN KRAMER to TABLE ORDINANCE 2009-23. MOTION FAILED, WITH COUNCILMAN DEROSE AND VICE MAYOR PIERRE VOTING IN THE NEGATIVE, AND COUNCILMAN JULIEN AND COUNCILWOMAN SPIEGEL ABSENT.

MOTION by COUNCILWOMAN SMITH, seconded by COUNCILWOMAN KRAMER to TABLE ORDINANCE NO. 2009-23. MOTION CARRIED, WITH COUNCILMAN JULIEN AND COUNCILWOMAN SPIEGEL ABSENT.

MAYOR ROSNER REQUESTED A WORKSHOP FOR THIS ITEM; COUNCIL AGREED.

Names of Party (ies) Appearing:

1. ROBERT NIX, Community Development Director
17050 N.E. 19 AVE
North Miami Beach, FL

2. JOSEPH PAGLINO
1270 N.E. 162 ST
North Miami Beach, FL
3. MUBARAK KAZAN
15564 N.E. 12 AVE
North Miami Beach, FL

15. **CITY COUNCIL COMMITTEE REPORTS**

A. **VICE MAYOR PIERRE:**

1. VICE MAYOR PIERRE WISHED EVERYONE A GOOD EVENING. THE VICE MAYOR STATED THAT AS THE LIAISON FOR THE YOUTH ADVISORY BOARD, HE ATTENDED LAST WEEK'S NATIONAL LEAGUE OF CITIES CONGRESS OF CITIES ON YOUTH EDUCATION AND FAMILY. IT WAS HIS FIRST TRIP SINCE MARCH 2009 WHEN HE, ALONG WITH COUNCILWOMAN SMITH, BROUGHT BACK TO THE CITY THE DISCOUNT FROM MERCY CODE. THIS TIME IT WAS YOUTH AND THE FAMILY WHO WERE IN THE LIMELIGHT. EVEN BEFORE THE RECEPTION BEGAN, NEW SOLUTIONS WERE URGENTLY NEEDED TO ADDRESS. IT WAS OF PRESENT CHALLENGES, DIPPING FINANCIAL SECURITIES, VIOLENCE IN OUR NEIGHBORHOODS, EDUCATION ACTIVITY GAP, HYDROPART WEIGHTS, AND LOW YOUTH EMPLOYMENT RATES, ETC. AS THE LIAISON TO THE YOUTH ADVISORY BOARD AND TO THE LIBRARY BOARD, HE IS DETERMINED TO TAKE ACTION ON BEHALF CHILDREN, YOUTH AND FAMILY DESPITE BUDGET PROBLEMS, CONSTRAINTS CREATED BY RISING UNEMPLOYMENT, HIGH FORECLOSURE RATES, FALLING PROPERTY VALUES, AND DECLINING INCOME AND TAX REVENUES. HE HAS SET BOLD MEASURABLE GOALS FOR ENSURING THAT EVERY CHILD HAS OPPORTUNITIES TO LEARN AND GROW, A SAFE NEIGHBORHOOD TO CALL HOME, A UNITED AND/OR RE-UNITED FAMILY, A HEALTHY LIFESTYLE AND ENVIRONMENT, AND A FINANCIALLY FIT FAMILY. HE WILL BE LOOKING FOR WAYS, MEANS, AND PROGRAMS THROUGH THE CITY THAT WILL MAKE HIS GOAL A REALITY. THANK YOU AND GOOD NIGHT.

B. **COUNCILWOMAN SMITH:**

1. COUNCILWOMAN SMITH STATED THAT SHE HAD THE PLEASURE OF GOING TO THE TRANSPORTATION MEETING HELD HERE IN THE

MCDONALD CENTER LAST NIGHT. THE COUNCILWOMAN STATED THAT SHE HAD TO SAY ON THE BOARDS IT'S SO EXCITING; IF IT COULD ONLY COME TO FRUITION. THEY ARE LOOKING FOR THAT TRANSIT. SHE THOUGHT IT WAS 25 TO 35 YEARS AWAY; THEY ARE SAYING IT COULD BE AS LITTLE AS 12 TO 15. IT IS A QUESTION OF FUNDING. THE THING IS WE HAVE TO AS A CITY, ALL OF US, HAVE TO WORK TOGETHER AND FIGHT TO GET THIS STATION HERE AT 163RD STREET. LUCKILY, WE ARE THE ONLY STREET THAT GOES FROM THE EXPRESSWAY TO THE OCEAN OTHER THAN HALLANDALE, WHICH IS VERY CONGESTED, AND 125TH STREET WHICH HAS THE TOLL. COUNCILWOMAN SMITH STATED THAT SHE REALLY HAD ENCOURAGED THE LEADER THAT EVERYTHING ELSE LOOKS GOOD ON PAPER, BUT WE ARE OBVIOUSLY THE BEST PLACE TO PUT IT. HE SAID THAT HE NEEDS THE CITIES TO WORK WITH THEM. SHE STATED THAT SHE HOPES WHEN THERE ARE TRANSPORTATION MEETINGS YOU WILL ATTEND AND YOU WILL DO WHATEVER IT IS, OUR PART FOR OUR CITY, TO GET THAT. IT WILL BE WONDERFUL. IT WON'T BE WONDERFUL FOR HER; BUT, FOR THE NEXT GENERATION IT WILL BE FABULOUS.

2. COUNCILWOMAN SMITH WANTED TO THANK EVERYBODY THAT WALKED WITH THE MAYOR, HERSELF, HIS CHILDREN, AND HER DAUGHTER FOR THE WOMEN AGAINST VIOLENCE. COUNCILWOMAN SMITH STATED THAT IT WAS HOT AND IT SEEMED LIKE IT WAS MUCH LONGER THIS YEAR, MAYBE SHE IS OLDER AND HEAVIER, BUT THOSE TWO MILES SURE SEEMED LONGER. IF WE COULD HAVE THIS YEAR BE THE LAST YEAR FOR WOMEN AND VIOLENCE, SHE IS GETTING TOO OLD TO DO THIS WALK, SO EVERYBODY DO THEIR PART. EVERY NIGHT ON TV IT'S NOT A QUESTION OF BEATINGS ANYMORE; IT'S A QUESTION OF SHOOTINGS AND KILLINGS. WE REALLY HAVE TO RE-EDUCATE PEOPLE ON HOW TO TREAT EACH OTHER.

3. COUNCILWOMAN SMITH STATED THAT HER MEETING WAS TOMORROW MORNING AT 9 A.M. FOR THE SENIORS. SHE IS GOING TO START THE PROGRAM FOR THE HEALTH FAIR IN FEBRUARY; AND, OF COURSE, WE NEED AS MANY VOLUNTEERS FOR THAT COUNCIL AS WE CAN GET. TOMORROW NIGHT SHE HAS AT 6:30 P.M. THE ECONOMIC DEVELOPMENT. THEY HAVE A PRE-MEETING WITH THE CHAIR; AND, IT'S GOING TO BE A GOOD MEETING PUSHING FORWARDS A LOT OF THINGS FOR THE CITY. THE COUNCILWOMAN STATED THAT, PLEASE, WE NEED PEOPLE FOR THAT BOARD. WE WOULD LOVE IF YOU HAVE A BUSINESS OR IF YOU'RE INTERESTED

IN THE ECONOMICS OF NORTH MIAMI BEACH FOR YOU TO COME. TRY IT FOR ONE HOUR FROM 5:30 P.M. TO 6:30 P.M., AND THEN PERHAPS YOU'LL GIVE US 11 HOURS A YEAR. TOMORROW NIGHT, DON'T FORGET, 7 P.M. TO 8 .P.M. SHE STATED THAT SHE HAS HER FORUM GROUP. ANYBODY THAT WANTS TO HAVE AN ISSUE WITH THE CITY, SHE WILL BE MORE THAN HAPPY TO TAKE THE INFORMATION BACK TO OUR MANAGER, OUR ATTORNEY, OR OUR CLERK. WHATEVER YOUR NEEDS ARE, WHATEVER YOUR CONCERNS ARE, OR WHATEVER YOU'D LIKE TO COMPLIMENT US ON.

- 4. COUNCILWOMAN SMITH WANTED TO REMIND EVERYBODY, THAT WE WON'T SEE EACH OTHER AGAIN UNTIL AFTER HALLOWEEN. PLEASE BE SURE YOUR CHILDREN ARE SAFE, THEY DON'T TRIP OVER THEIR COSTUMES, THAT THEY TRAVEL WITH AN ADULT, AND THAT THEY GO EARLY AND COME HOME EARLY. COUNCILWOMAN SMITH STATED THAT, WITH THAT, HER LAST COMMENT IS SHE WANTS TO WISH HER HUSBAND A HAPPY ANNIVERSARY, FOR 43 YEARS, WHICH IS HALLOWEEN. THANK YOU VERY MUCH.

 AT THIS TIME, VICE MAYOR PIERRE WISHED TO CLARIFY THAT IT WAS NOT A WOMEN'S MARCH AGAINST VIOLENCE; IT WAS PEOPLE MARCHING. COUNCILWOMAN SMITH STATED THAT IT WAS PEOPLE. WE HAD A LOT OF MEN, A LOT OF CHILDREN, A LOT OF DOGS. WE HAD A LOT OF PEOPLE. COUNCILWOMAN SMITH THANKED THE VICE MAYOR FOR REMINDING HER.

C. COUNCILMAN DEROSE:

- 1. COUNCILMAN DEROSE WISHED EVERYONE A GOOD EVENING. COUNCILMAN DEROSE STATED THAT HE WOULD LIKE TO TAKE THIS OPPORTUNITY TO REMIND OUR CITIZENS THAT THE BEAUTIFICATION COMMITTEE IS LOOKING FOR A FEW GOOD APPLICANTS WILLING AND ABLE TO SERVE. WE ARE LOOKING FOR AT LEAST 5 PEOPLE TO SERVE. APPLICATIONS CAN BE OBTAINED AT THE 4TH FLOOR AT THE MAYOR AND COUNCIL OFFICE. PLEASE BE INVOLVED, PARTICIPATE IN YOUR CITY. NOT ONLY THE BEAUTIFICATION COMMITTEE; HE BELIEVES THAT MANY OTHER COMMITTEES AS WELL ARE LOOKING FOR PEOPLE TO SERVE. THE COUNCILMAN ASKED PEOPLE TO PLEASE GET INVOLVED.
- 2. COUNCILMAN DEROSE WANTED TO BRING TO THE CITY MANAGER'S ATTENTION, QUITE A FEW CITIZENS IN THE SKYLAKE

AREA HAVE BEEN COMPLAINING THAT THERE IS AN INCREASE IN CRIME IN THE AREA. THE COUNCILMAN STATED THAT HE WOULD LIKE TO SEE THAT OUR POLICE DEPARTMENT DOES SOMETHING TO ALLEVIATE THIS TYPE OF PROBLEM WE ARE HAVING IN SKYLAKE. THANK YOU AND GOOD NIGHT.

D. COUNCILWOMAN KRAMER:

1. COUNCILWOMAN KRAMER WISHED EVERYONE A GOOD EVENING. THE COUNCILWOMAN STATED THAT SHE WOULD ALSO LIKE TO TAKE THIS OPPORTUNITY. SORT OF LIKE A PUBLIC SERVICE ANNOUNCEMENT THAT THE LEISURE SERVICES COMMITTEE, IS ALSO LOOKING FOR VOLUNTEERS. WE COULD USE ABOUT 3 TO 4 VOLUNTEERS RIGHT NOW. LEISURE SERVICES HAS TO DO WITH OUR PARKS, RECREATION, ALL DIFFERENT TYPES OF DEPARTMENTS WITH THE CAMPS AND CHILDREN'S PROGRAMS, SENIOR PROGRAMS, AND THE LIBRARY. IT ENCOMPASSES A LOT AND WE WOULD REALLY LOVE TO HAVE YOU JOIN US. YOU CAN CALL PAULETTE MURPHY IN THE LEISURE SERVICES DEPARTMENT TO GIVE THEM YOUR NAME AND THE INFORMATION WE NEED.
2. COUNCILWOMAN KRAMER ANNOUNCED THAT WE DO HAVE THE MONSTER MASH BASH COMING UP ON OCTOBER 31ST AT THE GWEN MARGOLIS AMPHITHEATER. YOU CAN CALL LEISURE SERVICES. SHE STATED THAT SHE BELIEVES IT STARTS AT 5 P.M. BRING THE CHILDREN, DRESS THEM UP, IT WILL BE A LOT OF FUN. COUNCILWOMAN SMITH STATED THAT THE MONSTER MASH BASH IS AT 6 P.M. ON OCTOBER 31ST, SATURDAY EVENING; IT'S \$4.00 A PERSON. COUNCILWOMAN KRAMER THANKED COUNCILWOMAN SMITH FOR THE CORRECTION.
3. COUNCILWOMAN KRAMER ALSO STATED THAT SHE WOULD LIKE TO, UNFORTUNATELY, TAKE THIS OPPORTUNITY ON BEHALF OF THE CITY; AND, AS SHE IS THE LIAISON TO THE CODE ENFORCEMENT BOARD, WE DID HAVE A PASSING OF ONE OF OUR MEMBERS WHO WAS WITH US FOR ABOUT 10 YEARS, SALLY STONE. SHE WANTED TO OFFER OUR CONDOLENCES TO HER FAMILY AND WE THANK HER SO MUCH FOR ALL HER TIME AND SERVICE. THANK YOU.

E. MAYOR ROSNER:

1. MAYOR ROSNER WISHED EVERYONE A GOOD EVENING. MAYOR ROSNER CONGRATULATED THE CHIEF AND HIS WHOLE

DEPARTMENT FOR BRINGING HOME SOME BIG MONEY. THE MAYOR STATED THAT HE KNOWS THAT THE CHIEF IS VERY EXCITED TO BE ABLE TO BRING THAT MONEY BACK TO NORTH MIAMI BEACH. CONGRATULATIONS AND THANK YOU TO YOUR WHOLE DEPARTMENT.

2. MAYOR ROSNER STATED THAT HE AND THE CITY MANAGER VISITED JACKSON MEMORIAL HOSPITAL, NORTH THIS PAST WEEK. THE MAYOR STATED THAT THE HOSPITAL IS REALLY WORKING HARD IN BEING INVOLVED IN OUR COMMUNITY. THEY ARE GOING TO BE DOING A LOT OF OUTREACH WITH US AS A CITY; AND, A LOT OF OUTREACH TO OUR COMMUNITY. THE MAYOR STATED THAT WE ARE VERY HAPPY ABOUT THAT.

3. MAYOR ROSNER STATED THAT HE WANTED TO SPEAK ON THE DOMESTIC VIOLENCE WALK. HE WANTED TO SAY TO HIS KIDS HOW PROUD A DADDY HE IS. ON THE WAY THERE HE DROVE, HE HAD HIS THREE KIDS; HIS DAUGHTER JESSICA, HIS SON JEREMY, AND HIS OLDEST JOSHUA. THEY WERE AT THE AMPHITHEATER, ON THE DAIS, AND THE MAYOR STATED THAT HE THOUGHT THAT IT WAS APPROPRIATE THAT HE GIVE THE MICROPHONE TO HIS KIDS FOR A COUPLE OF MINUTES. ON THE WAY TO IT, HE ASKED HIS CHILDREN IF THEY KNEW WHY THEY WERE COMING TO DO THE WALK. HE LOOKED FIRST TO HIS DAUGHTER JESSICA, AND SHE TOLD HIM THAT THIS IS JUST LIKE THE JOKER IN BATMAN. THE JOKER WAS ABUSED AS A CHILD AND HAD TO WATCH WHILE HIS FATHER WAS BEATING HIS MOTHER. THE REASON THAT HIS FACE WAS CUT, WAS BECAUSE THE FATHER STUCK A KNIFE AND MADE THAT SMILE, THE PERMANENT SMILE. THE MAYOR STATED THAT HE WAS WOWED. THE MAYOR STATED THAT INSTEAD OF GOING AND DOING THIS WHOLE DISSERTATION OF SOMETHING DIFFERENT ABOUT WHAT THE PURPOSE WAS, THE MAYOR USED THAT ON THE DAIS AND TOLD THE PUBLIC ABOUT THE JOKER AND HOW IMPORTANT IT WAS FOR US TO REALIZE THAT WE'VE BEEN WATCHING THE JOKER FOR YEARS. THE MAYOR STATED THAT HE NEVER PUT THE TWO TOGETHER. HIS OTHER SON, JEREMY, SPOKE FOR A MINUTE UP THERE. THE MAYOR STATED THAT HE WASN'T SURE WHETHER IT REALLY IMPACTED JEREMY OR NOT. THEN THE MAYOR RECEIVED AN E-MAIL FROM ONE OF HIS TEACHERS. HIS SON WROTE A LITTLE ONE PARAGRAPH THING ABOUT IT FOR HIS COMMUNITY SERVICE HOURS; AND THE MAYOR STATED THAT HE JUST WANT TO READ IT. IT SAYS, "ONE ETHICAL BEHAVIOR I POSSESS IS GENEROSITY. GENEROSITY CAN BE ANYTHING SUCH AS

GIVING UP TIME FOR A CAUSE OR BEING A PHILANTHROPIST. LAST WEEK I DID A WALKATHON. THIS WAS NO REGULAR MARATHON; IT WAS FOR PEOPLE WHO WERE ABUSED, WHICH IS DOMESTIC VIOLENCE. I ALSO TALKED BEFORE THE WALK TO THE PUBLIC ON THE PODIUM SAYING WE SHOULD STOP DOMESTIC VIOLENCE AND TRY TO ACHIEVE THE CONSTITUTION'S GOAL OF DOMESTIC TRANQUILITY." THE MAYOR THEN STATED THAT HE ASKED HIS SON WHERE HE GOT THAT FROM. HIS SON SAID IT'S PART OF THE PREAMBLES OF THE CONSTITUTION. THE MAYOR CONTINUED TO READ HIS SON'S PAPER; IT SAID, "I FEEL THIS IS GENEROSITY BECAUSE INSTEAD OF TAKING I GAVE BACK TO THE PEOPLE TO TRY TO SAVE THE LIVES THAT ARE RUINED. WE TRIED TO GIVE MONEY TO PEOPLE WHO WERE INJURED DURING THE ACTS OR TRY TO BUY SAFE HOUSES TO STOP THE STALKERS. GENEROSITY IS CHARITY THAT YOU WANT TO DO AND TAKING A CHUNK OUT OF YOUR DAILY LIFE FOR A GOOD CAUSE. I FEEL I ACQUIRED THIS QUALITY DURING THE WALK." THE MAYOR STATED THAT HE WAS VERY PROUD OF HIS SON; AND, ON THAT, GOOD NIGHT.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH WAS ADJOURNED AT 10:21 P.M. ON A MOTION by COUNCILMAN DEROSE, seconded by COUNCILWOMAN SMITH. MOTION CARRIED.

CERTIFICATION

I, SUSAN A. OWENS, CITY CLERK OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, DO
HEREBY CERTIFY THAT THE FOREGOING MINUTES, PAGES ONE (1) THROUGH PAGE
SIXTEEN (16) INCLUSIVE, TO BE THE OFFICIAL RECORD OF THE CITY COUNCIL
PROCEEDINGS AS TAPE RECORDED AT THE REGULAR CITY COUNCIL MEETING OF THE
CITY OF NORTH MIAMI BEACH, FLORIDA, HELD ON THE TWENTIETH (20TH) DAY OF
OCTOBER, 2009.

(SEAL)



SUSAN A. OWENS, CMC,
CITY CLERK
CITY OF NORTH MIAMI BEACH