



NOVEMBER 16, 2010
REGULAR MEETING MINUTES
(CNMB-CC MINUTES TAPE #458)

1. ROLL CALL OF THE CITY OFFICIALS

The meeting was called to order at 7:37 p.m. Present were Mayor Myron Rosner, Vice Mayor Beth E. Spiegel and Council Members Philippe Derose, McKenzie Fleurimond, Barbara Kramer, Frantz Pierre, and Phyllis S. Smith. Also present were Acting City Manager Roslyn Weisblum, City Attorney Darcee S. Siegel, and Interim City Clerk Joanne M. Callahan.

2. INVOCATION

The invocation was given by Reverend Marta Burke, Fulford United Methodist Church.

3. PLEDGE OF ALLEGIANCE

Mayor Rosner led the Pledge of Allegiance.

4. REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO AGENDA – None

5. PRESENTATIONS/DISCUSSIONS – *(Item was postponed at this time – see page 2)*

6. APPOINTMENTS

6.1 Commission on the Status of Women (Vice Mayor Spiegel)

Eloise Lengel
Pauline Stevenson

Motion made by Councilwoman Smith, seconded by Councilman Pierre, to appoint Eloise Lengel and Pauline Stevenson to the Commission on the Status of Women. By consensus, all voted in favor of the motion. (**Motion carried 7-0**). Vice Mayor Spiegel noted that there were additional vacancies on this Commission and encouraged those interested to volunteer.

7. CONSENT AGENDA – None

8. CITY MANAGER'S REPORT

Acting City Manager Weisblum announced the following:

- a) Miami-Dade Water & Sewer held a public meeting on November 15th at the McDonald Center regarding a sewer force main line to be constructed from NE 168 Street to NE 171 Street in Eastern Shores. She noted that there would be no sewer stoppage.

- b) Florida International University, through the College of Medicine, was now offering a Neighborhood Health Education Learning Program, partnering with the City to bring health and social services to medically underserved households with no cost to the City. A representative will be attending the next meeting to make a presentation.
- c) Leisure Services Aquatic Division received a certificate from the Red Cross naming them one of the top five (5) swimming lesson programs in Monroe, Miami-Dade and Broward Counties.

9. CITY ATTORNEY'S REPORT

9.1 Litigation List – *No Discussion*

City Attorney Siegel announced that she was currently in trial for a police matter from 2002 and would report back with the outcome. She reported that Asst. City Attorney Lina Busby had to resign abruptly due to an emergency matter outside the state, which required her presence out of state for an indefinite time.

10. MAYOR'S DISCUSSION

Mayor Rosner encouraged anyone to email him regarding any ideas for goals and strategic planning for the Council Conference meeting in two (2) weeks.

11. PUBLIC COMMENT

Interim City Clerk Callahan read the rules and procedures for Public Comment.

Charles R. Loeb, 16800 NE 15 Avenue, #112, North Miami Beach, FL, wished Councilman Derosé a Happy Birthday and everyone a Happy Thanksgiving. He spoke of the sewer rates, public transportation and Tri-Rail.

Bert Kehren, 3302 NE 171 Street, North Miami Beach, FL, spoke about life in the past, present and future. He also spoke about the recycling program, forensic audit,

Volney Mirette, 16121 NE 19 Place, North Miami, Beach, FL, spoke about his call to the police and its one (1) hour response time.

Mubarak Kazan, 15564 NE 12 Avenue, North Miami Beach, FL, spoke about recent Muslim celebrations, the forensic audit and the missing 2.2 million dollars, and checks and balances.

Allison Robie, 2131 NE 179 Street, North Miami Beach, FL, wished everyone a Happy Thanksgiving. She spoke of a staff meeting that took place with the Mayor regarding code enforcement issues on her property and actions taken. She also spoke of her complaints to the Commission on Ethics regarding the Mayor's property.

Margie Love, 1579 NE 169 Street, North Miami Beach, FL, spoke about her being a crime victim in June of 2010 and her contact with and support from Laura Callous, Pan ZOu Project.

5. PRESENTATIONS/DISCUSSIONS

- 5.1 Swearing In of Police Officer Zoila Simmons – By Chief Rafael Hernandez and Mayor Rosner**

- 5.2 IACP Award for Excellence in Criminal Investigations to Sergeant William Beauparlant – Presented by Chief Rafael Hernandez

12. MISCELLANEOUS ITEMS – *None*

13. WAIVER OF FEE – *None*

14. BUSINESS TAX RECEIPTS – *None*

15. LEGISLATION

Motion made by Councilman Derose, seconded by Councilwoman Smith, to introduce Resolution No. R2010-76. By consensus, all voted in favor of the motion. (**Motion carried 7-0**).

15.1 Resolution R2010-76

A RESOLUTION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE NEGOTIATION OF A LOAN IN AN AGGREGATE AMOUNT NOT TO EXCEED \$16,000,000 FROM THE FLORIDA MUNICIPAL LOAN COUNCIL TO REFUND A PRIOR LOAN; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE FLORIDA MUNICIPAL LOAN COUNCIL; APPROVING THE EXECUTION AND DELIVERY OF A BOND PURCHASE CONTRACT; APPROVING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION WITH THE MAKING OF SUCH LOAN, AND PROVIDING AN EFFECTIVE DATE.

Motion made by Councilman Derose, seconded by Councilwoman Kramer, to adopt Resolution No. R2010-76. Interim Finance Director Marcia Fennell introduced David Thornton, manager/director of public finance of Wells Fargo, who provided an overview of the bond funding and answered various questions posed by the Council. JoLinda Harry, attorney for the Florida Municipal Loan, was also present to answer questions. Mayor Rosner passed the gavel.

Friendly Motion made by Mayor Rosner, seconded by Councilwoman Smith, to amend Resolution No. R2010-76 as follows: Add to Section 3: The minimum amount of savings to the City shall be at least 3% of the refunded par amount of the bonds. In a roll call vote, all voted in favor of the motion. (**Motion carried 7-0**).

Motion made by Vice Mayor Spiegel, seconded by Councilwoman Smith, to adopt Resolution No. R2010-76 as amended. In a roll call vote, all voted in favor of the motion. (**Motion carried 7-0**).

Motion made by Councilman Derose, seconded by Councilman Fleurimond, to introduce Resolution No. R2010-77. By consensus, all voted in favor of the motion. (**Motion carried 7-0**).

15.2 Resolution No. R2010-77

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING APPROVAL TO A REQUEST FOR MODIFICATION OF A PREVIOUSLY APPROVED SITE PLAN, IN ORDER TO CONSTRUCT A 2,500 SQUARE FOOT ADDITION TO AN EXISTING 18,461 SQUARE FOOT TWO- STORY OFFICE BUILDING, WHERE A 10,586 SQUARE FOOT

ADDITION WAS PREVIOUSLY APPROVED UNDER RESOLUTION R2009-20 AND IS CURRENTLY UNDER CONSTRUCTION, AND TOTAL BUILDING SIZE WILL BE APPROXIMATELY 31,547 SQUARE FEET, AS PROPOSED, ON PROPERTY LEGALLY DESCRIBED AS: LOTS 1-9 AND LOTS 22-30, BLOCK 5 "FULFORD VILLAS AMENDED" AND A 16' ALLEY LYING BETWEEN SAID LOTS, PLAT BOOK 21, PAGE 24, PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. A/K/A 15950 West Dixie Highway North Miami Beach, Florida (P&Z Item No. 10-491 of October 18, 2010)

Motion made by Councilman Derose, seconded by Councilwoman Smith, to adopt Resolution No. R2010-77.

Interim City Clerk Callahan read the rules regarding the disclosing of ex-parte communications and swore in those members of the Public speaking about this item.

Architect Jeff Gamble, Shulman & Associates, 100 NE 38th Street, Miami, FL, provided a detailed overview of the proposal and answered several questions posed by the Council. City Planner Chris Heid was also present to provide additional information and answer questions.

Public Comment

Mubarak Kazan, 15564 NE 12 Avenue, North Miami Beach, FL, spoke about having adequate parking and security.

Vote: All voted in favor of the motion. (**Motion carried 7-0**).

Motion made by Councilman Derose, seconded by Councilwoman Spiegel, to introduce Ordinance No. R2010-27. In a roll call vote, all voted in favor of the motion. (**Motion carried 7-0**).

15.3 Ordinance No. R2010-27 (Second and Final Reading)

AN ORDINANCE AMENDING SECTION 7-5.1 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, RELATING TO THE FINGERPRINTING OF CANDIDATES; 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.

Motion made by Councilman Derose, seconded by Councilwoman Smith, to adopt Resolution No. R2010-27. City Attorney Siegel provided an overview and noted that it was housekeeping in nature.

Public Comment

Mubarak Kazan, 15564 NE 12 Avenue, North Miami Beach, FL, spoke about corrupt officials.

Vote: All voted in favor of the motion. (**Motion carried 7-0**).

15. CITY COUNCIL COMMITTEE REPORTS

Vice Mayor Spiegel expressed condolences to the Supraski Family on behalf of the City and Council. She announced that the Commission on the Status of Women was going to assist with

the Fulford United Methodist Church Thanksgiving Dinner and encouraged volunteers to help. She thanked everyone who attended the Veteran's Day celebration. Vice Mayor Spiegel thanked Chief Hernandez who agreed to allow the Police Station lobby as a repository for unwanted books and magazines for the Veteran's Hospital and encouraged donations. She encouraged volunteers to serve on the Commission on the Status of Women and commended Eastern Shores Crime Watch on the previous Friday's meeting. Vice Mayor Spiegel wished everyone a Happy Thanksgiving and Happy Chanukah.

Councilwoman Smith expressed condolences to the Supraski Family. She congratulated the new Miami-Dade County Commissioner Jean Monestime on his reciprocated communication and thanked Councilwoman Spiegel for conducting the Veteran's Day celebration. Councilwoman Smith spoke of graduation from the Citizen's Police Academy, the excellent staff and learning experience from the program. She also spoke of the forensic audit and the City Manager's meetings to select the best person to come into the City and address the issue. Councilwoman Smith announced the Senior Citizens Meeting tomorrow at 9:00 a.m. and encouraged participation in the meetings and events; and announced Economic Development is tomorrow night at 5:30 p.m. She added that on the previous Sunday, the Humane Society was hosting an annual fundraising from noon to 4:00 p.m. with face painting, animal petting, auctions, etc. Councilwoman Smith wished everyone safe holidays.

Councilman Fleurimond wished everyone Happy Thanksgiving and to be safe in their travels and Happy Holidays. He thanked Chief Hernandez and Staff for the recent tour of the Police Department. Councilman Fleurimond noted that he rode with a police officer last Sunday and was present for ticket stops with citizens that did not have their children belted. He congratulated the police officer that took her oath today, all officers sworn in at the School Board and County Commissioners, Former City Councilman John Patrick Julien, and other legislators in Tallahassee. He reminded the Public that the library and pool were both open and encouraged participation in the available amenities. He announced an upcoming Vendors' Workshop this month and the Miami-Dade International Book Fair ending this Sunday. Councilman Fleurimond expressed condolences to the Supraski Family and to the police officer who lost a parent. He also announced the Multi-Cultural Committee meetings were taking place the 1st Monday of each month at 7:00 pm in the McDonald Center and encouraged participation.

Councilman Derose expressed condolences to the Supraski Family and thanked the Residents, Staff and Colleagues who participated in the Veteran's Day celebration. He noted that he had recently presented a proclamation to the new Miami-Dade County Commissioner Jean Monestime on behalf of the City.

Councilwoman Kramer expressed condolences to Ben Supraski and his family on the passing of his mother. She congratulated the swearing in of Miami-Dade County Commissioner Jean Monestime and Miami-Dade County Commissioner Sally Heyman. Councilwoman Kramer thanked the Staff on their exceptional "can do" attitude regarding a recent project she was working on. She spoke of graduation from the Citizen's Police Academy and learning about crisis intervention, crime scene investigation, gang violence, a visit to the shooting range, shooting simulator, and traffic stops. Councilwoman Kramer wished everyone happy and healthy holidays.

Councilman Pierre expressed condolences to Ben Supraski and his family on the passing of his mother. He thanked the Residents and Staff for their attendance at the Veteran's Day celebration and commended Vice Mayor Spiegel for conducting the event. Councilman Pierre expressed gratitude for the positive award to the Police Department. He spoke of his support for some type

of audit. He congratulated the swearing in of Miami-Dade County Commissioner Jean Monestime and Miami-Dade County Commissioner Sally Heyman. Councilman Pierre wished everyone Happy Holidays. He reminded everyone about the library hours.

Mayor Rosner expressed condolences to Ben Supraski and his family on the passing of his mother. He announced that a special event on Saturday, November 20st at 5:00 p.m. welcoming Miami-Dade County Commissioner Jean Monestime was taking place in front the North Miami City Hall at Mocha with participation from the Cities of Opa-locka and North Miami and their respective Police Departments. Mayor Rosner also spoke of Miami-Dade County Commissioner Jean Monestime coming to a future meeting. He wished everyone a Happy Thanksgiving and reminded everyone to put out their recycling and call 311 for larger bins, if needed.

16. NEXT REGULAR CITY COUNCIL MEETING - Tuesday, December 7, 2010

17. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 9:57 p.m. on a motion made by Councilman Derosé and seconded by Councilman Pierre. By consensus, all voted in favor. (**Motion carried 7-0**).

ATTEST:

(SEAL)


Joanne M. Callahan
Interim City Clerk