



**NOVEMBER 2, 2010**  
**REGULAR MEETING MINUTES**  
*(CNMB-CC MINUTES TAPE #457)*

**1. ROLL CALL OF THE CITY OFFICIALS**

The meeting was called to order at 7:34 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 Rabbi David Lehrfield, Young Israel of Greater Miami.

**3. PLEDGE OF ALLEGIANCE**

North Miami Mayor Andre Pierre led the Pledge of Allegiance.

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

Motion made by Vice Mayor Spiegel, seconded by Councilman Derose, to have Item 6.1 be heard at this time. By consensus, all voted in favor of the motion. (**Motion carried 6-0**).

- 6.1** Administration of Oath to McKenzie Fleurimond (Seat 7) – Subscribed and Sworn to Reverend Jonas Georges, All Nations Presbyterian Church

Interim City Clerk Callahan requested the following change to the agenda: withdrawal of Items 7.1 – 7.4 Meeting Minutes.

**5. PRESENTATIONS/DISCUSSIONS**

- 5.1** Officer of the Year Jose Marin – Presented Jack Ross, NMB Optimist  
**5.2** Presentation by Charlene Walker, Sr. Vice President of Mt. Sinai Medical Center

**6. APPOINTMENTS**

- 6.1** Advisory Board for Disabled Individuals (Mayor Myron Rosner)

Emiliano Vengoechea

**Motion** made by Councilwoman Smith, seconded by Councilman Pierre, to appoint Emiliano Vengoechea to the Advisory Board for Disabled Individuals. By consensus, all voted in favor of the motion. (**Motion carried 7-0**).

**6.2** Commission on Aging/Senior Citizens Advisory Board (Councilwoman Phyllis S. Smith)

Saundra Douglas  
Regina Knight  
Josh Gibson King

Patsita Harris  
Alma Mackly

Doris Kalishman  
Arlene Zara

**Motion** made by Councilwoman Smith, seconded by Councilman Pierre, to appoint Saundra Douglas, Patsita Harris, Doris Kalishman, Regina Knight, Alma Mackly, Arlene Zara and Josh Gibson King (ex-officio) to the Commission on Aging/Senior Citizens Advisory Board. By consensus, all voted in favor of the motion. (**Motion carried 7-0**).

**7. CONSENT AGENDA**

**Motion** made by Councilman Derose, seconded by Councilwoman Smith, to approve the Consent Agenda as amended. By consensus, all voted in favor of the motion. (**Motion carried 7-0**).

**7.1** Meeting Minutes of September 7, 2010 (Regular) - *withdrawn*

**7.2** Meeting Minutes of September 13, 2010 (Regular) - *withdrawn*

**7.3** Meeting Minutes of September 14, 2010 (Special) – *withdrawn*

**7.4** Meeting Minutes of September 14, 2010 (Budget) – *withdrawn*

**7.5** Resolution R2010-71

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH FLORIDA STEEL, LLC, FOR THE PURCHASE OF STEEL CONTAINERS, ROLL-OFF BOXES AND REPLACEMENT LIDS; PACIFIC WASTE, CORP., FOR THE PURCHASE OF CASTERS AND REPAIR OF CONTAINERS' BOTTOM AND PAINT; AND IRON CONTAINER, LLC, FOR ROLLER REPAIRS OF ROLL- OFF BOXES.

**7.6** Resolution R2010-72

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY ACCEPTING A \$7,995.00 FEDERAL AWARD FOR THE DOMESTIC VIOLENCE PROJECT.

**7.7** Resolution R2010-73

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH GOVERNOR CONSTRUCTION, INC., FOR THE MASTER LIFT STATION GENERATOR UPGRADES.

## **8. CITY MANAGER'S REPORT**

Acting City Manager Weisblum announced the following:

- a) The City of North Miami Beach received a certificate of achievement for excellence in financial reporting for the fiscal year 2009 Comprehensive Financial Report (CFR) for the 22<sup>nd</sup> consecutive year. She congratulated and thanked the Finance Staff.
- b) The North Miami Beach Police Department was recognized by the International Association of Chiefs of Police as runner up for the Awards for Excellence in Criminal Investigations.
- c) First Sunset Bike Ride with the Chief – thanked the Chief and Residents who took part in this event.
- d) Recycling Collections – From the first to the second pickup, the City doubled its tonnage; 26 tons to 41 tons. She thanked the Residents for participating and being environmentally conscious.
- e) Monster Mash Bash – thanked Director of Leisure Service Paulette Murphy, the Public, the Police, Public Services and Staff who participated in the event.
- f) Library Hours on Sunday (1:00 p.m. – 5:00 p.m.) – started with 180 patrons and last Sunday there were 258 patrons.

## **9. CITY ATTORNEY'S REPORT – *waived***

### **9.1 Litigation List – *No Discussion***

City Attorney Siegel welcomed Councilman Fleurimond.

## **10. MAYOR'S DISCUSSION - *waived***

## **11. PUBLIC COMMENT**

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

Yona Lunger, NMB Chamber of Commerce, 1870 NE 171 Street, spoke about “Coffee with a Cop” and thanked Chief Hernandez, Police Department Director Tom Carney, Mayor Rosner, Councilwoman Kramer and Councilwoman Smith for their participation and attendance.

Charles R. Loeb, 16800 NE 15 Avenue, #112, North Miami Beach, FL, spoke about a boy who got expelled for carrying a toy gun; overreactions of transportation security; public transportation; and an article regarding his own high school receiving awards for math, science and technology

Bert Kehren, 3302 NE 171 Street, North Miami Beach, FL, spoke of the budget and the vacant city manager position, and code enforcement.

Gail Dixon-Johnson, Otis Council, 8203 South Palm Drive #111, Pembroke Pines, FL, congratulated McKenzie Fleurimond and expressed shock about the comment that was made at the last meeting regarding the number of Haitians on the Council.

Bruce Lamberto, 3420 NE 165 Street, North Miami Beach, FL, spoke of allowing public comment at Community Redevelopment Advisory meetings, getting an early start on the budget, and the city manager position vacancy.

## **12. MISCELLANEOUS ITEMS – None**

## **13. WAIVER OF FEE – None**

## **14. BUSINESS TAX RECEIPTS**

### **14.1 Platinum South Inc. d/b/a Dean's Gold**

Interim City Clerk Callahan reported that this request was for an annual approval for a 4:00 am to 6:00 am Extension of Hours Business Tax Receipt for Platinum South Inc. d/b/a Dean's Gold. Alan Rosenthal, representative, was present.

**Motion** made by Councilman Derose, seconded by Vice Mayor Spiegel, to approve extension of hours. By consensus, all voted in favor of the motion. (**Motion carried 7-0**).

## **15. LEGISLATION**

**Motion** made by Councilman Derose, seconded by Vice Mayor Spiegel, to introduce Resolution R2010-74. By consensus, all voted in favor of the motion. (**Motion carried 7-0**).

### **15.1 Resolution R2010-74**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, DECLARING AND DEDICATING THE THIRD TUESDAY OF EVERY OCTOBER AS CITIZENS' APPRECIATION DAY IN NORTH MIAMI BEACH, FLORIDA.

**Motion** made by Councilman Derose, seconded by Vice Mayor Spiegel, to adopt Resolution R2010-74.

Councilwoman Smith noted that October was the month to recognize Domestic Violence and Breast Cancer and recommended the month of September. Councilwoman Kramer noted that she selected October because it was following the adoption of the budget and because it was a new year for resolutions. She spoke of the many causes that the City recognized each month of the year. Vice Mayor Spiegel expressed that she was not in favor for the month of September and suggested the first Tuesday in November. Councilman Derose expressed that he was in support of October.

**Motion** made by Councilwoman Smith, seconded by Mayor Rosner, to amend the resolution for the meeting in November. In a roll call vote, Councilwoman Smith, Councilman Fleurimond and Mayor Rosner all voted in favor of the motion, while Councilwoman Spiegel, Councilman Derose, Councilwoman Kramer and Councilman Pierre all voted against the motion. (**Motion failed 4-3**).

**Vote on Original Motion:** By a roll call vote, all voted in favor of the motion. (**Motion carried 7-0**).

**Motion** made by Councilman Derosé, seconded by Vice Mayor Spiegel, to introduce Ordinance No. 2010-27 on First Reading, By Title Only. By consensus, all voted in favor of the motion. (**Motion carried 7-0**).

#### 15.2 Ordinance No. 2010-27 (First Reading, By Title Only).

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 Councilwoman Kramer, seconded by Councilman Fleurimond, to adopt Ordinance No. 2010-27 on First Reading, By Title Only. By consensus, all voted in favor of the motion. (**Motion carried 7-0**).

### 15. CITY COUNCIL COMMITTEE REPORTS

**Vice Mayor Spiegel** reminded everyone about pick up tomorrow for recycling. Call 311 for larger recycling bins. She spoke about the Veteran's Day Celebration event Nov. 11<sup>th</sup> at 10:00 a.m. She also noted Eastern Shores Crime Watch was meeting on Nov. 4<sup>th</sup> at 7:00 p.m. at the Eden Isles Condominium Recreation Room.

**Councilwoman Smith** welcomed Councilman Fleurimond. She spoke of the budget board being implemented as soon as possible and requested that the finance quarterly reports be distributed to the Council. She spoke positively about the First Sunset Bike Ride with the Chief and the privilege of voting. Councilwoman Smith encouraged the Public to attend the Veteran's Day Celebration.

**Councilman Fleurimond** thanked citizens for their support and the City Manager, City Attorney, Interim City Clerk and Department Heads for help with the transition and tours. He spoke about representing the citizens to the best of his ability. Councilman Fleurimond spoke positively of attending the Monster Mash Bash and thanked Leisure Services. He encouraged library attendance and participation in "Club Law & Order." Councilman Fleurimond congratulated those who voted and all of the candidates.

**Councilman Derosé** welcomed Councilman Fleurimond and congratulated the Police Department for their award. He also noted that the Beautification Committee was looking for volunteers and that applications were available on the 4<sup>th</sup> floor. Councilman Derosé encouraged everyone to get involved.

**Councilwoman Kramer** welcomed Councilman Fleurimond. She spoke of her participation in the First Sunset Bike Ride with the Chief and spoke of her research at the Library regarding the gun mount located on 19<sup>th</sup> Avenue. Councilwoman Kramer also encouraged the Public to attend the Veteran's Day Celebration.

**Councilman Pierre** welcomed Councilman Fleurimond and encouraged everyone to participate at the Veteran's Day Service 10:00 a.m. at the All Wars Memorial Park. He wished Councilwoman Kramer a Happy Birthday!

**Mayor Rosner** personally thanked Parks & Recreation and the Police Department for making the Monster Mash Bash secure and reported that the corn was delicious. He welcomed Councilman Fleurimond.

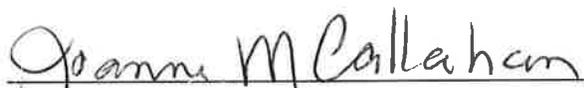
**16. NEXT REGULAR CITY COUNCIL MEETING - Tuesday, November 16, 2010**

**17. ADJOURNMENT**

There being no further business to come before the City Council, the meeting was adjourned at 9:03 p.m. on a motion made by Councilman Pierre and seconded by Councilman Derosé. By consensus, all voted in favor. (**Motion carried 7-0**).

ATTEST:

(SEAL)



Joanne M. Callahan  
Interim City Clerk