



**CITY OF NORTH MIAMI BEACH**  
City Council Meeting  
Council Chambers, 2nd Floor  
City Hall, 17011 NE 19th Avenue  
North Miami Beach, FL 33162  
**Tuesday, August 7, 2012**  
**7:30 PM**

Mayor George Vallejo  
Vice Mayor Frantz Pierre  
Councilman Philippe Derose  
Councilwoman Barbara Kramer  
Councilwoman Marlen Martell  
Councilwoman Phyllis S. Smith  
Councilwoman Beth E. Spiegel

City Manager Lyndon L. Bonner  
City Attorney Darcee S. Siegel  
City Clerk Pamela L. Latimore, CMC

**REGULAR MEETING MINUTES**

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

The meeting was called to order at 8:01 p.m. Present at the meeting were Mayor George Vallejo, Vice Mayor Frantz Pierre and Council Members Philippe Derose, Barbara Kramer, Marlen Martell, Phyllis S. Smith, and Beth E. Spiegel. Also, present were City Manager Lyndon L. Bonner, City Attorney Darcee S. Siegel and City Clerk Pamela L. Latimore.

**2. INVOCATION – Reverend Dr. Marta Burke, Fulford United Methodist Church**

**3. PLEDGE OF ALLEGIANCE**

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

**4.1 Withdrawal** of Item 5.2 Quarterly Financial Analysis - 3rd Quarter of Fiscal Year 2012, as it was presented at the Council Conference Meeting.

**4.2 Withdrawal**, on the floor, by City Manager Bonner of Item 9.3 Forfeiture (LETF) Appropriation Request.

**4.3** North Miami Beach Amateur Athletic Union (AAU) Basketball Team was moved, on the floor, by City Manager Bonner to Presentations/Discussions (Previously Item 9.2).

**5. PRESENTATIONS/DISCUSSIONS**

**5.1** Certificate of Recognition presentation to the North Miami Beach High School JROTC Unit (Mayor George Vallejo)

5.2 Quarterly Financial Analysis - 3rd Quarter of Fiscal Year 2012 (Finance Director Janette Smith)  
**WITHDRAWN (See Item 4.1)**

5.3 North Miami Beach Amateur Athletic Union (AAU) Basketball Team (Moved from City Manager's Report - Item 9.2)

**MOTION** by Councilman Derose seconded by Councilwoman Martell to award \$3,000 out of Council's Incidental Contingency Fund for North Miami Beach Amateur Athletic Union (AAU) Basketball Team. (Approved 7-0)

## 6. PUBLIC COMMENT

City Clerk Pamela Latimore read the rules of Public Comment into record. The following person(s) spoke on the record:

1. Commissioner Sally Heyman, 111 N.W. 1<sup>st</sup> Street, Miami, FL
2. Levingston Richie, 5901 N.W. 19<sup>th</sup> Street, Pembroke Pines, FL
3. Ken DeFillipo, 17830 N.E. 10<sup>th</sup> Avenue, North Miami Beach, FL
4. Tricia Harris, 2231 N.E. 136<sup>th</sup> Street, North Miami Beach, FL
5. Pam Simms Campbell, 2496 N.E. 136<sup>th</sup> Terrace, North Miami Beach, FL
6. Anthony DeFillipo, 1458 N.E. 177<sup>th</sup> Street, North Miami Beach, FL
7. Regina Knight, 16121 N.E. 18<sup>th</sup> Place, North Miami Beach, FL
8. Sandra Douglas, 1523 N.E. 152<sup>nd</sup> Street, North Miami Beach, FL
9. Bert Kehren, 3302 N.E. 171<sup>st</sup> Street, North Miami Beach, FL
10. Carol Hamilton, 991 N.E. 181<sup>st</sup> Street, North Miami Beach, FL
11. Amado Gonzalez, 920 N.E. Miami Gardens Drive, North Miami Beach, FL
12. Janice Coakley, PO Box 60095, Miami, FL
13. Actions for Better Future, Inc. 1733 N.E. 162<sup>nd</sup> Street, North Miami Beach, FL
14. Marilyn Baumohl, 18635 N.E. 20<sup>th</sup> Court, North Miami Beach, FL
15. Percival Davis, N/A
16. Lucy Voltaire, 1844 N.E. 170<sup>th</sup> Street, North Miami Beach, FL
17. Allison Robie, 2131 N.E. 179<sup>th</sup> Street, North Miami Beach, FL
18. Richard Riess, 23 N.W. 169<sup>th</sup> Street, North Miami Beach, FL
19. Mubarak Kazan, 15564 N.E. 12<sup>th</sup> Avenue, North Miami Beach, FL
20. Joe Simmons Jr., 99 N.W. 183<sup>rd</sup> Street, Miami, FL
21. Volney Nerette, 16121 N.E. 19<sup>th</sup> Place, North Miami Beach, FL

## 7. APPOINTMENTS

### 7.1 Redevelopment Advisory Board

Jarret Gross

**MOTION** by Councilwoman Spiegel, seconded by Councilman Derose, to appoint Jarret Gross to the Redevelopment Advisory Board. (Approved 6-0 - Councilwoman Kramer absent from the dais)

## 8. CONSENT AGENDA

### 8.1 March 20, 2012 Regular Meeting Minutes

**8.2 April 17, 2012 Regular Meeting Minutes**

**8.3 Resolution No. R2012-59**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO THE 2012 NATIONAL URBAN AND COMMUNITY FORESTRY GRANT MEMORANDUM OF AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY, TO PROVIDE TREES THROUGHOUT MARTIN LUTHER KING PARK.

**8.4 Resolution No. R2012-60**

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 ODYSSEY MANUFACTURING COMPANY FOR SODIUM HYPOCHLORITE.

**8.5 Resolution No. R2012-61**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, SEEKING FUNDS FROM THE STATE OF FLORIDA'S DEPARTMENT OF ENVIRONMENTAL PROTECTION TO REMEDIATE GROUND CONTAMINATION AND CLEAN UP EFFORTS AT THE CITY'S TAYLOR PARK.

**MOTION** by Councilman Derose, seconded by Councilwoman Spiegel, to adopt the Consent Agenda. (Approved 6-0, Councilwoman Kramer absent from the dais)

Mayor Vallejo announced a five minute recess at 9:33 p.m. Meeting reconvened at 9:42 p.m.

**9. CITY MANAGER'S REPORT**

**9.1 Administrative Investigation Complaint #IA0510.12**

City Manager Bonner gave an update on the investigation into the irregularities in the process of the Sanitation Committee Review brought forward by Councilman Pierre. The City of North Miami Beach's Police Internal Affairs Division performed an investigation into the allegations and the conclusion is that the allegations are unfounded.

**9.2 North Miami Beach Amateur Athletic Union (AAU) Basketball Team (See Presentations Item 4.3, Page 2)**

**9.3 Forfeiture (LETF) Appropriation Request WITHDRAWN (See page 1)**

The LETF request that wasn't processed related to the Back to School Bash project initiated by Councilman Pierre. The project did not meet the guidelines to use the LETF funding so City Manager Bonner is bringing it to Council for the additional sponsorship needed for the event to be held at the Gwen Margolis Amphitheatre. Thus far, we have about \$3,500.00 in contributions from Council members Vallejo, Pierre, Derose, and Martell. However, they will need an additional \$1,000.00 to cover the costs for the venue, and staffing at the event. We are not providing the supplies for the event we are just providing the venue and staffing for the event.

Councilwoman Spiegel stated that she had some concerns about the lack of information on the event and the short notice.

**MOTION** by Councilman Derose, seconded by Councilman Pierre, to approve Council giving \$1,000.00 to the Back to School Bash.

Council discussed the item.

**DONATION** of \$1,000.00 was made by Mr. Ron Book, 18851 N.E. 29 Avenue, Aventura, FL to the Back-to-School Event.

**MOTION** was withdrawn by Councilman Derose and Councilman Pierre for Council to give \$1,000.00 to the Back-to-School Bash.

City Manager Bonner requested that Council adhere to the same deadlines for submitting agenda items as staff. He stated that this will give Council and staff the time to work on any issues that arises before the Council meeting.

## **10. CITY ATTORNEY'S REPORT**

### **10.1 Litigation List (As of 8/7/12)**

City Attorney Siegel informed Council that Assistant City Attorney Bart Armstrong has tendered his resignation. He has a great opportunity to work with the Florida Department of Children and Family Services as the Southern Regional Director. It was a pleasure working with him and she wishes him the best of luck.

## **11. MAYOR'S DISCUSSION**

The issue of privatization has brought a lot of residents out tonight and he wants to reiterate the statement made by Councilwoman Smith earlier. He is taking notes on the comments made by everyone that comes to speak before the Council. He is paying attention to what is being said. There has been a lot of misinformation in relation to this topic. He has spoken to many residents on this topic and some agree with it and others don't. As the Council for the City they have to do what is in the best interest of all the residents. All of the council members have been reviewing all the facts, so we can make the best decision for everyone. He wants to clear up some of the misconceptions he heard tonight.

- Elimination of Sanitation – No one is eliminating anything, regardless of what happens the garbage will be picked up
- The new vendor will not move out the garbage cans for elderly resident – that was addressed in the bid specifications
- Price changes – have also been addressed

In the end the City Council will make a decision based on what is best for the City and all the residents.

## **12. MISCELLANEOUS ITEMS - None**

**13. WAIVER OF FEE – None**

**14. BUSINESS TAX RECEIPTS - None**

**15. DISCUSSION ITEMS**

**15.1 Cancellation of December 18, 2012 City Council Meeting**

Councilwoman Spiegel announced that she will not be attending the meeting scheduled for that day.

**15.2 Review of Charter Employees' Contracts**

Councilwoman Smith posed a question to Mayor Vallejo based on the conversation she had with the City Manager today. She proposed that they extend the Charter employees' contract for ninety (90) days, the pension issue for the City Manager alone needs some time to digest and understand.

Councilwoman Spiegel suggested that they move this to the next agenda.

**MOTION** by Councilwoman Smith, seconded by Councilwoman Martell, to table the Review of Charter Employees' Contracts to the next Council Meeting. (**Approved 7-0**)

**16. LEGISLATION**

**16.1 Resolution No. 2012-28**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE WITH WASTE PRO OF FLORIDA, INC, THE FIRST-RANKED FIRM, FOR WASTE COLLECTION, DISPOSAL, AND RECYCLING SERVICES FOR THE CITY OF NORTH MIAMI BEACH.

**Public Comment:**

1. Robert Taylor, 1951 N.E. 157<sup>th</sup> Terrace, North Miami Beach, FL - **Against**
2. Maria Aquino, 1859 N.E. 176<sup>th</sup> Street, North Miami Beach, FL - **Against**
3. Bert Kehren, 3302 N.E. 171<sup>st</sup> Street, North Miami Beach, FL - **For**
4. Sandra Douglas, 1523 N.E. 152<sup>nd</sup> Street, North Miami Beach, FL - **Against**
5. Daniel Pierre, 15240 N.E. 10<sup>th</sup> Court, North Miami Beach, FL - **Against**
6. Melvin Perrin, 2128 N.E. 167<sup>th</sup> Street, North Miami Beach, FL - **Against**
7. Levingston Ritchie, 5901 N.W. 19<sup>th</sup> Street, Lauderhill, FL - **Against**
8. Ronald Hayes, 5212 S.W. 32<sup>nd</sup> Street, Hollywood, FL - **Against**
9. Marilyn Baumohl, 18635 N.E. 20<sup>th</sup> Court, North Miami Beach, FL - **Against**
10. Muriel Kemp, 1479 N.E. 178<sup>th</sup> Street, North Miami Beach, FL - **Against**
11. Mitch Bierman, Waste Service Inc., 2525 Ponce De Leon Boulevard, Miami, FL
12. Russell Mackie, 4701 N.W. 35<sup>th</sup> Avenue, Waste Pro of Florida, Miami, FL
13. Allison Robie, 2131 N.E. 179<sup>th</sup> Street, North Miami Beach, FL - **Against**
14. Jason Neal, Waste Management Inc. of Florida, 2125 N.W. 10<sup>th</sup> Court, Miami, FL
15. Volney Nerette, 16121 N.E. 19<sup>th</sup> Place, North Miami Beach, FL - **Against**
16. Mubarak Kazan, 15564 N.E. 12<sup>th</sup> Avenue, North Miami Beach, FL - **Against**
17. Janice Coakley, AFSCME, PO Box 600951, North Miami Beach, FL - **Against**
18. Damian Ribar, Waste Service Inc., 92 S.W. 3<sup>rd</sup> Street, Miami, FL

Council discussed the item.

**MOTION** by Councilman Derose, seconded by Councilwoman Martell, to adopt **Resolution No. R2012-28. (Failed 1-6)** (Nay Vote - Derose, Kramer, Martell, Pierre, Smith, and Spiegel)

**MOTION** by Councilman Pierre, seconded by Councilwoman Smith, to extend the meeting past midnight. **(Approved 7-0)**

Councilwoman Spiegel asked staff to come back with a better analysis of the cost savings and asked AFSCME to come back with staff efficiencies if the service were to be kept in house.

#### **16.2 Resolution No. R2012-58**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ACKNOWLEDGING A CRITICAL PATH SCHEDULE FOR THE DEVELOPMENT KNOWN AS MARINA GRANDE LOCATED AT 17201 BISCAYNE BOULEVARD, NORTH MIAMI BEACH, FLORIDA.

**JENNINGS DISCLOSURE:** Councilman Derose – Yes, Councilwoman Kramer – Yes, Councilwoman Martell – Yes, Councilwoman Smith – Yes, Councilwoman Spiegel – Yes, Vice Mayor Pierre – Yes, Mayor Vallejo – Yes

#### **Public Comment: Open**

1. Niesen Kasdin, Akerman Senterfitt, representing Marina Grande, 1 S.E. 3<sup>rd</sup> Avenue, Miami, FL
2. Allison Robie, 2131 NE 179<sup>th</sup> Street, North Miami Beach, FL – For
3. Jeffrey Bass, Shubin & Bass, representing ADR Partners, Inc., 46 S.W. 1<sup>st</sup> Street, Miami, FL
4. Neil Fairman, 180 Palm Avenue, Miami Beach, FL

Council discussed the item with Mr. Niesen Kasdin.

**MOTION** by Councilman Derose, seconded by Councilwoman Smith, to adopt **Resolution No. R2012-58** as amended on the record. **(Adopted 6-1)** (Nay Vote – Councilwoman Spiegel)

**DONATION** of \$2,500.00 was made by Mr. Neil Fairman, 180 Palm Avenue, Miami Beach, FL to the Back-to-School Event.

Mayor Vallejo called for a 5 minute recess at 1:16 a.m. Meeting reconvened at 1:22 a.m.

#### **16.3 Ordinance No. 2012-15 – First Reading by Title Only**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, DESIGNATING THE OFFICIAL MUNICIPAL SEAL AND ADOPTING THE PROVISIONS OF SECTION 165.043 OF THE FLORIDA STATUTES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION** by Councilman Derose, seconded by Councilwoman Smith, to adopt **Ordinance No. 2012-15** on First Reading by Title Only.

**Public Comment:** None

**ROLL CALL:** Councilman Derose – Yes, Councilwoman Kramer – Yes, Councilwoman Martell – Yes, Councilwoman Smith – Yes, Councilwoman Spiegel – Yes, Vice Mayor Pierre – Yes, Mayor Vallejo – Yes (Adopted 7-0)

**16.4 Ordinance No. 2012-16 – First Reading by Title Only**

AN ORDINANCE AMENDING CHAPTER XII OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ENTITLED "LOCAL BUSINESS TAX RECEIPTS AND REGULATIONS" BY AMENDING SECTION 12-2.12 ENTITLED "NUDITY; SEXUAL CONDUCT PROHIBITED"; AND AMENDING CHAPTER XIII OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ENTITLED "ADULT ENTERTAINMENT CODE" BY AMENDING SECTIONS 13-43 AND 13-49(D) ENTITLED "PROSCRIPTIONS WHERE ALCOHOLIC BEVERAGES ARE SOLD, DISPENSED OR PERMITTED AND WHERE FOOD OR BEVERAGES ARE SOLD OR DISPENSED" AND "ENGAGED IN PROHIBITED ACTIVITY", RESPECTIVELY, BY PROVIDING FOR THE CONTINUATION AND EXEMPTION OF ESTABLISHMENTS EXISTING ON OR BEFORE JULY 1, 2012; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OR ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Public Comment:** Open

1. Garry S. Edinger, Garry S. Edinger & Associates P.A., representing SMG Entertainment, 305 N.E. 1<sup>st</sup> Street, Gainesville, FL
2. Alan Rosenthal, Rosenthal Rosenthal Rasco Kaplan, LLC, representing Dean's Gold, 20900 N.E. 30<sup>th</sup> Avenue, Aventura, FL
3. Richard Riess, 23 N.W. 169<sup>th</sup> Street, North Miami Beach, FL – **Against**
4. Mubarak Kazan, 15564 N.E. 12<sup>th</sup> Avenue, North Miami Beach, FL – **Against**

**MOTION** by Councilman Derose, seconded by Councilwoman Martell, to adopt **Ordinance No. 2012-16** on First Reading by Title Only. (**Failed 3-4**) (Nay Vote – Derose, Pierre, Smith, and Spiegel)

**16.5 Ordinance No. 2012-17 – First Reading by Title Only**

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE II, OF THE CODE OF THE ORDINANCES OF THE CITY OF NORTH MIAMI BEACH ENTITLED "ALCOHOLIC BEVERAGES" BY AMENDING SECTION 12-2.2, SUBSECTION c.1-5, TO REQUIRE A TWELVE-MONTH WAITING PERIOD AFTER THE DENIAL OF A 4:00 A.M. TO 6:00 A.M. EXTENDED LICENSE PRIOR TO A SUBSEQUENT APPLICATION FOR THE EXTENDED LICENSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION** by Councilman Derose, seconded by Councilwoman Smith, to adopt **Ordinance No. 2012-17** on First Reading by Title Only.

**Public Comment:** None

**ROLL CALL:** Councilman Derose – **Yes**, Councilwoman Kramer – **Yes**, Councilwoman Martell – **Yes**, Councilwoman Smith – **Yes**, Councilwoman Spiegel – **Yes**, Vice Mayor Pierre – **Yes**, Mayor Vallejo – **Yes** (**Adopted 7-0**)

**16.6 Ordinance No. 2012-11 – Second and Final Reading**

AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING CHAPTER 24, ARTICLE 15 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "OTHER DEVELOPMENT REVIEW PROCEDURES" BY EXTENDING THE EXPIRATION DATE FOR SITE PLAN REVIEW; ADDING AN EXPIRATION DATE FOR CONDITIONAL USE APPROVALS; EXTENDING THE EXPIRATION TIME FOR VARIANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION** by Councilman Derose, seconded by Councilwoman Kramer, to adopt **Ordinance No. 2012-11** on Second and Final Reading.

**Public Comment:** None

**ROLL CALL:** Councilman Derose – **Yes**, Councilwoman Kramer – **Yes**, Councilwoman Martell – **Yes**, Councilwoman Smith – **Yes**, Councilwoman Spiegel – **No**, Vice Mayor Pierre – **Yes**, Mayor Vallejo – **Yes** (**Adopted 6-1**) (Nay vote – Councilwoman Spiegel)

**16.7 Ordinance No. 2012-12 – Second and Final Reading**

AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, AMENDING CHAPTER 24, ARTICLE V, SECTION 24-52, ENTITLED "B-2 GENERAL BUSINESS DISTRICT" BY MODIFYING THE LIST OF PERMITTED AND CONDITIONALLY PERMITTED USES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Public Comment:** None

**MOTION** by Councilwoman Martell, seconded by Councilwoman Kramer, to adopt **Ordinance No. 2012-12** on Second and Final Reading, amended back to the original wording at the first reading.

**ROLL CALL:** Councilman Derose – **Yes**, Councilwoman Kramer – **Yes**, Councilwoman Martell – **Yes**, Councilwoman Smith – **Yes**, Councilwoman Spiegel – **No**, Vice Mayor Pierre – **Yes**, Mayor Vallejo – **Yes** (**Adopted 6-1**, as amended on Second and Final Reading) (Nay vote – Councilwoman Spiegel)

## 16.8 Ordinance No. 2012-13 – Second and Final Reading

AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA AMENDING CHAPTER 24, SECTION 24-41 (D)(9)(m), ENTITLED “RS-1 RESIDENTIAL SINGLE-FAMILY DISTRICT” BY DECREASING THE HEIGHT OF WALLS AND FENCES IN THE FRONT YARD AND INCREASING THE HEIGHT OF WALLS AND FENCES IN THE REAR, CORNER SIDE, AND INTERIOR SIDE YARD; AMENDING CHAPTER 24, SECTION 24-47 (D) (9) (e), ENTITLED “RM-19 RESIDENTIAL LOW-RISE MULTI-FAMILY (MEDIUM DENSITY) DISTRICT” BY INCREASING THE HEIGHT OF WALLS AND FENCES IN THE FRONT, REAR, CORNER SIDE, AND INTERIOR SIDE YARD; AMENDING CHAPTER 24, SECTION 24-80 (C) (3) OF THE CITY’S CODE OF ORDINANCES, ENTITLED “FENCES, WALLS AND HEDGES” BY INCREASING THE ALLOWABLE HEIGHT OF WALLS AND FENCES IN THE FRONT AND CORNER SIDE YARD OF MULTI-FAMILY ZONED PROPERTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION** by Councilman Derose, seconded by Councilwoman Martell, to adopt **Ordinance No. 2012-13** on Second and Final Reading.

**Public Comment:** None

**ROLL CALL:** Councilman Derose – **Yes**, Councilwoman Kramer – **Yes**, Councilwoman Martell – **Yes**, Councilwoman Smith – **Yes**, Councilwoman Spiegel – **No**, Vice Mayor Pierre – **Yes**, Mayor Vallejo – **Yes** (**Adopted 6-1**) (Nay vote – Councilwoman Spiegel)

## 17. CITY COUNCIL REPORTS

**Councilman Derose** – None

**Councilwoman Kramer** – Congratulated City Attorney Darcee Siegel for receiving the American Bar Association’s Nelson Award. She encouraged the residents to go out and vote on August 14<sup>th</sup>.

**Councilwoman Martell** – None

**Councilman Smith** – Congratulated City Attorney Darcee Siegel for receiving the American Bar Association’s Nelson Award. She stated the importance of the residents going out to vote on August 14<sup>th</sup>. She also encouraged the residents to attend the rededication of the Fire Rescue Station in Eastern Shores on Thursday at 4:00 p.m.

**Councilwoman Spiegel** – Recycling will be picked up today. She also encouraged the resident to attend the rededication of the Fire Rescue Station in Eastern Shores. She also encouraged everyone to get out and vote.

**Vice Mayor Pierre** – Reminded parents that school will be starting soon and encouraged them to help the children to get back into their routine. He also encouraged the residents to go out and vote.

**Mayor Vallejo** – None

**18. NEXT REGULAR CITY COUNCIL MEETING**

Tuesday, August 21, 2012

**19. ADJOURNMENT**

There being no further business to come before the City Council, Meeting was adjourned at 2:17 a.m.

ATTEST:

(S E A L)



**Pamela L. Latimore**  
City Clerk