

Regular Village Council Meeting
Meeting Minutes
Tuesday, September 27, 2011, 7pm

A. **CALL TO ORDER:** Mayor Daisy M. Black called the Regular Council meeting for September 27, 2011 to order at 7:03pm.

B. **SILENT MEDITATION & PLEDGE:** Mayor Black suspended the silent meditation and the Pledge due to both were held during the 6:30pm Final Budget Hearing.

C. **ROLL CALL:** Village Clerk was asked to read the roll call sheet. The following were noted as Present / absent:

Present: Mayor Daisy M. Black
Councilperson Linda Marcus
Councilperson Omarr C. Nickerson
Vice Mayor Harold E. Mathis, Jr.

Also present: Jason M. Walker, Village Manager
Eugene Morales, Chief of Police
Joseph S. Geller, Village Attorney
Albertha W. Patterson, CMC, Village Clerk

Absent: Councilperson Claudia V. Cubillos

D. **APPROVAL OF AGENDA:**

Vice Mayor Mathis removed an item under Resolutions/Ordinances, II: Amend Noise Ordinance 2011-004 from the agenda. Village Clerk Patterson added an item under Acknowledgment of Visitors and / or Special Presentation F1: Awarding Attendance Certificates for Ethics Training. Vice Mayor Mathis moved that the agenda be approved as amended. Councilperson Nickerson seconded the motion. The motion carried unanimously.

E. **APPROVAL OF MINUTES FOR THE FOLLOWING MEETINGS:**

E1. Minutes for June 21, 2011 Regular Council Meeting
E2. Minutes for July 26, 2011 Regular Council Meeting
Vice Mayor Mathis moved that the minutes for June 21, 2011 and for July 26, 2011 be approved as presented. Councilperson Nickerson seconded the motion. The motion carried unanimously.

F. **ACKNOWLEDGMENT OF VISITORS AND/OR SPECIAL PRESENTATION**

F1. Commission on Ethics Attendance Certificates Clerk Patterson
Village Clerk Patterson read the names of those to receive a certificate of attendance at the Commission on Ethics Training held in the Village Hall on April 21, 2011. Director Robert Meyers of Miami-Dade County Commission on Ethics provided the training. Village Clerk Patterson stated a certificate of attendance was prepared for each councilperson and others certifying their attendance of the training.

G. GOOD AND WELFARE:

G1. Kim Flower 140 Northwest 88 Street – asked the reason for pulling the Noise Ordinance from tonight’s agenda.

Vice Mayor Mathis stated he was informed there were some safety issues the police identified. Vice Mayor Mathis stated those issues must be resolved before moving forward.

H. AGENDA ITEMS:

Village Manager Walker explained the reason for this resolution.

Mayor Black asked the Clerk to read Resolution No.:2011-030 into record.

H1. RESOLUTION NO.: 2011-030 CITT Municipal Funding Allocation

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA OF MIAMI-DADE COUNTY, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ALLOCATE FUNDS FROM THE TRANSIT PORTION OF THE CITT ACCOUNT IN THE AMOUNT OF \$31,106.00 IN ORDER TO COVER THE CONSTRUCTION FUNDING SHORTFALL; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilperson Marcus moved that Resolution No.:2011-030 be approved. Vice Mayor Mathis seconded the motion. Resolution No.:2011-030 passed by roll call vote of 4-0. Councilperson Cubillos was absent.

H2. Resolution No.:2011-027 Florida City Government Week

Sponsor: Mayor Daisy Black

Mayor Black explained her reason for requesting this resolution. Mayor Black stated the State of the Village Address will be delivered during this week on October 20, 2011 at 6:30pm.

Mayor Black expressed a desire to have a Seniors’ Luncheon that week.

Mayor Black asked the Clerk to read Resolution No.:2011-027 into record.

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA OF MIAMI-DADE COUNTY FLORIDA, AGREEING TO RECOGNIZE FLORIDA CITY GOVERNMENT WEEK, OCTOBER 16-22, 2011, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATIONS AND CORRESPONDING ACTIVITIES.

Vice Mayor Mathis moved that Resolution No.:2011-027 be approved. Councilperson Nickerson seconded the motion. Resolution No.:2011-027 passed by roll call vote of 4-0. Councilperson Cubillos was absent.

H3. PBA Contract for 2012-2014
Sponsor: Village Manager

Resolution No.: 2011-028

Village Manager Walker stated the PBA contract was e-mailed to Mayor and Councilpersons with a note if they had any questions to contact him and no one called. Mayor Black asked the Village Clerk to read Resolution No.:2011-028 into record.

PBA CONTRACT AGREEMENT FOR 2012-2014

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL OF MIAMI-DADE COUNTY, FLORIDA, AGREEING TO APPROVE THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION, INC. (PBA) AND THE VILLAGE OF EL PORTAL; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Mathis moved that Resolution No.:2011-028 be approved. Councilperson Nickerson seconded the motion. Resolution No.:2011-028 passed by roll call vote of 4-0. Councilperson Cubillos was absent.

H4. Designation of El Portal as a Bird Sanctuary
RESOLUTION NO.: 2011-029

Sponsor: Councilperson Marcus
El Portal a Bird Sanctuary

Councilperson Marcus explained for many years the Village has been known as a bird sanctuary. Councilperson Marcus stated she was unable to find any resolution or other documentation that states the Village has been designated a bird sanctuary. Therefore, Councilperson Marcus stated she requested the assistance of Carolina Montealegre to research for a resolution or an ordinance in the county records designating the Village as a bird sanctuary. Councilperson Marcus asked Carolina Montealegre to draft this resolution for the Village. Mayor Black asked Village Clerk to read Resolution No.:2011-029 into record.

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA OF MIAMI-DADE COUNTY, FLORIDA, OFFICIALLY DESIGNATING THE VILLAGE OF EL PORTAL AS A BIRD SANCTUARY; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Mathis moved that Resolution No.:2011-029 be approved. Councilperson Nickerson seconded the motion. Resolution No.:2011-029 passed by roll call vote of 4-0. Councilperson Cubillos was absent.

I. RESOLUTIONS / ORDINANCES: None noted

J. REPORTS:

J1. Village Manager – Jason M. Walker (Note: The Clerk provides summary notes. If details are needed on any of the items, please contact Village Manager Walker or his Assistant).

Village Manager Walker provided information on the following:

J1a. GOB \$100,000 Park improvements

J1b. Met with FEMA Rep. Mr. Willie Haynes Re: \$28,000

J1c. Local mitigation meeting attended with Hugh Gladwin

J1d. Red-light camera zero funds gain

J1e. Must submit a Bid award for Reconstruction 87 Street

J1f. Annexation- reviewed calls for area – present tax rate of 2.2

J1g. Welcome Sign to be placed at 87th Street being donated by Mr. Danceney Reyes and his business partners to the Village at a cost of \$13,000.00. Village Manager Walker stated Vice Mayor Mathis obtained a promise from someone to donate foxtail palms to help decorate the area. The Village will be asked to pay \$1,900 for materials only. Village Manager Walker stated he will be able to come up with the \$1,900 in the budget.

Councilperson Marcus stated she is uncomfortable voting for this sign while the marquee remains unlighted. Councilperson Marcus stated the councilpersons who offered to use portions of the discretionary funds should review the minutes from the June 21st, the discretionary funds only go so far and she is not comfortable spending reserve funds.

Mayor Black asked to see a show of hands of those who would like the Village to spend the \$1900 for the sign. Mayor Black stated a show of hands indicated a majority are for the Welcome sign. Councilperson Nickerson moved that the Council accept the welcome sign and agree to pay the \$1,900 for materials. Vice Mayor Mathis seconded the motion. After the show of hands in majority, a roll call vote of 4-0 for the Village spending the \$1900 for the welcome sign.

J1h. Circle Redesign – Village Manager Walker shared three design ideas and cost for the circle in front of the Village Hall.

J2. Committee Chairs Report:

J2a. Public Works – Councilperson Marcus reported during the Public Works meeting villager Florence Chamberlain shared her idea of having a Little River event in December. Councilperson Marcus stated more information will be forthcoming. Councilperson Marcus stated there was discussions on the GOB funds are not available. Councilperson Marcus stated Vice Mayor Mathis reported he will have an update on the street signs in October. Speed limit sign on 86th Street was reported to the Manager which is incorrect at the request of a resident.

J2b. Code Enforcement – Vice Mayor Mathis reported all the items on the tracking report were reviewed and he may call a special meeting in October after speaking with the Chief and the Manager.

J2c. Administration and Budget – Councilperson Nickerson stated the first budget hearing was held with great success. Councilperson Nickerson stated the budget is completed. Councilperson Nickerson stated it has been a pleasure working with the Manager on this committee.

J2d. Village Mayor – Mayor Black stated all items on the tracking report were reviewed including the statistic reports for the police department by Chief Morales. Mayor Black stated Vice Mathis and she attended a Crimewatch dinner one evening and noticed residents were being recognized for crimewatch tasks that our villagers could do also and be recognized. Mayor Black stated she would like to increase the crimewatch meeting attendance so that next year some of El Portal Villagers will be recognized for the same things.

Village Manager Walker stated he had a meeting with Chief Morales and they will start inviting anyone who has been a victim to a burglary or a theft to the crimewatch meeting because of the information at the meeting can help prevent them from being a victim again.

J2e. Planning and Zoning – Mayor Black stated one variance was reviewed and the tracking report.

J2f. Public Affair committee did not meet this month.

J3. Village Mayor Report – Mayor Black reported the State of the Village Address will be delivered on Thursday, October 20, 2011 at 6:30pm in the Village Hall.

J4. Legal Matters – Attorney Joseph S. Geller

Attorney Geller stated there are no legal matters to report at this time.

K. UNFINISHED BUSINESS AND GENERAL ORDERS: None noted.

L. NEW BUSINESS: Councilperson Nickerson suggested that the first good and welfare should be eliminated. Councilperson Nickerson stated the revision would allow the Villagers to hear the information discussed by council then allow the Villagers to express their opinion. Councilperson Nickerson stated after the villagers have expressed their opinions then the council will vote on the issue.

Village Attorney Geller stated it is up to the Mayor and Council to change the order of business and may choose to change it by Ordinance.

This item was referred to Administration and Finance Committee November meeting agenda for further discussion.

Mayor Black stated we loss a dear Villager--Mrs. M. Rebollo. She was very active in the Village and so was her husband. Mayor Black stated she feels Council should recognize our villagers when they pass especially an active villager.

Mayor Black stated the fourth Annual Domestic Violence Awareness Walk and Expo is scheduled for Saturday, October 1, 2011. It will be held at the Gwen Margolis Amphitheatre located at 16501 NE 16th Avenue in North Miami Beach, Florida. Mayor Black stated she plans to walk.

M. GOOD AND WELFARE:

M1. Dwight and Anna Garmon – 415 Northwest 88th Street – Mr. Garmon stated he and a number of other residents signed a petition stating they have witnessed on several occasions Mr. Thomas Christ of 270 NW 86th Street walking his dog. During the walks, Mr. Christ dog made fecal stops and Mr. Thomas Christ did not pick-up the feces. Mr. Garmon stated he feels this is a violation and some fines should follow. The petition was given to Chief Morales.

Regular Council Meeting
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September 27, 2011, 7pm

M. Good and Welfare (continued)

M2. Florence Chamberlain - 221 NE 89 Street stated she just wanted to give the council an update on the Little River Celebration plans. Mrs. Chamberlain stated she presented a proposal to Commissioner Edmonson for possible funding the Little River "Day of Celebration" and Environmental celebration. The Little River celebration would be December 10, 2011 decorating the area by lighting the bridges. This would be a day of celebration for all the families. Florence stated she needs help and welcome suggestions.

M3. Jackie Anderson – 451 NE 88th Street stated she feels the statement of decorum should be at the beginning of the meeting agenda instead of the end of the agenda.

M4. John King – 133 NW 88th Street stated when considering the annexation of the other area, the annexation may change the way people view El Portal. Mr. King suggested that the meeting should be held with the Villagers first before consider meeting with the other area. There is nothing to keep the other side from attending the meeting for the villagers. Mr. King stated he was not clear why there were reservations to councilperson Nickerson suggestion to allow villagers to voice their opinion on the welcome sign.

M5. Martha de la Cruz (Boza) – 286 NE 90th Street stated she was here for the Budget Hearing and apologized for missing the meeting.

M6. Kim Flower–140 NW 88th Street stated she supports Councilperson Nickerson's suggestion to allow villagers hear your comments on the issue and then allow them to speak on the issue. Ms. Flower stated she feels this is a great way to get villagers involved. Ms. Flower stated the Town Hall meeting on the annexation should be with the Villagers first. The first duty of the council is with the villagers here now.

M7. Maribel Fruitstone – 157 NW 88 Street stated she is a teacher at a school in Miami Gardens. Ms. Fruitstone stated she has driven the proposed area of annexation. The people in that area are majority renters. Ms. Fruitstone stated she agrees with Councilperson Nickerson because she has gotten a babysitter to come to the meeting and she wants her voice heard before the council vote on an issue.

N. **ADJOURNMENT:** Vice Mayor Mathis moved that the Regular Council meeting of September 27, 2011 be adjourned. Councilperson Nickerson seconded the motion. The motion carried unanimously. The Regular Council meeting was adjourned at 8:44pm.

Date transcribed: September 30, 2011

Date approved: _____

Number in attendance: 20 adults
1 child