



City of North Miami
City Hall | 2nd Floor | Council Chambers
776 NE 125th Street
North Miami, FL 33161

Regular Council Meeting
Summary Minutes
June 27, 2017

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, June 27, 2017, beginning at 7:02 pm.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known).

Note: The actual agenda and all backup materials for each City Council meeting can be found on the website at:

http://www.northmiamifl.gov/government/Minutes_Agendas/CouncilAgendaList.aspx

ROLL CALL

- PRESENT:
Mayor Joseph
Vice Mayor Galvin
Councilwoman Keys
Councilman Bien-Aime
Councilman Desulme

PLEDGE OF ALLEGIANCE

- Officer *Natalie Buissereth*, North Miami Police Department

INVOCATION

- Rabbi *Jory Lang*, Beth Moshe Congregation

ORDER OF BUSINESS (Additions/Deletions/Amendment/Deferrals)

- TAB K to be heard immediately after the consent agenda.

SPECIAL PRESENTATION(S)

- Conceptual Design Presentation for the NE 125th Streetscape Improvements Project by T.Y. Lin International.
- Final Report Presentation by EBS Engineering for the Right-of Way condition Survey.

CITY EVENTS – ANNOUNCEMENT- NONE

- Eunicia Baker, Public Information Specialist, announced upcoming events for the City of North Miami. All City events can be found on the website at: www.northmiamifl.gov/celebrate.

CITY PROJECTS UPDATE - NONE

CONSENT AGENDA

- TAB A through TAB E

TAB A – PASSED - APPROVAL OF MINUTES — June 13, 2017

TAB B – PASSED – [Resolution no. 2017-R-80](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE DESIGNATION OF COUNCILMAN PHILIPPE BIEN-AIME AS THE “VOTING DELEGATE” REPRESENTING THE CITY OF NORTH MIAMI AS REQUIRED BY THE ANNUAL BUSINESS SESSION OF THE FLORIDA LEAGUE OF CITIES’ 91ST ANNUAL CONFERENCE IN ORLANDO, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB C – PASSED – [Resolution no. 2017-R-81](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT #1 TO THE PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND CORVEL ENTERPRISE COMP, INC., TO CONTINUE TO PROVIDE THE CITY WITH WORKER’S COMPENSATION CLAIMS ADJUSTMENT SERVICES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB D – PASSED – [Resolution no. 2017-R-82](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMITTAL OF A GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR A GRANT FROM THE TRANSIT SERVICE DEVELOPMENT PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB E – PASSED – [Resolution no. 2017-R-83](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO TYCO INTEGRATED SECURITY, LLC, FOR AN AGGREGATE AMOUNT NOT TO EXCEED THIRTY-TWO THOUSAND FIVE HUNDRED SIXTY-TWO DOLLARS (\$32,562.00) FOR THE UPGRADE OF THE SECURITY ACCESS SYSTEM AT THE NORTH MIAMI POLICE DEPARTMENT, PIGGYBACKING THE NATIONAL JOINT POWERS ALLIANCE REQUEST FOR PROPOSALS NO. 031913; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Vice Mayor Desulme moved to approve the consent agenda. Seconded by Councilwoman Keys. Council voted; **passed unanimously**.

PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.

RESOLUTIONS

TAB F – Resolution no. 2017-R-84 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE ALLOCATION OF FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00) FROM THE CITY’S GENERAL FUND ACCOUNT TOWARD THE CREATION OF THE 2017 CITY OF NORTH MIAMI HOUSING IMPROVEMENT PROGRAM; FURTHER APPROVING THE GUIDELINES FOR THE PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Elected City Clerk, read the Resolution title for the record. Motion made by Councilman Desulme to approve the item with amendments. Seconded by Councilman Bien-Aime. Council voted; **passed 5 - 0**.

Amendments:

1. To include the severity of the need.
2. Defined the word occupy.
3. Need Council approval if the \$20,000 limit is exceeded.
4. Staff be giving the ability to waive the 5 years prohibition on participation in the previous program base on safety.

TAB G – Resolution no. 2017-R-85 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, SUPPORTING THE PARIS AGREEMENT AND RECOMMENDING THAT THE CITY OF NORTH MIAMI FORMALLY JOIN THE SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT (“COMPACT”) AS A MUNICIPAL PARTNER; ENDORSING THE MAYORS’ CLIMATE ACTION PLEDGE; THEREBY, AFFIRMING SUPPORT FOR THE COMPACT, IMPLEMENTING THE REGIONAL CLIMATE ACTION PLAN, IN WHOLE OR IN PART, AND URGING ALL THE MAYORS OF MIAMI-DADE COUNTY TO SUPPORT AND ENDORSE BOTH THE PARIS AGREEMENT AND THE MAYORS’ CLIMATE ACTION PLEDGE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Elected City Clerk, read the Resolution title for the record. Motion made by Councilwoman Keys to approve the item. Seconded by Vice Mayor Galvin. Council voted; **passed 5 - 0**.

LEGISLATIVE MATTERS

ORDINANCES- SECOND READING- NONE

ORDINANCE FIRST READING

TAB H – Ordinance no. 1415 - PROPOSED ORDINANCE (**SECOND READING**) OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING ARTICLE IV, EMPLOYEES' RETIREMENT SYSTEM (ORD. NO. 691) AND ARTICLE V, POLICE PENSION PLAN (ORD. NO. 748); SPECIFICALLY AT SECTION 15-90 ENTITLED “RETIREMENT BENEFITS” AND SECTION 15-126.3 ENTITLED “LAW ENFORCEMENT SERVICE CREDIT; CONTRIBUTIONS FOR LAW ENFORCEMENT SERVICE”; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael Etienne, Elected City Clerk, read the Ordinance title for the record. Motion made by Councilman Desulme to approve the item. Seconded by Vice Mayor Galvin. Council voted; **5 – 0** by roll call vote.

TAB I – Ordinance no. 1416 - PROPOSED ORDINANCE (**SECOND READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI, ENTITLED “ADMINISTRATION”, ARTICLE III, ENTITLED “BOARDS, COMMITTEES, COMMISSIONS”, SPECIFICALLY AT DIVISION 2, ENTITLED “BOARD OF TRUSTEES OF THE NORTH MIAMI MUSEUM OF CONTEMPORARY ART (MOCA)”, BY AMENDING THE COMPOSITION AND STRUCTURE OF THE MOCA BOARD OF TRUSTEES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael Etienne, Elected City Clerk, read the Ordinance title for the record. Motion made by Vice Mayor Galvin to approve the item with amendments as stated on record. Seconded by Councilwoman Keys. Council voted; **passed 5 – 0** by roll call vote.

ORDINANCES-FIRST READING

QUASI-JUDICIAL ITEM(S)

TAB J – PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, REPEALING IN THEIR ENTIRETY CHAPTER 3, ENTITLED “ALCOHOLIC BEVERAGES”, CHAPTER 20, ENTITLED “TREE PRESERVATION AND PROTECTION”, AND CHAPTER 29A, ENTITLED “WIRELESS TELECOMMUNICATION TOWERS AND ANTENNAS” OF THE CODE OF ORDINANCES IN EFFECT PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE; AND AMENDING CHAPTER 29, ENTITLED “LAND DEVELOPMENT REGULATIONS” IN THE FORM ATTACHED AS EXHIBIT “A”; PROVIDING FOR AN EXPANDED AND CONSOLIDATED LIST OF DEFINITIONS OF TERMS AND CLARIFICATION OF POWERS AND DUTIES; ESTABLISHING A NEW ZONING APPEALS BOARD, NEW ZONING DISTRICTS AND A NEW OFFICIAL ZONING MAP TO PROVIDE CONSISTENCY WITH AND IMPLEMENT THE CITY’S ADOPTED 2015 EAR-BASED COMPREHENSIVE PLAN AMENDMENTS AND MORE SPECIFICALLY, THE 2036 FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT THEREOF; UPDATING THE CONSOLIDATED TABLE OF PERMITTED USES AND THE CONSOLIDATED TABLE OF DEVELOPMENT STANDARDS; PROVIDING FOR NEW TRANSITION AND SUSTAINABILITY DESIGN STANDARDS AND MORE

STREAMLINED, DEVELOPMENT-FRIENDLY PROCEDURAL REQUIREMENTS, IN ACCORDANCE WITH THE APPLICABLE SECTIONS OF CHAPTERS 163 AND 166 OF THE FLORIDA STATUTES (2016); PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Recess 8:55 PM Return 9:08 PM

Recess 10:16 PM Return 10:30 PM

Tab J Addendum

Article 1

Motion made by Councilwoman Keys to approve Article 1 as is. Seconded by Councilman Desulme. Council voted; **passed 5 -0.**

Article 2

1. Motion made by Councilwoman Keys to approve Article 2 with amendments as stated on record. Seconded by Vice Mayor Galvin. Council voted: **passed 4-1.** Mayor Joseph voted no.
2. Motion made by Councilwoman Keys to approve Article 2 with amendments as stated on record. Seconded by Councilman Bien-Aime. Council voted; **3-2.** Mayor Joseph and Councilman Desulme voted no.
3. Motion made by Vice Mayor Galvin to reconsider previous vote. Seconded by Councilman Bien-Aime. Council voted by roll call; **passed 5-0.**
4. Motion Made by Councilwoman Keys to approve the item with amendments as stated on record. Seconded by Mayor Joseph. Council voted; **passed 5-0.**
5. Motion made by Councilwoman Keys with amendments as stated on record. Seconded by Mayor Joseph. Council voted; **passed 5-0.**
6. Motion made by Mayor Joseph to approve the item with amendments as stated on record. Seconded by Councilman Desulme. Council vote; **passed 5-0.**
7. Motion made by Councilman Bien-Aime to approve the item with amendments as stated on record. Seconded by Mayor Joseph. Council voted; **passed 5-0.**
8. Motion made by Councilman Bien-Aime to approve the item with amendments as stated on record. Seconded by Mayor Joseph. Council voted; **passed 5 -0.**
9. Motion made by Councilman Desulme to approve the item with amendments as stated on record. Seconded by Bien-Aime. Council voted; **passed 4-1.** Vice Mayor Galvin voted no.
10. Motion made by Councilwoman Keys to approve the item with amendments as stated on record. Seconded by Vice Mayor Galvin. Council voted; **passed 5-0.**

Article 3

Motion made by Mayor Joseph to approve Article 3 as is. Seconded by Vice Mayor Galvin. Council voted; **passed 5-0.**

Article 4

1. Motion made by Councilwoman Keys to approve Article 4 with amendments as stated on record. **Failed** for lack of second.

2. Motion made by Mayor Joseph approve the item with amendments as stated on record. Seconded by Councilman Bien-Aime. Council voted; **passed 3-2**. Councilwoman Keys and Vice Mayor Galvin Voted no.
3. Motion made by Councilwoman Keys to approve the item with amendments as stated on record. Seconded by Vice Mayor Galvin. Council voted; **passed 4-1**. Mayor Joseph voted no.
4. Motion made by Councilman Desulme to approve the item with amendments as stated on record. Seconded by Vice Mayor Galvin. Council vote; **passed 5-0**.
5. Motion made by Councilwoman Keys to approve the item with amendments as stated on record. Seconded by Mayor Joseph. Council voted; **passed 4-1**. Vice Mayor Galvin voted no.
6. Motion made by Vice Mayor Galvin to approve Article 4 with amendments as stated on record. Seconded by Mayor Joseph. Council voted; **passed 4-1**. Councilwoman Keys voted no.

Article 5

1. Motion made by Councilwoman Keys to approve Article 5 with amendments as stated on record. **Failed** for lack of second.
2. Motion made by Councilwoman Keys to approve the item with amendments as stated on record. Seconded by Vice Mayor Galvin. Council vote; **failed 2-3**. Mayor Joseph, Councilman Desulme and Councilman Bien-Aime voted no.
3. Motion made by Councilwoman Keys to approve the item with amendments as stated on record. Seconded by Councilman Desulme. Council voted; **passed 5-0**.
4. Motion made by Councilwoman Keys to approve the item. Seconded by Councilman Bien-Aime. Council voted; **failed 2-3**. Vice Mayor Galvin, Councilman Desulme and Mayor Joseph voted no.
5. Motion made by Councilwoman Keys to approve the item with amendments as stated on record. Seconded by Vice Mayor Galvin. Council vote; **failed 2-3**. Councilman Bien-Aime, Mayor Joseph and Councilman Desulme voted no.
6. Motion made by Councilwoman Keys to approve the item with amendments as stated on record. Seconded by Vice Mayor Galvin. Council voted; **failed 2-3**. Councilman Bien-Aime, Mayor Joseph and Councilman Desulme voted no.
7. Motion made by Vice Mayor Galvin to approve the item with amendments as stated on record. Seconded by Councilwoman Keys. Council voted; **passed 5-0**.
8. Motion made by Mayor Joseph to approve the item with amendments as stated on record. Seconded by Vice Mayor Galvin. Council voted; **passed 5-0**.
9. Motion made by Mayor Joseph to approve the item with amendments as stated on record. Seconded by Vice Mayor Galvin. Council voted; **passed 5-0**.
10. Motion made by Mayor Joseph to approve the item with amendments as stated on record. Seconded by Councilman Bien-Aime. Council voted; **passed 3-2**. Vice Mayor Galvin and Councilwoman Keys voted no.
11. Motion made by Mayor Joseph to approve the item with amendments as stated on record. Seconded by Councilman Desulme. Council voted; **passed 5-0**.
12. Motion made by Mayor Joseph to approve the item with amendments as stated on record. Seconded by Councilman Bien-Aime. Council voted; **passed 5-0**.

13. Motion made by Mayor Joseph to approve the item as amended on record. Seconded by Vice Mayor Galvin. Council voted; **passed 4-1**. Councilwoman Keys voted no.

Article 6

Motion made by Mayor Joseph to approve Article 6 as is. Seconded by Councilman Desulme. Council voted; **passed 5-0**.

Article 7

Motion made by Vice Mayor Galvin to approve Article 7 as is. Seconded by Councilman Desulme. Council voted; **passed 5-0**.

Final vote for TAB J:

Michael A. Etienne, Elected City Clerk read the Ordinance title for the record. Motion made by Vice Mayor Galvin to approve the item with amendments as stated on record. Seconded by Councilman Desulme. Council voted by roll call; **passed 4-1**. Councilwoman Keys voted no.

Motion made by Vice Mayor Galvin to approve the zoning map. Seconded by Councilman Desulme. Council voted by roll call; **passed 5-0**.

REQUESTS-PETITIONS-COMMUNICATIONS

TAB K- DISCUSSION AND APPROVAL OF PROPOSED DATE FOR FIRST BUDGET HEARING ON MONDAY, SEPTEMBER 11, 2017, AND SECOND BUDGET HEARING ON MONDAY, SEPTEMBER 25, 2017, AND SET A TENTATIVE MILLAGE RATE.

Michael Etienne, Elected City Clerk, read the discussion title for the record. Motion made by Councilman Desulme to approve the item. Seconded by Mayor Joseph. Council voted; **passed 5 - 0**.

CITIZENS' FORUM

- A variety of residents spoke on issues of interest.

COUNCIL REPORTS

- **NO REPORTS**
 - Mayor Joseph
 - Councilman Desulme
 - Councilwoman Keys
 - Vice Mayor Galvin
 - Councilman Bien-Aime

CITY CLERK'S REPORT – REPORTED

CITY ATTORNEY'S REPORT – REPORTED

CITY MANAGER'S REPORT – REPORTED

ADJOURNMENT

- Meeting adjourned at 2:30 AM