

MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
OF THE TOWN OF MEDLEY, FLORIDA

FEBRUARY 3, 2003

A regular meeting of the Town Council was called to order on February 3, 2003 at 7:00 p.m. The following were present:

MAYOR:	JACK MORROW
VICE-MAYOR:	MARY TANNER
COUNCIL MEMBERS:	EUGENIO ADVINCULA MARGARITA DE JESUS CARLOS BENEDETTO
TOWN CLERK:	HERLINA TABOADA
TOWN ATTORNEY:	MELVIN WOLFE
TOWN FINANCE DIRECTOR:	ROY DANZIGER

The Invocation was given by Councilperson Benedetto and the pledge of Allegiance to the Flag of the United States was recited by the Council and audience. The Agenda was adopted by unanimous vote.

The minutes of the regular meeting of January 6, 2003 were read and approved and the minutes of the special meeting of January 21, 2003 were read and corrected and approved as corrected.

The first item under old business was the appointment of a committee to explore and recommend new youth programs. Roberto Ugarte a resident of the Town of Medley submitted a list of suggested names. After a brief discussion Vice Mayor Tanner moved as follows:

“TO APPOINT FIVE RESIDENTS TO THE YOUTH COMMITTEE AS FOLLOWS: ROBERTO UGARTE, EUGENIO ADVINCULA, RAMON RODRIGUEZ, SILVIA BLANCO, AND NESTOR CARBONELL.”

Councilperson Benedetto seconded the motion and it was carried unanimously.

Thereafter, Councilperson De Jesus moved as follows:

“TO APPOINT EUGENIO ADVINCULA AS THE LIAISON BETWEEN THE TOWN OF MEDLEY AND THE YOUTH COMMITTEE.”

Vice Mayor Tanner seconded the motion and it was carried unanimously.

A discussion regarding the purchase of two lots adjacent to the Town Park from Henry Torres was then presented. Mayor Morrow stated that he spoke to Henry Torres and Henry had advised him that he had given Empire Seafood the first opportunity to purchase the lots. If Empire Seafood was not interested then he would give the opportunity to the Town. More information will be brought back at the next regular council meeting.

The request by Councilperson Benedetto for discussion regarding complaints from residents about teenage behavior in the public areas of the Town was then discussed. Councilperson Benedetto submitted a letter of complaint from Luis F. Marroquin and Juan Sanchez. Mayor Morrow read it into the record. The letter stated that the teenagers are making too much noise with their “Boom Bases” until late hours of the night and could be heard three blocks away, kids playing basketball until eleven o’clock at night, daily littering in the gardens, occasional vandalism etc. Resident Silvia Blanco also stated that she has seen kids walking up and down the street at 1:00 and 2:00 a.m. Interim Chief Thomas Hughes stated that the police department has ideas to try to resolve the matter. Mayor Morrow also suggested a parent’s night to be scheduled by the Mayor’s office.

The request by Medley Steel & Supply Inc. for a variance to construct an ornamental fence with landscaping in lieu of an 8-foot masonry wall at the front of its property on N.W. 116 Way was then discussed. After a brief discussion Councilperson De Jesus moved as follows:

“THE TOWN COUNCIL SITTING AS THE PLANNING ADVISORY BOARD TO RECOMMEND THE ENTRY OF A RESOLUTION APPROVING THE VARIANCE REQUESTED.”

Vice Mayor Tanner seconded the motion and it was carried unanimously. Thereafter, Town Attorney Melvin Wolfe read Resolution C-822, approving such variance to Medley Steel & Supply Inc. Vice Mayor Tanner moved to approve this Resolution as read. Councilperson Benedetto seconded the motion and it was carried unanimously.

The request by 3 P’s V, Inc. for variances regarding construction of an office-warehouse facility at 12575/85 N.W. 124 Street Road as advertised in the River Cities Gazette was then discussed. A site plan was presented to the members of the Council. After a brief discussion Councilperson Benedetto moved as follows:

“THE TOWN COUNCIL SITTING AS THE PLANNING ADVISORY BOARD TO RECOMMEND THE ENTRY OF A RESOLUTION APPROVING THE VARIANCES REQUESTED.”

Councilperson Advincula seconded the motion and it was carried unanimously. Thereafter, Town Attorney Melvin Wolfe read Resolution C-820, approving such variances to 3 P’s V, Inc. Vice Mayor Tanner moved to approve this Resolution as read. Councilperson Benedetto seconded the motion and it was carried unanimously.

The request by 3 P’s V, Inc. for variances regarding construction of an office-warehouse facility at 12200/12390 N.W. 122 Way as advertised in the River Cities Gazette was also held. A sight plan was also presented to the Council and a change was needed on the turning radius. Town Attorney Melvin Wolfe stated that he needed to make corrections to the Resolution to resolve the negative comments. After a brief discussion Councilperson De Jesus moved as follows:

“THE TOWN COUNCIL SITTING AS THE PLANNING ADVISORY BOARD TO RECOMMEND THE ENTRY OF A RESOLUTION APPROVING THE VARIANCES REQUESTED.”

Vice Mayor Tanner seconded the motion and it was carried unanimously. Thereafter, Town Attorney Melvin Wolfe read Resolution C-821, approving such variances with corrections to the Resolution to resolve the negative comments. Vice Mayor Tanner moved to approve the Resolution with the corrections. Councilperson Benedetto seconded the motion and it was carried unanimously.

A discussion and motion regarding C3TS’s request to advertise to the public for the following sanitary sewer system improvement projects: Phase 1 – Sanitary Sewer Rehabilitation and Repairs; Phase 2- Sanitary Sewer Evaluation Survey (SSES), both in accordance with the Town and FDEP’s requirements. Rod Rodriguez from C3TS gave a brief presentation on the subject. He advised that the projects have already been submitted to the State and are ready for bidding. Rod gave a detailed explanation of the improvements. After a brief discussion Vice Mayor Tanner moved as follows:

“TO AUTHORIZE C3TS TO ADVERTISE TO THE PUBLIC THE FOLLOWING ITEMS: 1- BIDS FOR PHASE 1 OF THE SANITARY SEWER REHABILITATION AND REPAIR PROGRAM, 2- BIDS FOR PHASE 2 OF THE SANITARY SEWER EVALUATION SURVEY (SSES), BOTH OF THESE MOTIONS ARE REQUIRED ACCORDING TO OUR CODE AND FDEP REQUIREMENTS.”

Councilperson Advincula seconded the motion and it was carried unanimously.

Mayor Morrow stated Pat Campbell representing Coreslab is present and is requesting permission to install a two-unit doublewide temporary modular office for one year. The reason he is requesting the temporary office is because he had a fire in his building and needs to repair the damage. After a brief discussion Councilperson Advincula moved as follows:

“TO GRANT CORESLAB PERMISSION TO TEMPORARILY OPERATE ITS BUSINESS OUT OF TWO DOUBLE WIDE MODULAR OFFICE FACILITIES AT THE CORESLAB PROPERTY FOR A PERIOD OF TIME NOT TO EXCEED ONE YEAR AS A RESULT OF A FIRE IMPACTING ITS OFFICE BUILDING.”

Vice Mayor Tanner seconded the motion and it was carried unanimously.

The request by Nestor Peralta of Messina Marble and Granite, Inc. for permission to install a construction office at 9838 N.W. 114 Way was then presented. Mr. Peralta could not be present and Frank Cartaya a representative of Messina Marble was present. After a brief discussion Vice Mayor Tanner moved as follows:

“TO AUTHORIZE MESSINA MARBLE AND GRANITE, INC. TO OPERATE OUT OF A MODULAR OFFICE BUILDING FOR A PERIOD OF TIME NOT TO EXCEED ONE YEAR SUBJECT: TO HOOKING UP TO WATER, SEWER AND ELECTRIC. PROPER SANITARY FACILITIES FOR THE WORKERS; COMPLY WITH ALL CODES REGARDING SECURITY LIGHTING AND DRAINAGE; NEED TO BRING A LETTER TO THE TOWN OR AN ENGINEERS CERTIFICATE ESTABLISHING THAT THE ON SITE DRAINAGE IS ADEQUATE OR A DESIGN FOR THE INSTALLATION OF A DRAINAGE SYSTEM; PLANS FOR A NEW BUILDING WOULD HAVE TO IN PLACE WITHIN ONE YEAR AND CONSTRUCTION WOULD HAVE TO BE STARTED.”

Councilperson De Jesus seconded the motion and it was carried unanimously.

Mayor Morrow stated that he had received a letter from William and Karla Reigosa residents of 6840 N.W. 76 Street stating that the Town’s garbage truck and garbage tractor turn in his driveway and the driveway needs restoration. He indicated that he spoke to Salvatore Annese the Town’s building official and Carlos Callava supervisor of the Public Works Department and suggested that pea rock would restore his driveway. After a brief discussion Councilperson Benedetto moved as follows:

“TO AUTHORIZE CARLOS CALLAVA SUPERVISOR FOR THE PUBLIC WORKS DEPARTMENT TO PURCHASE FOUR YARDS OF PEA ROCK TO RESTORE THE DRIVEWAY OF WILLIAM AND KARLA REIGOSA.”

Councilperson Advincula seconded the motion and it was carried unanimously.

A brief presentation by Jorge Corzo regarding the necessary improvements to N.W. 89th Avenue, N.W. 93rd Street, N.W. 95th Street and all roads in such area was then held. Jorge Corzo presented the council with a package which showed a proposed improvement district boundary map, the existing conditions of the roads, pictures of each street and ideas of an action plan. Town Attorney Melvin Wolfe stated that the expenditure will come out of the Stormwater Utility Fees and other contributors. After a brief discussion Councilperson Advincula moved as follows:

“TO AUTHORIZE C3TS TO CREATE A SPECIAL DISTRICT STUDY AFTER FIRST PRESENTING A WORK ORDER ESTABLISHING APPROXIMATE COSTS.”

Councilperson De Jesus seconded the motion and it was carried unanimously.

Councilperson Advincula again moved as follows:

“TO CREATE AN 89TH AVENUE/ 93RD STREET IMPROVEMENT DISTRICT ACCORDING TO THE MAP PRESENTED TONIGHT WITH THE ADDITION OF THE LAKESIDE INDUSTRIAL PARK EFFECTIVE FEBRUARY 3, 2003 SO THAT WE CAN IMPLEMENT ACCOUNTING PROCEDURES.”

Councilperson De Jesus seconded the motion and it was carried unanimously.

The request by Councilperson Benedetto for a status report on the proposed hurricane shelter was then held. Rod Rodriguez advised that the person that is handling this matter is Mr. Thompson and he is currently out of the office. He has received copies of the plans for this structure and the remainder of City Hall. The problems that he sees with this particular area right here is that the span of the beams is so great, that it has a great propensity for air to get under them and to lift them. He is looking for a way to reinforce them from one end to the other. Recommendations will be brought back at a later meeting.

A discussion regarding the purchase of the water meters at the Medley Mobile Home Park was then presented. Mayor Morrow advised that he received a copy of the Prospectus of the Medley Mobile Home Park. Town Attorney Melvin Wolfe stated that the Town has done everything it was suppose to do regarding our contract. The two pages of documentation in the packages were provided by the Seventy Two Hundred Corp. to all of the residents of Medley Mobile Home Park. The reason there are two pages is that one page applies to people who have signed the Prospectus in the past and the other page applies to people who never signed the Prospectus. These are documents that are required as a matter of law to get approval for them to cease providing water services and transfer the operation of the meters to the Town of Medley.

The next matter was the reading of Resolution C-823, repealing Resolution C-819 and in its place and stead creating this Resolution C-823 establishing a Supplemental Defined Benefit Retirement Plan for both elected officials and full time Town of Medley Employees. Town Attorney Melvin Wolfe read Resolution C-823. Councilperson De Jesus moved to adopt this Resolution as read and authorize Town Attorney Melvin Wolfe to send a copy to our insurance consultant Robert Reynolds. Councilperson Benedetto seconded the motion and it was carried unanimously.

Town Attorney Melvin Wolfe announced that on Thursday, February 6, 2003 at 10:00 a.m. at the Miami Dade County Commission – 111 N.W. 1st Street, the Town will go for the Section 10 annexation. He asked for support from everyone.

Town Attorney Melvin Wolfe suggested that the method of compensation for the Council members be changed to biweekly payroll, the same as every Town of Medley employee. Councilperson Benedetto moved to approve this suggestion. Vice Mayor Tanner seconded the motion and it was carried unanimously.

Ramon Rodriguez stated that he spoke with Jim from Miami Springs Little League and sign ups will be every Saturday until February 22. The fee will be \$80.00 for the first child and \$75.00 for a second child in the same family. After a brief discussion Councilperson Advincula moved as follows:

“TO APPROVE USING MIAMI SPRINGS LITTLE LEAGUE AT A RATE OF \$80.00 PER STUDENT FOR THE FIRST STUDENT AND \$75.00 FOR THE SECOND STUDENT IN THE SAME FAMILY TO BE PAID FOR BY THE TOWN OF MEDLEY.”

Councilperson De Jesus seconded the motion and it was carried unanimously.

Vice Mayor Tanner asked Ramon if he was going to send out a flyer for the little league. Ramon said he was.

Ramon Rodriguez stated that the children’s party falls on February 16, 2003 and it is a long weekend, he asked the council if they wanted to change it. It was suggested that the children’s party be changed to February 9, 2003 and the adult’s party be changed to February 22, 2003. A unanimous approval was given.

A discussion and action regarding deposits for the use of Town facilities by persons or entities other than the Town of Medley was then presented. Town Attorney Melvin Wolfe stated that the issue of the deposit is to assure that the place is clean and to assure that who ever works there gets paid. The Mayor suggested to limit the amount of people allowed in the facility, he also suggested a \$20.00 deposit be made. Each council member had an idea and there is still information that is pending. After a brief discussion Councilperson Advincula moved as follows:

“TO INSTRUCT ROY DANZIGER, TO WORK WITH MELVIN WOLFE AND JACK MORROW TO TRY TO OBTAIN A FEE FOR THE NEXT REGULAR COUNCIL MEETING; THE FEE TO INCLUDE A PART TIME EMPLOYEE BEING PRESENT DURING THE PARTY HOURS TO SUPERVISE THE EVENT; THE SET FEE WILL COVER THE EXPENSES THAT ROY, MEL & THE MAYOR ESTIMATE THAT IT IS GOING TO COST FOR THE HOURS THE PERSON WILL USE THE FACILITIES; AMOUNT TO INCLUDE THE AMOUNT THEY WILL GET BACK UPON THE EMPLOYEE WORKING THE EVENT SAYING IT IS O.K.; AND THE USE OF THE FACILITIES FOR A TOTAL OF THREE HOURS.”

Councilperson De Jesus seconded the motion and it was carried unanimously.

Since there was no further business to be considered, Councilperson Benedetto moved to adjourn. Councilperson De Jesus seconded the motion and it was carried unanimously. The meeting was adjourned at 10:29 p.m.

Herlina Taboada, Town Clerk

Jack Morrow, Mayor

