

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

MARCH 3, 2003

A regular meeting of the Town Council was called to order on March 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 February 3, 2003 were read and approved.

Town Attorney Melvin Wolfe announced before the meeting that he had an emergency issue that arose late Friday. There is an item in the packages that says "Dioxin". The Town has been following activities about the Landfill and we had expressed objections to the enlargement or expansion of the landfill. Waste Management has filed an application to modify their landfill permit as it applies to the saddle fill area, which is the area between the two basic mountains. The indentation is called the saddle. Waste Management is also seeking permission to use dredged sediment from various canals as landfill. Dioxin may exist in some of the dredged sediments. Dioxin is a substantial danger to the health safety and welfare of the general population. At the Town Attorney's request permission was granted for he and Barbara Reisberg Esquire to continue to investigate these issues and to take any action that may be appropriate to protect the Town and the residents.

The first item under old business was a discussion and action regarding deposits for the use of Town facilities by persons or entities other than the Town of Medley. Mayor Morrow recommends the parties start at 1:30 to 4:30 p.m. Parties cannot be held on Saturdays and Sundays when there are Town parties. The fee would be approximately \$25.00. More information is still needed.

The next item under old business was a discussion regarding the purchase of two lots adjacent to Town Park from Henry Torres. Mayor Morrow stated that Henry Torres advised him that he would fax a contract to the Town, but it was not received. Councilperson Benedetto stated that the residents are complaining because the trucks from Empire Seafood block the street.

The next item was a public hearing for the purpose of requesting three variances for JWB Management Corp. Mr. Michael Scavuzzo representing JWB appeared before the council. After a brief discussion Councilperson Benedetto moved as follows:

“THAT THE TOWN COUNCIL SITTING AS THE PLANNING ADVISORY BOARD RECOMMENDS 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-824, approving such variances to JWB Management Corp. Councilperson De Jesus moved to approve this Resolution as read. Vice Mayor Tanner seconded the motion and it was carried unanimously.

The next item was the request by Raidel Sanchez from Eagle Commercial Truck Cleaning to install equipment for oil changes on trucks at 11350 N.W. South River Drive. Town Attorney Melvin Wolfe advised him that the Town needs to review his plans, he may also need drainage or some type of variance. After a brief discussion Councilperson Benedetto moved as follows:

“TO DEFER THE MATTER UNTIL THE NEXT REGULAR COUNCIL MEETING TO COMPLY WITH THE REQUIREMENTS, TO REVIEW PLANS SUBMITTED AND MEET WITH MR. SANCHEZ.”

Councilperson Advincula seconded the motion and it was carried unanimously.

The request by Thomas Van Bree from Techcrete for an extension of time to use temporary modular offices at 8321 N.W. 90 Street was then discussed. After a brief discussion Councilperson De Jesus moved as follows:

“TO EXTEND THE USE OF THE MODULAR OFFICES AT TECHCRETE FOR AN ADDITIONAL ONE YEAR.”

Councilperson Advincula seconded the motion and it was carried unanimously.

The request by Hard Attack Paintball Arena, Inc. to open an indoor paintball sports arena at 9009-9113 N.W. 105 Way was then presented. The owner was present and was not sure of the correct address of the building. John Aibel who is the owner of the address he presented advised that he was not aware of any indoor paintball sports arena going in at that address. They met with Mr. Aibel and the matter was tabled until more information is obtained.

The request by Jorge Ceballos from All-Brand Supplies Distributor, Inc. for a food and supplies distribution center at 11701 N.W. 102 Road was the next matter on the agenda. Mr. Ceballos explained to the council that he distributes supplies to day care facilities. After a brief discussion Councilperson Advincula moved as follows:

“TO GRANT ALL-BRAND SUPPLIES DISTRIBUTOR, INC. AN OCCUPATIONAL LICENSE FOR A FOOD AND SUPPLIES DISTRIBUTION CENTER SUBJECT TO HEALTH DEPARTMENT CERTIFICATION.”

Councilperson Benedetto seconded the motion and it was carried unanimously.

The request by DunCorp. Investments, Inc. to place a black aluminum picket fence along the north and east property line at 11300 N.W. 113 Avenue Road was then presented. David Minors appeared before the council with this request. After a brief discussion Councilperson Benedetto moved as follows:

“TO APPROVE THE REQUEST BY DUNCORP. INVESTMENTS, INC. AS PRESENTED TONIGHT.”

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

The next matter was the request by David L. Singer Memorial Foundation, Inc. for donations to the Special Olympics. After a brief discussion Councilperson Benedetto moved as follows:

“TO DONATE \$500.00 TO THE DAVID L. SINGER MEMORIAL FOUNDATION, INC. FOR THE SPECIAL OLYMPICS.”

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

The next matter was the request by Alex Acosta, on behalf of All Star Engineering, to obtain permission to stock pile fill for his personal use on the east side of N.W. 122 Street, between N.W. South River Drive and N.W. 124 Street. After a brief discussion Vice Mayor Tanner moved as follows:

“TO APPROVE THE REQUEST BY ALL STAR ENGINEERING TO ALLOW THE OUTSIDE STORAGE OF FILL MATERIAL FOR A PERIOD OF TIME NOT TO EXCEED ONE YEAR FROM APRIL 1, 2003 AT THE EAST SIDE OF N.W. 122 STREET BETWEEN N.W. SOUTH RIVER DRIVE AND N.W. 124 STREET.”

Councilperson Benedetto seconded the motion and it was carried unanimously.

The request by Barbara Villarchao to obtain an occupational license for a Basket Gift Shop at 8346 (E) N.W. South River Drive was then discussed. She explained that some gift baskets may contain bottles of wine. After a brief discussion Councilperson De Jesus moved as follows:

“TO GRANT BARBARA VILLARCHAO AN OCCUPATIONAL LICENSE FOR A BASKET GIFT SHOP SUBJECT TO: NO INDIVIDUAL SALE OR CONSUMPTION OF WINE ON THE PREMISES AND COMPLIANCE WITH STATE LAW.”

Councilperson Benedetto seconded the motion and it was carried unanimously.

Rod Rodriguez from C3TS gave a brief presentation on leachate discharge into Town sewers from the Medley Landfill. He presented the Town with a work order in the amount of \$40,000.00. This will be for an evaluation of the leachate management practices and the history of discharged volumes. He stated that a specialist in landfill matters is also required. After a brief discussion Councilperson Benedetto moved as follows:

“TO APPROVE THE WORK ORDER FROM C3TS REGARDING THE LEACHATE MANAGEMENT SYSTEM AT THE WASTE MANAGEMENT INC. LANDFILL IN THE AMOUNT OF \$40,000.00.”

Councilperson Advincula seconded the motion and it was carried unanimously.

Rod Rodriguez also submitted two other work orders for Nash Warehouse Building at 12981 N.W. 113 Court and Aljoma Lumber regarding 41.7 acres of land west of N.W. 121 Way. After a brief discussion Councilperson De Jesus moved as follows:

“TO APPROVE C3TS TO DO THE PLAN REVIEWS FOR NASH WAREHOUSE AND ALJOMA LUMBER INC. AT THE HOURLY RATE ACCORDING TO THE GENERAL AGREEMENT FOR PROFESSIONAL SERVICES AND TO SEEK REIMBURSEMENT FROM THE OWNER/DEVELOPER.”

Councilperson Benedetto seconded the motion and it was carried unanimously.

The next matter was a discussion and action on proposed Resolution instituting

requirement for registration by contractors doing work in Medley and establishing a registration form and fees. Town Attorney Melvin Wolfe read Resolution C-825 establishing such requirements. Councilperson De Jesus moved to approve this Resolution as read. Vice Mayor Tanner seconded the motion and it was carried unanimously.

Mayor Morrow stated that he received a phone call from Genevieve Kimball regarding a family on N.W. 69th Avenue that has a motor home on their property and it is improperly connected. Ramon Rodriguez stated that John Travers was sent out there and will give the Town a report on the status and if not they will go before the Code Enforcement Board. After a brief discussion Councilperson Benedetto moved as follows:

“TO TABLE THE MATTER FOR 60 DAYS THRU APRIL 30, 2003.”

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

Genevieve Kimball also stated that there is a business across the street from her that has the garbage picked up at 3:00 a.m. The matter will be researched by the Mayor’s office.

The next item on the agenda was a discussion regarding request by a vending company to allow coin operated, prize granting amusement games. Town Attorney Melvin Wolfe stated that this type of request needs state and county approval. After a brief discussion Vice Mayor Tanner moved as follows:

“TO DENY THE REQUEST.”

Councilperson Benedetto seconded the motion and it was carried unanimously.

Town Attorney Melvin Wolfe stated that in the packages there was a settlement on a claim from damage to a manhole fixture in the amount of \$28,000.00 plus work time for a total of \$31,667.66. After a brief discussion Vice Mayor Tanner moved as follows:

“TO ACCEPT THE SETTLEMENT FROM WESTFIELD GROUP AS THE INSURANCE CARRIER FOR E-SPIRE WHICH DAMAGED THE TOWN’S SEWER FACILITIES AND AUTHORIZATION TO THE MAYOR TO IMMEDIATELY SIGN THE RELEASE.”

Councilperson Advincula seconded the motion and it was carried unanimously.

Town Attorney Melvin Wolfe informed the council that C3TS may be signing a lease with Carlos Lopez Cantera who is one of the general partners of Pan American Companies. This is for information purposes only as C3TS wanted approval since both parties do business with the Town. Approval was granted since there would be no conflict of interest.

Town Attorney Melvin Wolfe stated that there was a work order from C3TS in the amount of \$12,000.00 for reviewing improvements to the bridge on N.W. 138 Street. The bridge is in very poor condition and needs improvements. After a brief discussion Councilperson De Jesus moved as follows:

“TO APPROVE THE WORK ORDER FROM C3TS IN THE AMOUNT OF \$12,000.00 FOR REVIEW OF THE N.W. 138 STREET BRIDGE REPAIRS.”

Councilperson Advincula seconded the motion and it was carried unanimously.

Ramon Rodriguez submitted two bids on the lighting of the ball field. One bid was from Wilco Electrical Contracting Inc. in the amount of \$13,660.00 and the other was from Breig Electrical Contractors in the amount of \$58,411.33. After a brief discussion Vice Mayor Tanner moved as follows:

“TO APPROVE THE QUOTE FROM WILCO ELECTRICAL CONTRACTING, INC. FOR THE INSTALLATION OF LIGHTS AT THE BALL FIELD INCLUDING THE COST OF GROUNDING THE FENCE IN THE AMOUNT OF \$13,660.00.”

Councilperson Benedetto seconded the motion and it was carried unanimously.

The next item was a discussion regarding the Miami-Dade County Fair. Mayor Morrow advised that it is again time to purchase tickets for the Youth Fair. Tickets will be available for pick up next Tuesday. The event will be handled exactly as last year. After a brief discussion Councilperson Advincula moved as follows:

“TO AUTHORIZE THE MAYOR TO PURCHASE YOUTH FAIR TICKETS.”

Councilperson Benedetto seconded the motion and it was carried unanimously.

Mayor Morrow announced that on March 11, 2003 there was a County Commission Meeting on the annexation. He stated that it was very important and needed support from Council members and any one else who wanted to attend. He also stated that this Thursday Dade League is having a function in honor of Roy Shiver (R.S) on his 50th Wedding anniversary. The Town will purchase a table of 10 at \$50.00 per person. A unanimous approval was given on the matter.

Mayor Morrow also stated that Mr. Puig from Medley Lakeside Retirement Park lot 609 wants to extend his parking space with asphalt. After a brief discussion Vice Mayor Tanner moved as follows:

“TO DENY MR. PUIG’S REQUEST TO MODIFY HIS RENTED SITE AT MEDLEY LAKESIDE RETIREMENT PARK ANY FURTHER.”

Councilperson Benedetto seconded the motion and it was carried unanimously.

Mayor Morrow stated that he received an anonymous letter from Medley Lakeside Retirement Park regarding complaints from a resident. Town Attorney Melvin Wolfe suggested that before action is taken on the letter the Prospectus should be given to every resident in Lakeside. After a brief discussion Councilperson Advincula moved as follows:

“TO TABLE THE MATTER UNTIL THE NEXT MEETING AND TO DISTRIBUTE THE PROSPECTUS AT LAKESIDE FOR EVERYONE TO READ THE RULES AND REGULATIONS.”

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

Chief of Police Thomas Hughes presented the Council with information regarding reports to where the police responds, and information about duct tape.

The request by Councilperson Advincula to have a monthly trip to Wal-mart for the senior citizens of the Town was then discussed. After a brief discussion Councilperson Advincula moved as follows:

“TO SCHEDULE A MONTHLY SHOPPING TRIP TO THE WAL-MART FACILITY IN LIEU OF PUBLIX FOR THE SENIOR CITIZENS AND HANDICAPPED RESIDENTS OF THE TOWN OF MEDLEY. THE MAYORS OFFICE TO SEND OUT A FLYER ANNOUNCING THE SCHEDULE OF THE WAL-MART TRIPS.”

Councilperson Benedetto seconded the motion and it was carried unanimously.

Councilperson Advincula also informed those present that the Youth Committee had a meeting and all members attended. They discussed several issues to create activities. The committee wants to work in conjunction with the police department. Town Attorney Melvin Wolfe suggested that the out of Town excursion be tabled until the next budget process. However, Ramon Rodriguez will begin planning the pool party as suggested by the committee. Other activities will be presented by the committee at later meetings.

Since there was no further business to be considered Councilperson De Jesus moved to adjourn. Councilperson Benedetto seconded the motion and it was carried unanimously. The meeting was adjourned at 10:45 p.m.

Herlina Taboada, Town Clerk

Jack Morrow, Mayor

