

**CITY OF MIAMI GARDENS
REGULAR CITY COUNCIL MINUTES
MARCH 27, 2013**

(A) CALL TO ORDER/ROLL CALL

The City Council for the City of Miami Gardens, Florida, met in regular session, Wednesday, March 27, 2013, beginning at 7:00 p.m., at City Hall, in the City Council Chambers, 1515 NW 167th Street, Building 5, Suite 200, Miami Gardens, Florida.

The following members of the City Council were present: Mayor Oliver Gilbert, Vice Mayor Lisa C. Davis, and Council members Lillie Q. Odom, Rodney Harris, David Williams Jr., and Dr. Erhabor Ighodaro. Councilwoman Felicia Robinson arrived at 7:10 p.m.

Also in attendance were: City Manager Dr. Danny O. Crew, City Attorney Sonja K. Dickens and City Clerk Ronetta Taylor.

(B) INVOCATION

Mayor Gilbert delivered the Invocation.

(C) PLEDGE OF ALLEGIANCE

Recited in unison.

(D) APPROVAL OF MINUTES

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Motion offered by Vice Mayor Davis, seconded by Councilman Williams to approve the minutes with necessary corrections, if any. This motion passed and carried by a unanimous voice vote of the members present.

(E) ORDER OF BUSINESS (Items to be pulled from Consent Agenda at this time)

Manager Crew requested to have the officer of the month presentation removed from the Agenda.

Motion offered by Councilman Williams, seconded by Vice Mayor Davis to approve the official agenda with the necessary changes. This motion passed and carried by unanimous voice vote of the members present.

(F) SPECIAL PRESENTATIONS (5 minutes each)

F-1) City Hall Update – Skanska

Keith Williams and Yvonne Garth, representatives from Skanska provided the monthly update for the City Hall Project. The exterior of the building is nearing completion. The walls are being installed as well as the installation for the air conditioning. The drying of the building will start soon. Skanska local contracting is at 20%; minority contracting opportunities is at 10%. Skanska continues to be a local partner.

F-2) Employee Recognition – Dr. Danny Crew, City Manager

Manager Crew presented five year service pins to: Tamilla Mullings, Media and Events; and Ronald McKenzie, It Director.

Mayor Gilbert conveyed appreciation to Tamilla Mullings for doing an outstanding job with the various events sponsored by the City. He shared that Tamilla has been working basically solo for the past year.

Manager Crew introduced Julia Yarborough to the Council and listening audience. Ms. Yarborough was hired as the city's new Media Specialist.

Ms. Yarborough a former news anchor person with Channel Six News appeared before Council and thanked the city manager for providing her with this opportunity. She shared that she is excited about what can be done together to move the city forward; bring more awareness to elevate the image of the city, locally, regional, national and internationally, depending on the event.

F-3) Office of the Month – ~~Mathew Boyd, Police Chief~~

(G) PUBLIC COMMENTS

Anthony Richiez, 5190 NW 167th Street, Miami Gardens, Florida, appeared before the City Council to announce that CBT College Campus is now located within the corporate boundaries of the City.

Shirley Gibson, former Mayor of the City of Miami Gardens appeared before the City Council to congratulate the Mayor and Council for an excellent and successful Jazz in the Gardens event held March 16-17, 2013.

Flora Johnson, 1910 NW 163rd Street/Road, Miami Gardens, Florida, appeared before the City Council to provide information for preparing for CBRNE. She shared that no one from the north attended this two day workshop. She asked that the Council encourage residents to participate in this worthwhile initiative.

Mayor Gilbert asked Deputy Chief Miller speak with Ms. Johnson about this initiative.

Margaret Hall, 1800 NW 31st Avenue, Miami Gardens, Florida, appeared before the City Council to announce that she has been elected as the new Chair of the City of Miami Gardens Commission For Women Advisory Committee.

(H) ORDINANCE(S) FOR FIRST READING:

None

(I) ORDINANCE(S) FOR FIRST READING/PUBLIC HEARING(S):

None

(J) ORDINANCE(S) FOR SECOND READING/PUBLIC HEARING(S)

None

(J) RESOLUTION(S)/PUBLIC HEARING(S)

None

(K) CONSENT AGENDA:

RESOLUTION NO. 2013-82-1878

K-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDED A BID TO DELL COMPUTER MARKETING LIMITED PARTNERSHIP, FOR THE PURCHASE OF LAPTOP COMPUTERS AND ACCESSORIES, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER, IN AN AMOUNT NOT TO EXCEED THE ALLOCATED BUDGETED AMOUNT OF ONE HUNDRED EIGHTEEN THOUSAND, FIVE HUNDRED SEVENTY-TWO DOLLARS AND SIXTY CENTS (\$118,572.60), FOR THIS PURPOSE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 2013-83-1879

K-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RECOGNIZING THE MONTH OF MARCH AS WOMEN'S HISTORY MONTH; CELEBRATING THE ACCOMPLISHMENTS OF WOMEN WHO HAVE MADE CONTRIBUTIONS TO THE CITY OF MIAMI GARDENS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN ERHABOR IGHODARO)

RESOLUTION NO. 2013-84-1880

K-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACKNOWLEDGING COUNCILMAN DAVID WILLIAMS JR.'S APPOINTMENT OF TANYA Y. JAMES TO THE CITIZENS ADVISORY COMMITTEE FOR A THREE (3) YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN DAVID WILLIAMS JR.)

RESOLUTION NO. 2013-85-1881

- K-4) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACKNOWLEDGING COUNCILWOMAN LILLIE Q. ODOM APPOINTMENT OF RAMONA EXUM TO THE CITIZENS ADVISORY COMMITTEE FOR A THREE (3) YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILWOMAN LILLIE Q. ODOM)**

Motion offered by Councilwoman Odom, seconded by Councilman Williams to adopt the Consent Agenda. There being no discussion, the motion to adopt passed and carried by a unanimous voice vote.

- (L) RESOLUTION(S):**
None

- (M) QUASI-JUDICIAL ZONING HEARINGS:**

Cyril Saiphoo, Zoning Administrator read into the record the procedure used for this Quasi-Judicial Proceeding.

All participating in this Quasi-Judicial Proceeding were sworn in by the City Clerk.

ORDINANCE(S) FOR FIRST READING/PUBLIC HEARING(S)

- M-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING CHAPTER 34, ARTICLE XI, GENERALIZED SCHEDULE OF PERMITTED USES RELATING TO FARMER'S MARKETS, USES PERMITTED WITH EXTRA REQUIREMENTS, SPECIAL EXCEPTION USES AND PROHIBITED USES OF THE CITY'S LAND DEVELOPMENT REGULATIONS; AMENDING SECTION 34-287(TABLE 1), USE REGULATIONS, GENERALLY; AMENDING SECTION 34-288(33),USES PERMITTED WITH EXTRA REQUIREMENTS; AMENDING SECTION 34-733, MASTER USE LIST AND USE DEFINITIONS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Cyril Saiphoo, Zoning Administrator stated this proposed amendment would allow the establishment of farmer's markets in all zoning districts but only on properties developed with non-residential uses with a minimum site area of 20 acres or more. The inclusion of the farmer's

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market use on properties not just zoned agriculture is consistent with one of the goals of the LDR's by encouraging economic development and capitalizing on economic opportunities for the City to the benefit of all residents.

Mayor Gilbert opened the floor for this public hearing. After there were no interested parties to speak on this item, the public hearing closed.

Motion offered by Mayor Gilbert, seconded by Councilman Harris to amend the ordinance to include the definition of Farmer's Market.

There being no further discussion on the amendment, the motion passed and carried by a unanimous vote.

Motion offered by Councilman Williams, seconded by Vice Mayor Davis to adopt this ordinance on first reading.

At the conclusion of this discussion, the motion to adopt passed and carried by a 7-0 vote.

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| Councilman Harris: | Yes |
| Councilman Ighodaro: | Yes |
| Councilwoman Odom: | Yes |
| Councilwoman Robinson: | Yes |
| Councilman Williams: | Yes |
| Vice Mayor Davis: | Yes |
| Mayor Gilbert: | Yes |

RESOLUTION(S)/PUBLIC HEARING(S)

M-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY IVES DAIRY ROAD SERVICE STATION, LLC, TO ALLOW A SPECIAL EXCEPTION PAWN SHOP USE IN THE PCD, PLANNED CORRIDOR DEVELOPMENT DISTRICT FOR PROPERTY LOCATED AT 19760 N.W. 2ND AVENUE, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR A DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Mayor Gilbert opened the floor for this public hearing.

Shirley Gibson, appeared before the City Council in opposition to this application. She urged the Council to not approve this request. She shared that she has lived in this neighborhood since 1983, and opined this proposal will not enhance or add value to this community. She

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opined this Pawn Shop will bring a different element into the community.

Melvin Bratton, 19468 NW 28th Place, Miami Gardens, Florida, appeared before the City Council in opposition to this item.

Dr. Lester Brown, 18801 NW 29th Court, Miami Gardens, Florida, appeared before the City Council in opposition to this item. He shared that he is 83 years of age and everywhere he has seen Pawn Shops and Whiskey stores, he has seen trouble. He encouraged the Council to vote against this item.

Twyla Thompson, 19740 NW 2nd Place, Miami Gardens, Florida, appeared before the City Council in opposition to this request. She shared that she lives directly behind the proposed site. She opined this Pawn Shop brings nothing to the neighborhood.

Barbara E. Wilks, 241 NW 197th Street, Miami Gardens, Florida, appeared before the City Council in opposition. She shared that she is directly behind the proposed applicant's site. She encouraged the Council to vote against this item.

Paul Hernandez, 231 NW 197th Street, Miami Gardens, Florida, appeared before the City Council in opposition to the item. He shared that he was south of this proposed Pawn Shop site. He shared an incident with an intruder in his backyard, and felt this would increase crime.

Adrienne Riles, 19510 NW 5th Avenue, Miami Gardens, Florida appeared before the City Council in opposition to this item. She opined this would increase crime in the neighborhood.

Sharon Frazier Stephens, 145 NE 193rd Street, Miami, Florida, appeared before the City Council in opposition to this item. She opined that Pawn Shops and Strip Clubs do not bring viable jobs to a community. Pawn Shops attract a lot of violent people.

After there were no other interested parties to speak, the public hearing was closed.

Attorney Alexander I. Tachmes, appeared before the Council representing the applicant Check Mart of Florida, Inc. He said he heard the comments made by the citizens of this community; in the event the applicant was applying for the conventional Pawn Shop he would not blame the residents for speaking out against the item. He said apparently there is a misconception about what is being applied for. The only thing that will be happening at this site would be short-term loans to customers secured by jewelry. There will be no purchasing or selling of jewelry at this site. The applicant is only asking for a minor extension of the services currently being provided, which includes payday loans, check cashing, prepaid Visa debit cards and utility bill payments. He pointed out that the city's professional staff is recommending approval. He referenced the possible crime this service would bring to the community. After looking at the crime stats there were only two instances. Furthermore there is no record that this store has generated any crime or any violent crime. He asked for the Council's approval.

Councilman Williams asked for the location Check Mart locations that offered the

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Jewelry Loan service component.

A representative from Check Mart identified a store in Davie, Florida on Sterling Road, as providing similar service. There are three stores in the Naples area providing a similar service.

Attorney Dickens stated for the record that the item before the Council is for approval.

Motion offered by Mayor Gilbert, seconded by Councilman Williams to **deny** this request.

There being no further discussion, the motion to **deny passed** and carried by a 7-0 vote.

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| Councilman Ighodaro: | Yes |
| Councilwoman Odom: | Yes |
| Councilwoman Robinson: | Yes |
| Councilman Williams: | Yes |
| Vice Mayor Davis: | Yes |
| Councilman Harris: | Yes |
| Mayor Gilbert: | Yes |

(N) REPORTS OF CITY MANAGER/CITY ATTORNEY/CITY CLERK

None

(O) REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Williams shared that he had spent the last week in Washington, D.C. meeting with a group of people as it relates to science and schools. He opined what this Council has is doing as it relates to science is settings this country on fire as it relates to science, as a municipality. He anticipates having the seventh school's project finished by June 2013.

Councilwoman Robinson invited everyone out to the Easter Egg Hunt Event. She further shared that she has re-started her Meet on Monday sessions. The meeting is held every second Monday of the month at Carol City Park from 6:00 – 8:00 p.m. Each session features a healthy community segment.

Councilman Harris shared that the first annual Unity in the Park event was a great success. He thanked his colleagues, community leaders, and staff for their participation and support.

Vice Mayor Davis shared that the event sponsored by the City of Miami Gardens Police Department at Norwood Park, was also a very successful event. She reminded everyone of the City's tenth anniversary.

Mayor Gilbert said both community events held this past weekend were excellent events. He encouraged everyone to come out to the events and asked that they bring someone with them. He further shared that the Jazz in the Gardens event was a great event and broke every record

previously held. He further encouraged everyone to come out to the Easter Egg Hunt.

Mayor Gilbert further announced that the Citizens' Academy is starting; for all those interested there is still time to join the class.

(P) WRITTEN REQUESTS, PETITIONS & OTHER WRITTEN COMMUNICATIONS FROM THE PUBLIC

None

(Q) ADJOURNMENT

There being no further business to come before this Body, and upon a motion being duly made, the meeting adjourned at 8:00 p.m.



Oliver Gilbert, Mayor

Attest:



Ronetta Taylor, MMC, City Clerk