



VILLAGE OF PINECREST
Village Council Meeting

REGULAR MEETING MINUTES

TUESDAY, JULY 5, 2016, 6:00 P.M.

PINECREST MUNICIPAL CENTER/COUNCIL CHAMBER
12645 PINECREST PARKWAY
PINECREST, FLORIDA

I. CALL TO ORDER/ROLL CALL OF MEMBERS: The meeting was called to order by the mayor at 6:45 p.m. Present were the following:

Councilmember Cheri Ball
Councilmember Doug Kraft
Councilmember Bob Ross
Vice Mayor James E. McDonald
Mayor Cindy Lerner

Village Manager Yocelyn Galiano
Village Clerk Guido Inguanzo
Village Attorney Mitchell Bierman

II. PLEDGE OF ALLEGIANCE: The mayor led the Pledge of Allegiance.

III. CONSENT AGENDA: The following items were presented per the Council's consent agenda policy pursuant to Ordinance 2014-6:

- Minutes of June 14, 2016
- A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE USE OF FORFEITURE FUNDS FROM THE LAW ENFORCEMENT TRUST FUND; PROVIDING FOR AN EFFECTIVE DATE. (2016-30)



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Councilmember Ross made a motion approving the consent agenda items. The motion was seconded by Vice Mayor McDonald and adopted by a unanimous voice vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

- IV. AGENDA/ORDER OF BUSINESS: There were no changes to the agenda.
- V. SPECIAL PRESENTATIONS: There were no special presentations.
- VI. ORDINANCES: There were no ordinances considered by the Council.
- VII. REPORTS AND RECOMMENDATIONS: The mayor discussed the creation of an Art in Public Places Advisory Committee.

The manager submitted the following communiqués to the Council:

- July 2016 Follow-up Report
- Monthly Departmental Reports
- Pinecrest People Mover Ridership Report

The manager, pursuant to Section 3.2(5) of the Village Charter, presented to the Council the *2016-17 Annual Budget Report*.

The manager, attorney and Planning Director Stephen Olmsted discussed Miami-Dade County's proposed ordinance relating to the imposition of a zoning requirement on municipalities for the inclusion of a mandatory work-force housing element in new residential construction projects. The Council, by unanimous consent, expressed their opposition to the proposed county legislation.

The Council discussed a request by the Miami-Dade Commission for Women for the waiving of fees for the use of the Hibiscus Room for a forum on September 14, 2016. Councilmember Kraft made a motion approving the request. The motion was second by Councilmember Ross and adopted by a unanimous voice vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

The clerk submitted a copy of the following proclamation issued by the mayor pursuant to Resolution 96-32:

- Gun Violence Awareness Day (June 2, 2016)

The October regular meeting was rescheduled to October 18, 2016.

VII. RESOLUTIONS: The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, DETERMINING THE PROPOSED MILLAGE RATE FOR FISCAL YEAR 2016-2017; SETTING THE DATE, TIME AND PLACE FOR THE PUBLIC HEARINGS REQUIRED BY STATE LAW; DIRECTING STAFF TO TRANSMIT NECESSARY DOCUMENTATION PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Kraft made a motion adopting the resolution. The motion was seconded by Councilmember Ross. Resolution 2016-31 was adopted by a 3 – 2 voice vote. The vote was as follows: Councilmembers Ball, Kraft, and Ross voting Yes. Vice Mayor McDonald and Mayor Lerner voting No.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, URGING THE FLORIDA LEGISLATURE TO AMEND FLORIDA LAW BY ADDING ENHANCED PENALTIES FOR FELONIES AND MISDEMEANORS COMMITTED AGAINST LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, AND EMERGENCY SERVICES PERSONNEL DUE TO THEIR EMPLOYMENT STATUS; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Kraft made a motion adopting the resolution. The motion was seconded by Councilmember Ross. Resolution 2016-32 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, URGING THE FLORIDA LEGISLATURE TO JOIN OTHER STATES IN PROHIBITING THE SALE AND POSSESSION OF RAPID FIRE AND HIGH POWER "ASSAULT" WEAPONS; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Kraft made a motion to defer the matter. There was no second to the motion.

Councilmember Kraft made a motion amending the resolution by striking language relating to rapid fire and high power weapons and inserting language urging legislators to adopt sensible gun laws. There was no second to the motion.

Councilmember Ross made a motion adopting the resolution. The motion was seconded by Councilmember Ball. Resolution 2016-33 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE WAIVING OF FEES FOR MEMORIAL EVENTS AT PINECREST GARDENS; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Ross made a motion adopting the resolution. The motion was seconded by Vice Mayor McDonald. Resolution 2016-34 was adopted by a 4 – 1 voice vote. The vote was as follows: Councilmembers Ball, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes; Councilmember Kraft voting No.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE METROPOLITAN PLANNING AGENCY FOR DEVELOPMENT OF AN IMPLEMENTATION PLAN FOR THE SOUTH DADE TRANSITWAY; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor McDonald made a motion adopting the resolution. The motion was seconded by Councilmember Ball. Resolution 2016-35 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, ADOPTING A REVISED DONATIONS/MEMORIALS POLICY FOR PINECREST GARDENS; PROVIDING FOR AN EFFECTIVE DATE.

The resolution was amended with changes to the first paragraph of Section 1 and insertion of an additional whereas clause as follows:

Gifts of \$1,500+

Proposals for donations or memorials in excess of \$1,500 shall be submitted to the Village Council for their consideration forwarded to the Pinecrest Gardens Advisory Committee (PGAC) for a recommendation. Favorable recommendations shall be based upon conformity to the Master Plan and other purposes of Pinecrest Gardens. Upon approval, the PGAC shall forward the recommendation to the Village Council for further consideration.

WHEREAS, Pinecrest Gardens was purchased by the Village to promote enjoyment of nature, preserve the original function as a botanical garden, and provide a location for family fun, festivals, and cultural and educational events; and

Councilmember Ross made a motion adopting the amended resolution. The motion was seconded by Councilmember Ball. Resolution 2016-36 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, URGING THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) TO IMPROVE MAINTENANCE OF THE SNAPPER CREEK CANAL AND SALINITY DAM; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor McDonald made a motion adopting the resolution. The motion was seconded by Councilmember Kraft. Resolution 2016-37 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

IX. PLANNING: The following proceeding was held by the Council, pursuant to Chapter 2 (Article VI) of the Code of Ordinances, at 8:00 p.m. time certain:

All witnesses giving testimony were sworn-in by the clerk.

Hearing Number 2016-0705-1. Mr. and Mrs. Trevor Taylor, the applicant, requested a conditional use permit to allow outdoor lighting of a tennis court pursuant to the requirements of Division 5.25 of the Land Development Regulations, and in compliance with the requirements and standards for a conditional use permit as provided in Division 3.3, for the property located at 8961 Southwest 62 Court.

Trevor Taylor, 8961 Southwest 62 Court, the applicant, addressed the Council.

Planning Director Olmsted gave an oral report, based on staff's memorandum of June 28, 2016, recommending approval of the request subject to the following conditions:

- 16.0' height lighting shall be shielded with shields available from vendor;
- Maintenance of existing Clusia hedge along the north, south and east property lines adjacent to courts;
- Outdoor court lighting shall not be used between 10:00 p.m. and 8:00 a.m.;
- Submittal of a letter of compliance from a registered engineer or architect stating that the installation has been inspected under operating conditions and found to be consistent with approved plans, conditions of approval, and all applicable requirements of the Land Development Regulations including maximum permitted lighting levels that do not exceed 0.5 foot-candles along all property lines; and
- Approval of required building and electrical permits and inspections by the Building and Planning Department.

The mayor opened the public hearing. There were no speakers present.

Councilmember Kraft made a motion adopting staff's recommendation. The motion was seconded by Vice Mayor McDonald and adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Ball, Kraft, Ross, Vice Mayor McDonald, and Mayor Lerner voting Yes.

X. SCHEDULE OF FUTURE MEETINGS: The following schedule of future meetings was presented to the public:

- VILLAGE COUNCIL (BUDGET WORKSHOP)
WEDNESDAY, AUGUST 24, 2016, 9:00 A.M.

XI: ADJOURNMENT: The meeting was adjourned at 9:15 p.m.

Respectfully submitted:



Guido H. Inguanzo, Jr., CMC
Village Clerk

Approved by the Village Council
this 13th day of September, 2016:



Cindy Lerner
Mayor

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (FLORIDA STATUTES).