

# VILLAGE OF PINECREST

## MINUTES



### VILLAGE COUNCIL MEETING

TUESDAY, APRIL 10, 2007, 7:00 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 7:00 p.m. Present were the following:

Councilmember Joseph M. Corradino  
Councilmember Jeff Cutler  
Councilmember Nancy L. Harter  
Vice Mayor Gail D. Serota  
Mayor Gary C. Matzner

Village Manager Peter Lombardi  
Village Attorney Cynthia Everett  
Village Clerk Guido Inguanzo

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

The mayor requested a moment of silence for Grant Gorsline, son of Police Sergeant Michael Gorsline, who recently passed away.

III. **APPROVAL OF MINUTES:** Councilmember Corradino made a motion adopting the minutes of the meeting of March 20, 2007. The motion was seconded by Councilmember Harter and adopted by a unanimous voice vote. The vote was as follows: Councilmembers Corradino, Cutler, Harter, Vice Mayor Serota, and Mayor Matzner voting Yes.

IV. **AGENDA/ORDER OF BUSINESS:** There were no changes to the agenda.

V. **SPECIAL PRESENTATIONS:** Ramon Castillo, representing C3TS, the Village's consultant, submitted the Potable Water System Extension Master Plan. The following residents addressed the Council regarding the master plan: Rusty Levenson, 13291 Old Cutler Road; Eric Littman 6050 Rolling Road Drive; John Steinbauer, 9500 Southwest 73 Avenue; Nancy Lawther, 9140 Southwest 59 Avenue; Dan de Soto, 11000

Southwest 61 Court; Pat Vandenberg, 6660 Southwest 100 Street; Bob Welbon, 11000 Southwest 60 Avenue; and Georgia Ruiz, 6200 Southwest 116 Street. The mayor advised the public that workshops relating to the master plan will be held on the following dates:

- April 24, 2007, 7:00 p.m.
- May 2, 2007, 9:00 a.m.

VI. **ORDINANCES:** The clerk read the following ordinance, on first reading, by title:

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING CHAPTER 2, ARTICLE V OF THE CODE OF ORDINANCES RELATING TO CODE ENFORCEMENT; DEFINING THE ROLE OF THE VILLAGE ATTORNEY; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

Vice Mayor Serota made a motion adopting the ordinance on first reading. The motion was seconded by Councilmember Corradino and adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Corradino, Cutler, Harter, Vice Mayor Serota, and Mayor Matzner voting Yes.

The clerk announced the second reading of the ordinance for May 8, 2007.

The clerk read the following ordinances, on first reading, relating to a small scale amendment to the Village's Comprehensive Development Master Plan and rezoning of the property located at the southeast corner of Southwest 124 Street and Southwest 82 Avenue, by title:

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING THE VILLAGE'S FUTURE LAND USE MAP (SMALL SCALE AMENDMENT) BY CHANGING THE DESIGNATION OF THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF SOUTHWEST 124 STREET AND SOUTHWEST 82 AVENUE (FOLIO 2050150000210); PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING THE VILLAGE'S ZONING MAP BY RE-ZONING THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF SOUTHWEST 124 STREET AND SOUTHWEST 82 AVENUE (FOLIO 2050150000210) FROM EU-1 (RESIDENTIAL ESTATE DISTRICT) TO EU-M (RESIDENTIAL ESTATE MODIFIED DISTRICT); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

The Local Planning Agency submitted a favorable recommendation.

Jerry Proctor, 200 South Biscayne Boulevard, Miami, representing the property owners making the request, addressed the Council.

Planning Director James Holland gave an oral report, based on his memorandum of April 3, 2007, recommending approval of the request.

The mayor opened the public hearing at 7:45 p.m. time certain. The following residents addressed the Council: Susannah Troner, 12701 Southwest 81 Avenue and Olga Chianta 12601 Southwest 81 Avenue.

Councilmember Cutler made a motion adopting the ordinance amending the Village's Comprehensive Development Master Plan by approving a small scale amendment. The motion was seconded by Councilmember Harter and adopted by a 4 – 1 roll call vote. The vote was as follows: Councilmember Cutler, Harter, Vice Mayor Serota, and Mayor Matzner voting Yes; Councilmember Corradino voting No.

Councilmember Harter made a motion adopting the ordinance rezoning the property. The motion was seconded by Councilmember Cutler and adopted by a 4 – 1 roll call vote. The vote was as follows: Councilmember Cutler, Harter, Vice Mayor Serota, and Mayor Matzner voting Yes; Councilmember Corradino voting No.

The clerk announced the second reading of both ordinances for May 8, 2007.

The clerk read the following ordinance, on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING CHAPTER 28, ARTICLE III OF THE CODE OF ORDINANCES RELATING TO OCCUPATIONAL LICENSE TAX; RENAMING THE ARTICLE "LOCAL BUSINESS TAX" PURSUANT TO HOUSE BILL 1269 ENACTED BY THE 2006 FLORIDA LEGISLATURE; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

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

Councilmember Harter made a motion adopting the ordinance on second reading. The motion was seconded by Vice Mayor Serota. Ordinance 2007-2 was adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Corradino, Cutler, Harter, Vice Mayor Serota, and Mayor Matzner voting Yes.

VII. RESOLUTIONS: The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AWARDED BID FOR THE PINECREST RECREATION FIELD (FIVE ACRE SITE WEST OF LIBRARY AND COMMUNITY CENTER) PROJECT TO NAC CONSTRUCTION; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Corradino made a motion adopting the resolution. The motion was seconded by Councilmember Cutler. Resolution 2007-12 was adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Corradino, Cutler, Harter, Vice Mayor Serota, and Mayor Matzner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, RATIFYING THE APPOINTMENT OF CLIFFORD STEIN AS SPECIAL MASTER PURSUANT TO SECTION 2-141 OF THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Harter made a motion adopting the resolution. The motion was seconded by Councilmember Corradino. Resolution 2007-13 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Corradino, Cutler, Harter, Vice Mayor Serota, and Mayor Matzner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, RATIFYING THE APPOINTMENT OF ENRIQUE ZAMORA AS SPECIAL MASTER PURSUANT TO SECTION 2-141 OF THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Serota made a motion adopting the resolution. The motion was seconded by Councilmember Harter. Resolution 2007-14 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Corradino, Cutler, Harter, Vice Mayor Serota, and Mayor Matzner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, RATIFYING THE APPOINTMENT OF KIM WOOD TO THE BOARD OF DIRECTORS OF THE PINECREST FOUNDATION, INC.; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Cutler made a motion adopting the resolution. The motion was seconded by Vice Mayor Serota. Resolution 2007-15 was adopted by a unanimous voice

vote. The vote was as follows: Councilmembers Corradino, Cutler, Harter, Vice Mayor Serota, and Mayor Matzner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, RATIFYING THE APPOINTMENT OF JULIE GOLDMAN TO THE BOARD OF DIRECTORS OF THE PINECREST FOUNDATION, INC.; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Serota made a motion adopting the resolution. The motion was seconded by Councilmember Corradino. Resolution 2007-16 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Corradino, Cutler, Harter, Vice Mayor Serota, and Mayor Matzner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, APPOINTING JACK R. REITER OF ADORNO & YOSS LLP TO SERVE AS SPECIAL COUNSEL IN THE MATTER OF CARLOS E. SILVA V. VILLAGE OF PINECREST; PROVIDING FOR AN EFFECTIVE DATE.

There was no action taken on the resolution.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, RELATING TO THE BISCAYNE BAY COASTAL WETLANDS ACCERLER8 PROJECT AT THE DEERING ESTATE; EXPRESSING STRONG SUPPORT FOR THE FULL FUNDING AND COMPLETION OF THE THREE ACRE WETLANDS ENVIRONMENTAL EDUCATIONAL PROJECT ON THE POWERS PROPERTY; PROVIDING FOR AN EFFECTIVE DATE.

There was no action taken on the resolution.

**VIII. REPORTS AND RECOMMENDATIONS:** The clerk, in response to a request by the vice mayor, presented several communication options for the Council's consideration, outlined in a memorandum dated March 6, 2007, including broadcasting on a government access channel on cable television, expanded use of the Village's radio station, publication of a quarterly newsletter, and live streaming video on the Village's web site.

The clerk submitted to the Council a copy of the 2007 Government-in-the-Sunshine Manual relating to Florida's public records and open meeting laws.

The attorney submitted a case status reported dated April 2, 2007.

The Council discussed the “Watershed Study” being undertaken by the Miami-Dade County which would impact the Village’s future projected population.

The manager gave an update regarding the development of Flagler Grove Park.

The mayor gave an update regarding the lease agreement for a restaurant operation at Pinecrest Gardens.

IX. **PLANNING:** There were no planning matters considered by the Council.

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

- VILLAGE COUNCIL (WATER SYSTEM EXPANSION WORKSHOP)  
TUESDAY, APRIL 24, 2007, 7:00 P.M.
- PLANNING BOARD  
WEDNESDAY, APRIL 25, 2007, 7:00 P.M.
- VILLAGE COUNCIL (WATER SYSTEM EXPANSION WORKSHOP)  
WEDNESDAY, MAY 2, 2007, 9:00 A.M.
- ART IN THE PARKS COMMITTEE  
THURSDAY, MAY 3, 2007, 7:30 P.M.
- VILLAGE COUNCIL  
TUESDAY, MAY 8, 2007, 7:00 P.M.

XI. **ADJOURNMENT:** The meeting was adjourned at 9:40 p.m.

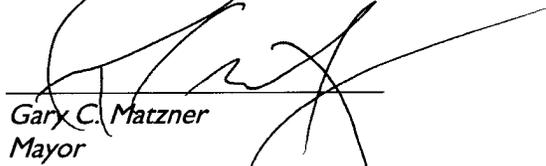
*Respectfully submitted:*



---

Guido H. Anguano, Jr., CMC  
Village Clerk

*Approved by the Village Council  
this 8th day of May, 2007:*



---

Gary C. Matzner  
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).**