

VILLAGE OF PINECREST

MINUTES



VILLAGE COUNCIL MEETING

TUESDAY, MAY 10, 2005

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 8:15 p.m. Present were the following charter officials:

Councilmember Nancy L. Harter
Councilmember Robert Hingston
Councilmember Gail D. Serota
Vice Mayor Cindie Blanck
Mayor Gary C. Matzner

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

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

III. **APPROVAL OF MINUTES:** Councilmember Hingston made a motion adopting the minutes of the meeting of April 12, 2005. The motion was seconded by Vice Mayor Blanck and adopted by a unanimous voice vote. The vote was as follows: Councilmembers Harter, Hingston, Serota, Vice Mayor Blanck, and Mayor Matzner voting Yes.

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

V. **SPECIAL PRESENTATIONS:** Division Chief Paul Smith, representing the Miami-Dade County Fire Rescue Department, introduced himself to the Council and gave an update regarding the activities of the department.

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

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES BY CREATING A NEW DIVISION ENTITLED "HOME OFFICES", RELATING TO THE REGULATION OF OFFICES IN RESIDENTIAL DISTRICTS, RELATING TO TYPES OF OCCUPATIONS AND EMPLOYEES, RELATING TO LOCATION OF OFFICE, VEHICLES AND EQUIPMENT ALLOWED; PROVIDING SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

The Local Planning Agency submitted a recommendation for adoption of the ordinance.

The mayor opened the public hearing. Randall Levenson, 13291 Old Cutler Road, addressed the Council.

Vice Mayor Blanck made a motion adopting the ordinance on first reading. The motion was seconded by Councilmember Serota and adopted by a 3 - 2 roll call vote. The vote was as follows: Councilmember Serota, Vice Mayor Blanck and Mayor Matzner voting Yes; Councilmembers Harter and Hingston voting No.

The clerk announced the second reading of the ordinance for June 21, 2005.

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

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING ARTICLE III OF CHAPTER 28 OF THE CODE OF ORDINANCES (OCCUPATIONAL LICENSE TAX) RELATING TO THE ADDITION OF "HOME OFFICES" TO THE OCCUPATIONAL LICENSE TAX SCHEDULE; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

Councilmember Serota made a motion adopting the ordinance on first reading. The motion was seconded by Vice Mayor Blanck and adopted by a 3 - 2 roll call vote. The vote was as follows: Member Serota, Vice Mayor Blanck and Mayor Matzner voting Yes; Councilmembers Harter and Hingston voting No.

The clerk announced the second reading of the ordinance for June 21, 2005.

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

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING THE VILLAGE'S FUTURE LAND USE MAP (SMALL SCALE AMENDMENT) AND OFFICIAL ZONING MAP BY CHANGING THE DESIGNATION OF THE PROPERTY LOCATED AT 9117 SOUTHWEST 72 AVENUE FROM BU-1 (RESTRICTED COMMERCIAL DEVELOPMENT DISTRICT) TO RU-4M (RESIDENTIAL MULTI-FAMILY MEDIUM-HIGH DENSITY DISTRICT); PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

The mayor opened the public hearing. Jerry Proctor, 200 South Biscayne Boulevard, Miami, representing the owner of the property at 9117 Southwest 72 Avenue, addressed the Council in support of the proposed ordinance.

Councilmember Serota offered the following amendment to the ordinance:

- The applicant shall submit a covenant limiting the number of dwelling units on the site to 160 which shall be recorded in the public records of Miami-Dade County. Said covenant shall be submitted to the Village within fourteen days of passage of the proposed ordinance approving the Small Scale Amendment and Rezoning.

The Serota amendment was seconded by Councilmember Hingston and adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Harter, Hingston, Serota, Vice Mayor Blanck, and Mayor Matzner voting Yes.

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

The clerk announced the second reading of the ordinance for June 21, 2005.

VII. **RESOLUTIONS:** The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT, ON BEHALF OF THE VILLAGE, WITH THE CITY OF MIAMI BEACH, FLORIDA FOR POLICE MUTUAL AID; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Blanck made a motion adopting the resolution. The motion was seconded by Councilmember Hingston. Resolution 2005-17 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Harter, Hingston, Serota, Vice Mayor Blanck, and Mayor Matzner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN EMERGENCY RELIEF PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF COSTS INCURRED AS A RESULT OF HURRICANE FRANCES; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Harter made a motion adopting the resolution. The motion was seconded by Vice Mayor Blanck. Resolution 2005-18 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Harter, Hingston, Serota, Vice Mayor Blanck, and Mayor Matzner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, ADOPTING PARKING RESTRICTIONS ALONG THE PUBLIC ALLEY WAY BEHIND 9601 SOUTH DIXIE HIGHWAY PURSUANT TO ORDINANCE 2001-6; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Blanck made a motion adopting the resolution. The motion was seconded by Councilmember Serota. Resolution 2005-19 was adopted by a unanimous voice vote. The vote was as follows: Councilmembers Harter, Hingston, Serota, Vice Mayor Blanck, and Mayor Matzner voting Yes.

VIII. **REPORTS AND RECOMMENDATIONS:** The mayor briefly discussed the formation of a 10th Anniversary Committee to coordinate the planning of the Village's anniversary events in 2006.

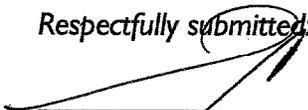
IX. **PLANNING:** There were no planning matters considered by the Council.

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

- VILLAGE COUNCIL
TUESDAY, JUNE 21, 2005, 7:00 P.M.

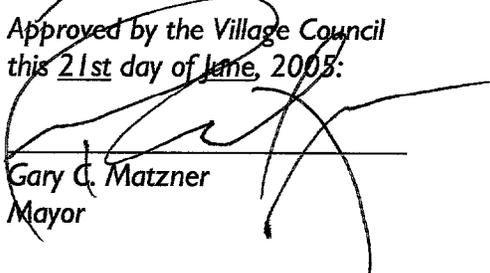
XI. **ADJOURNMENT:** The meeting was adjourned at 8:50 p.m.

Respectfully submitted:



Guido H. Inguanzo, Jr., CMC
Village Clerk

Approved by the Village Council
this 21st day of June, 2005:



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).