

MINUTES

CITY COUNCIL MEETING
WEDNESDAY, NOVEMBER 5, 2003

CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:38 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge Merida, Councilman Jorge Gutierrez, Councilman Manuel Zardon, Councilman Rolando Piña. Also present were Mayor Yioset De La Cruz and City Attorney Charles Citrin.
3. **Invocation:** Councilman Jorge Gutierrez gave the invocation.
4. **Pledge of Allegiance:** Councilman Jorge Gutierrez led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** Chairman Garcia suggested, with no objections to move Item 6, Item 7, and Item 8 behind Item 10.
6. **Review of Minutes:** October 21, 2003: Chairman Garcia made a motion to approve the minutes of October 21, 2003, seconded by Councilman Merida. The motion passed by unanimous consent of the Council.
7. **Public Comments:** The following individuals came forward to address the Council:
Jorge Gutierrez, 10090 NW 80 Ct. Hialeah Gardens, FL as interpreter for Evaristo Zafra, 8090 NW 99 Ln. Hialeah, FL
8. **Request for approval of 2COP alcohol beverage license, El Grande Truck General Repairs, Corp., d/b/a El Grande Restaurant, 9101 W. Okeechobee Road:** Owner: Abel Marino Marquez.

Mr. Abel Marquez, Owner was present. Menace Rodriguez, License Director came forward and gave his recommendations. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

9. **Proposed Resolution:**

- A) ***RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS CERTIFYING THE RESULTS OF THE SPECIAL ELECTION FOR COUNCIL MEMBER GROUP VI, HELD ON NOVEMBER 4, 2003; PROVIDING FOR EFFECTIVE DATE.***

Mr. Citrin read the full title of the resolution into the record. A motion to approve was made by Chairman Garcia, seconded by Councilman Gutierrez, and unanimously approved by voice vote.

10. **Swearing in ceremony for newly elected Council member:** Mr. Charles A. Citrin, City Attorney swore in Mr. Jorge Gutierrez as the newly elected Council member.

The Mayor congratulated Jorge Gutierrez for his work on the Planning & Zoning Board and his term as a Council member. Mayor De La Cruz did a translation in Spanish for the public. Council member Gutierrez gave thanks.

A ten minute recess was called.

11. **Board Appointments - Planning & Zoning Board:** Appointments of Board Members for Zoning Board will be left to a future meeting.

12. **Second Reading/Public Hearing for consideration and final adoption of the following ordinances:**

- A) ***ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR JULIAN'S ESTATE FOR A PROPOSED USE OF LONG JOHN SILVERS/A&W. FOLIO #27-2033-001-0011. APPROXIMATE LOCATION: BETWEEN NW 121 STREET AND NW 122 STREET, WEST OF NW 87 AVENUE AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.*** (Location: Between N.W. 122 Street, West of N.W. 87 Avenue) (T.R.C. Vote: 6-0; P & Z Vote: 4-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Charles Jones was present on behalf of the applicant. Mirtha Gonzalez, Chief Zoning Official came forward and gave the department's recommendation. Chairman Garcia opened the public hearing at 8:15 p.m. for discussion of the item. No testimony was offered; therefore, Chairman Garcia closed the public hearing at 8:15 p.m. A motion was made to approve by Chairman Garcia, seconded by Councilman Zardon, and unanimously approved by individualized voice vote. **(Vote 5-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN AND GRANTING SIGN VARIANCES FOR LONG JOHN SILVERS/A&W FAST FOOD DRIVE-THRU ESTABLISHMENT CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE EAST 140 FEET OF THE WEST 660 FEET OF TRACT 1, OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1 OF SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA FOLIO #27-2033-001-0011. APPROXIMATE LOCATION: BETWEEN NW 121 STREET AND NEW 122 STREET, WEST OF NW 87 AVENUE; PROVIDING FOR EFFECTIVE DATE. (Location: Between N.W. 121 Street West of N.W. 87 Avenue) (T.R.C. Vote: 6-0; P & Z Vote: 4-0)**

Mr. Citrin read the full title of the ordinance into the record. A request was filed by the applicant to table the item at this time. Chairman Garcia made a motion to table the item, seconded by Councilman Merida, and unanimously approved by individualized voice vote **(Vote 5-0 Tabled)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR CARLOS MARTINEZ. LEGAL DESCRIPTION : THE EAST _ OF TRACT 5, SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AT RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: NORTH OF NW 133 STREET AND EAST OF NW 99 AVENUE FOLIO #27-2029-001-0053; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: North of N.W. 133 Street and East of N.W . 99 Avenue) (T.R.C. Vote: 5-0: P & Z Vote 3-1 A. Perez)**

Mr. Citrin read the full title of the ordinance into the record. Mr. Manny Reus was present on behalf of the applicant. Mirtha Gonzalez, Chief Zoning Official came forward with staff recommendation. Chairman Garcia opened the public hearing at 8:20 p.m. for discussion of the item. No testimony was offered therefore Chairman Garcia closed the public hearing at 8:20 p.m. A motion was made by Chairman Garcia, seconded by Councilman Merida, and unanimously approved by individualized voice vote. **(Vote 5-0)**

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA APPROVING A SITE PLAN FOR LORENZO AND MINERVA ARGUELLO FOR A PROPOSED WAREHOUSE BUILDING, CONCERNING PROPERTY LEGALLY DESCRIBED AS: LOT 12, BLOCK 1, OF “HILLS INDUSTRIAL PARK”, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 120, PAGE 44 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. APPROXIMATE LOCATION: NW 119 STREET AND 89 AVENUE FOLIO #27-2033-004-0120 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: N.W. 119 Street and N.W. 89 Avenue) (T.R.C. Vote: 5-0: P & Z Vote: 4-0)**

Mr. Citrin read the full title of the ordinance into the record. Mr. Carlos Figueroa was present on behalf of the applicant. Mirtha Gonzalez, Chief Zoning Official came forward with department’s recommendation. Chairman Garcia opened the public hearing at 8:22 p.m. No testimony was offered; therefore, Chairman Garcia closed the public hearing at 8:22 p.m. A motion to approve was made by Chairman Garcia, seconded by Councilman Merida and unanimously approved by individualized voice vote. **(Vote 5-0)**

13. **City Attorney’s Report:** Congratulated new Council member Jorge Gutierrez
14. **Mayor’s Report – Miscellaneous:** Offered congratulations and thanked everyone.
15. **Council Members Concerns/Reports – Miscellaneous:** Council members Jorge Merida, Manuel Zardon, and Chairman Garcia offered their congratulations to newly elected Council member Jorge Gutierrez.
16. **Adjournment:** The meeting was adjourned at 8:26 p.m.

Respectfully submitted by:

Maria L. Joffe
City Clerk

"Any person desiring to appeal any decision made by the Council with respect to any matter considered at this meeting will need a record of the proceedings, and it will be their responsibility to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

SCHEDULE OF FUTURE MEETINGS:

CITY COUNCIL

Tuesday, November 18, 2003, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, December 8, 2003, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, December 3, 2003, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, November 25, 2003, 7:00 P.M.

POLICE PENSION BOARD

December 3, 2003, 7:00 P.M.