



**MINUTES  
REGULAR COMMISSION MEETING  
TUESDAY, February 8<sup>th</sup> 7:00 PM**

**1. Call to Order**

A meeting of the Mayor and Village Commission of the Village of Biscayne Park, Florida was held on Tuesday, February 8, 2022, at 7 p.m. at the Log Cabin, 640 NE 114<sup>th</sup> St., Biscayne Park, Fl in person and via Zoom, Meeting ID 849 0844 8465

The meeting was called to order at 7 p.m. by Mayor O'Halpin.

**2. Roll Call**

Village Clerk Shantay Dabney called the roll with the following Commission members in attendance:

Commissioner Gonzalez  
Vice-Mayor Kennedy  
Commissioner Samaria  
Commissioner Hamelburg  
Mayor O'Halpin

**3. Pledge of Allegiance**

The Pledge of Allegiance was led by Commissioner Samaria.

**4. Additions, Deletions, or Withdrawals to the Agenda**

Mayor O'Halpin requested any additions, deletions, or withdrawals to the agenda. It was requested by Vice Mayor Kennedy to pull the Short-Term Rental item until more information from the State is received, moving Swale's conversation up adding three minutes during the discussion for residents to speak.

**Mayor O'Halpin motioned to accept the changes, Passed 5-0**

**5. Presentations**

5.a Proclamation- Presentation to Mrs. Mailan Nguyen on her Retirement from the Village of Biscayne Park on March 1, 2022.

Mayor O'Halpin read the Proclamation into the record and presented the Proclamation to Mrs. Nguyen.

5.b Legislative update- David Caserta

Mr. Caserta updated the Commission on an overview of the 2022 Legislative Bills impacting Local Government.

**5.c Proclamation**

Mayor O'Halpin read the Black History Month Proclamation into the record.

**6. Public Comments**

Mayor O'Halpin opened the floor to Public Comments.

**Janey Anderson** mentioned that it will take big shoes to fill to replace Mailan, she has been such an asset to the community. Mentioned that she is in support of item 14b. There should be a standard report as it is the right thing to do to have accountability of staff. The lack of communication leads to acrimony and confusion. The right thing to do. Mentioned that Great Waste missed several piles of waste that

**Bob Anderson**- has worked with Mailan for many years, hasn't had a bad day, and would like to attend her going away if it is open to residents?

**Barbara Kuhl** thanked Mailan for her service, which she will be missed, Address the communication services item. Would like a newly designed website, village to do a better job of disseminating information to residents to keep them informed about things like solid waste, code enforcement. Would like a Manager's report with updates with information coming to the Village.

**Gary Kuhl** addressed the Commission. There was always a comprehensive manager's report, the level of communication, the website is outdated, doesn't feel like a communications person will solve the problem. Code Compliance flyer is incorrect, people are confused.

**Dan Keys** addressed the Commission. Suggested that the Commission start thinking of projects for next year. Mr. Keys thanked the village for addressing the landscaping issue, reported that the Village sign needs work as well. Mentioned that it should not take a year for issues to be resolved. Would like to see a contractor in place to replace palm trees when they are run over. Concerned that the village will not get its money worth with the communication services. Water pressure is low on his street. Asked that the Village look into it.

## 7. **Commission Reply to Comments**

Vice Mayor Kennedy replied that the website is terrible and there is a contractor in place to build a new website. Thanked the residents for agreeing with the idea of needing to communicate better.

### **Village Manager's Report**

The Village Manager reported that the Village Clerk will post Board Vacancies for the Parks & Parkway, Public Art Board, and Biscayne Park Foundation. Notices will be posted at Village Hall, Next Door, and E-blast. The Assistant City Manager at Bal Harbour asked that Biscayne Park participate in a shoe drive to support Camillus House to bring awareness to five million children/teens who lack shoes around the world. Reminded the Commission that there are several RFPs out for bid and the Village is under a "Cone of Silence." Reported that the County has started to pave Griffing Blvd and that there is a lot of clean up. Mentioned that the County has not been forthcoming regarding street closures. Do not anticipate any more road closures as the work are completed. On January 5<sup>th</sup> Chief Cabrera received a letter from the City of North Miami Chief of Police recognizing Officer Sanchez and Lopez for identifying and detaining a suspicious person checking for unlocked doors around 121<sup>st</sup> Street. Reported that the 2021 Police Statistics have been posted on the Village website.

Village Manager Diaz addressed the Commission and Public Comment concerns.

Barbara Kuhl reported that Audra McCollum resigned from the Board and thanked Ms. McCollum for her service. Would like to plant flowers at the end of the mediums as before, next step to workshop presentation to log cabin specimen trees, Olandscaping and recreation center parking project, the Australian tree stump, the Board feels that Public Works doesn't have the resources to remove the stumps. Biscayne Park should move forward with SFM removing the Australian trees at \$350 per stump, North Miami should remove the stump on 121<sup>st</sup> street since the Village paid for the removal of the trees. The Board is creating a plan to remove 115<sup>th</sup> street creating a plan to remove undesirable trees and shrubs. Will bring the plan back to the village once completed.

## 9. Commission Reports

**Vice Mayor Hamelberg** extends congratulations to Dr. Chester Morris honored by Doctors Charter School of Miami Shores for being a founding member serving 15 years on the Board. attending the Public Arts and Code Compliance Board meeting. The issue of Zoom came up, Code Board is willing to try. The elderly list was handy during the cold snap. Great Waste destroyed Comcast and ATT lines, since repaired and will not happen again.

**Commissioner Gonzalez** congratulated the Police Department for the work that they do to keep the Village safe.

**Vice Mayor Kennedy** reported that Great Waste came and re-sodded her property resident was happy about that.

## 9. Consent Agenda

Mayor O'Halpin asked for a motion to approve the Consent agenda. Commissioner Samaria moved, seconded by Commissioner Hamelburg to approve the Consent Agenda.

Consent agenda approved 5-0

### 9.a [Advisory Board Meeting Minutes](#)

Parks & Parkway Advisory

Planning & Zoning Advisory

Board Public Art Advisory Board

[Minutes Park & Parkways December 16,](#)

[2021.pdf](#) [MINUTES January 12, 2022.pdf](#)

[P & Z Signed and Approved Minutes January 10, 2022.pdf](#)

### 9.b [Commission Meeting Minutes](#)

Regular Commission Meeting Minutes January 11, 2022

Special Commission Meeting (Variance Hearings) Minutes January 18, 2022

[RCM Minutes January 10, 2022.pdf](#)

[SPECIAL COMMISSION MEETING - VARIANCE HEARING Minutes](#)

[January 18, 2022.pdf](#)

The item was approved on Consent

## 10. Ordinances

10a. **ORDINANCE NO. 2022-01- AN ORDINANCE ON FIRST READING SETTING FORTH A PROCEDURE FOR THE SELECTION OF A VICE MAYOR.**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, CREATING SECTION 2-18 "VICE MAYOR" OF ARTICLE II "VILLAGE COMMISSION, OF CHAPTER 2 "ADMINISTRATION" OF THE VILLAGE OF BISCAYNE PARK CODE OF ORDINANCES SETTING FORTH A PROCEDURE FOR THE SELECTION OF A VICE-MAYOR; PROVIDING FOR INCLUSION IN THE CODE AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Item pulled from the Agenda.

10b [Ordinance No. 2022-02- An Ordinance of the Village of Commission of the Village of Biscayne Park, Florida, Adopting a new Chapter 19 of the Biscayne Park Land Development Code entitled "Vacation Rental License Program".\(First Reading\)](#)

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, ADOPTING A NEW CHAPTER 19 OF THE BISCAYNE PARK , LAND DEVELOPMENT CODE ENTITLED "VACATION RENTAL LICENSE PROGRAM" PROVIDING FOR THE LICENSING AND REGULATION OF SHORT-TERM VACATION RENTALS; PROVIDING FOR DEFINITIONS; PROVIDING FOR LICENSING REQUIREMENTS; PROVIDING FOR STANDARDS; PROVIDING FOR THE ADMINISTRATION OF THE PROGRAM; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; PROVIDING FOR AN APPELLATE PROCESS; PROVIDING FOR VESTING OF EXISTING RENTAL AGREEMENTS; PROVIDING FOR INCLUSION IN THE CODE AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Samaria moved , Seconded Commissioner Gonzalez to approve the Ordinance No. 2022-02.

**Mayor O’Halpin opened the floor for public comments:**

**Public Comments:**

Dan Keys asked if the property is leased annually and subleased, is our Ordinance equipped to handle it. The drawings should show egress and ingress, are separate kitchens allowed, is there is a number of single room occupancy, worried about creating a rooming board.

Janey Anderson- Thanked the Commission for bringing this forward. The state is going to attack this issue, the Village should move forward. Agrees with Planning and Zoning comments, however, does not agree with the \$1,000 fine is too high. The only way folks will take the Village seriously is if it hits home immediately.

P&Z gave an overview of their comments.

The Commission discussed this item at length.

Mayor O’Halpin called for a motion to accept the Ordinance with amendments and to bring the item back for Second reading after the Legislative Session ends in March.

Ordinance passes first reading with amendments. 5-0

- 10.c [ORDINANCE NO 2022-03 - An Ordinance of the Village Commission of the Village of Biscayne Park, Florida, Amending Section 16.15 "Landlord permits" of Chapter 16 "Permits and Certificates" of the Biscayne Park Land Development Code. \(First Reading\)](#)

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING SECTION 16.15 "LANDLORD PERMITS" OF CHAPTER 16 "PERMITS AND CERTIFICATES" OF THE BISCAYNE PARK LAND DEVELOPMENT CODE TO CLARIFY THE RENTAL PERIOD FOR WHICH A LANDLORD PERMIT IS REQUIRED; SUBSTITUTING THE TERM "HOUSING CODE" TO THE "FLORIDA BUILDING CODE"; PROVIDING THAT APPEALS SHALL BE TO CIRCUIT COURT IN LIEU OF COUNTY COURT; PROVIDING FOR INCLUSION IN THE CODE AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor O’Halpin called for a motion. Commissioner Hamelburg moved,

## **11. Public Comments to Ordinance**

## **12. Resolutions**

- 12.a [RFP 2022-001 - Awarding Communications Support Services](#)

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AWARDED REQUEST FOR PROPOSAL (“RFP”) NO. 2022-001 TO MEDIA RELATIONS GROUP, LLC, TO PROVIDE COMMUNICATION SUPPORT SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT AND TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

The Commission discussed this item at length.

Mayor O’Halpin called for a vote.

Commissioner Samaria moved, Seconded by Commissioner Hamelburg to approve Resolution No. 2022-09.

Item passed 4-1

Mayor O’Halpin- aye, Vice Mayor Kennedy- nay, Commissioner Gonzalez- aye, Commissioner Hamelburg-aye, Commissioner Samaria- aye.

**13a. Discussion- Swale/Row Continuing Discussion**

There was no discussion on this item, moved to the March Commission Meeting.

**14. Discussion- New Business**

**14a. Emergency Reserves**

There was no discussion on this item, moved to the March Commission Meeting.

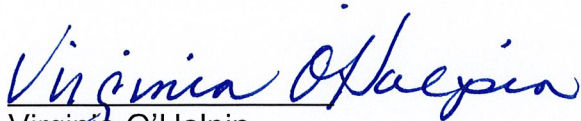
**14b. Commission Meeting Reporting Protocol**

There was no discussion on this item, moved to the March Commission Meeting.

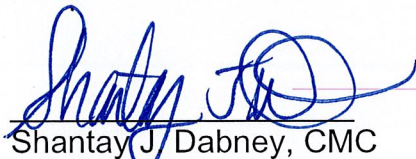
**14. Adjournment**

A motion was made by Commissioner Hambelburg to adjourn and a second was received by Commissioner Samaria. Mayor O’Halpin called for the vote and all were in favor. The meeting adjourned at 10:45 p.m.

Respectfully submitted,



Virginia O’Halpin  
Mayor



Shantay J. Dabney, CMC  
Village Clerk