



The Village of Biscayne Park

600 NE 114th St., Biscayne Park, FL 33161

Telephone: 305 899 8000 Facsimile: 305 891 7241

MINUTES

Regular Virtual Commission Meeting

Meeting ID: 990 3111 3878

Tuesday, April 06, 2021 at 7:00 pm

- 1 Mayor O'Halpin called the meeting to order at 7:00 pm.

- 2 **Roll Call**
Mayor O'Halpin - present
Vice Mayor Gonzalez - present
Commissioner Hamelburg - present
Commissioner Kennedy - present
Commissioner Samaria - present

Staff present:
Village Attorney Ed Dion / Valerie Vicente
Village Manager Mario Diaz
Village Clerk Roseann Prado
Chief of Police Luis Cabrera

- 3 **Pledge of Allegiance**

- 4 **Additions, Deletions or Withdrawals to the Agenda**
Mayor O'Halpin requested item 8.b - Village Boards' Reports be moved to 12.a - Discussion - Land Development Code - by Commissioner Kennedy
Commissioner Kennedy requested to rearrange Items 12 as follows:
12.a - Discussion: Time Capsules - by Commissioner Samaria (prior 12.d)

12.b - Discussion: Manager Evaluation Plan - by Commissioner Kennedy (prior 12.c)

12.c - Discussion: Recreation Center Master Parking Plan - by Commissioner Kennedy (prior 12.b)

12.d - Discussion: Land Development Code - by Commissioner Kennedy (prior 12.a)

Commissioner Kennedy motioned to approve changes to agenda as requested.
Commissioner Hamelburg seconded. **Motion passed 5 - 0.**

- 5 **Presentations**
 - 5.a Proclamation - Arbor Day 2021

 - 5.b Certificates of Recognition - by Vice-Mayor Gonzalez
Leonardo Odorizzi - promoter of the event
Sebastian Court
Kai O'Neill
Elliott Cherki Magnoli
Alessandro Del Castello
Massimo Magistri
Davide Mancuso

6 Public Comments Related to Agenda Items / Good & Welfare

The following persons spoke on the records:

Mathew Bracher
Janey Anderson
David Raymond
Rafael Ciordia
Bob Anderson
Brian McNoldy
Emmanuel Ortiz

7 Commission Reply to Citizens Comments

8 Reports

8.a Village Commission's Reports

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

8.b Village Boards Reports

- Planning & Zoning Board comments on Oversize Developments

8.c Village Attorney

- FAA change of path - report

8.d Village Manager

LTC-009-2021 - MDFRD Annual Report2

LTC-010-2021 - Biscayne Park Police Department Monthly Report January and February 2021

LTC-011-2021 - Biscayne Park Unaudited Financial Statements through January 31, 2021

LTC-012-2021 - Miami-Dade County Update Regarding Curfew Order

LTC-013-2021 - Biscayne Park Police Department 2020 - Whole Year Uniform Crime Report

LTC-014-2021 - Biscayne Park American Rescue Plan Act

LTC-015-2021 - Biscayne Park Frebee Meet and Greet Workshop

LTC-016-2021 - Biscayne Park Unaudited Financial Statements through February 28, 2021

9 Consent Agenda

9.a Acceptance of Commission Minutes

- Regular Commission Meeting Minutes 03/02/2021

9.b Acceptance of Board Minutes

- Code Compliance Board Minutes 11 12 2020
- Code Compliance Board Minutes 01 21 2021
- Planning & Zoning Board Minutes 01 04 2021
- Planning & Zoning Board Minutes 01 19 2021
- Planning & Zoning Board Minutes 02 01 2021
- Planning & Zoning Board Minutes 02 16 2021

9.c Resolution 2021-13 - In Support of Legislation Prohibition of Smoking and Vaping in

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, URGING THE FLORIDA LEGISLATURE TO APPROVE FLORIDA SENATE BILL 334 OR FLORIDA HOUSE BILL 239, BOTH OF WHICH AMEND THE FLORIDA CLEAN INDOOR AIR ACT TO ALLOW COUNTIES AND MUNICIPALITIES TO FURTHER RESTRICT SMOKING AT PUBLIC BEACHES AND PARKS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

9.d Resolution 2021-18 -Urging Florida Legislature to Support Home Rule

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, URGING THE FLORIDA LEGISLATURE TO SUPPORT HOME RULE FOR LOCAL MUNICIPALITIES AND COUNTIES; AUTHORIZING THE VILLAGE CLERK TO PROVIDE COPIES OF THIS RESOLUTION TO GOVERNOR DESANTIS, MEMBERS OF THE FLORIDA LEGISLATURE, THE FLORIDA LEAGUE OF CITIES, FLORIDA ASSOCIATION OF COUNTIES, BROWARD LEAGUE OF CITIES AND MIAMI-DADE LEAGUE OF CITIES; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Samaria motioned to approve the Consent Agenda. Commissioner Hamelburg seconded. **Motion passed 5 - 0.**

10 Ordinances

10.a Ordinance 2021-03 - Budget Amendment - Second Reading

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING FISCAL YEAR 2020/2021 BUDGET ORDINANCE 2020-03; TRANSFERRING FUNDS FROM THE VILLAGE'S RESERVE TO THE FOLLOWING LINE-ITEM EXPENDITURES: ADMINISTRATION, POLICE, PARKS AND RECREATION, AND CAPITAL OUTLAY FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Public Comments on Ordinance 2021-03 - Second Reading

No public comments

Commissioner Samaria motioned to approve Ordinance 2021-03 on Second Reading . Commissioner Hamelburg seconded.

Commission voted as follows:

Commissioner Samaria - Yes

Commissioner Hamelburg - Yes

Commissioner Kennedy - Yes

Vice-Mayor Gonzales - Yes

Mayor O'Halpin - Yes

Motion passed 5 - 0.

10.b Ordinance 2021-04 - Code of Ordinance - Dogs in Puublic Areas Regulations - First Reading

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING ARTICLE ii 'DOGS' OF CHAPTER 3 'ANIMALS' OF THE CODE OF ORDINANCES OF THE VILLAGE OF BISCAYNE PARK, PROVIDING FOR THE REGULATION OF UNRESTRAINED DOGS; AMENDING ARTICLE iii "ENFORCEMENT AND PENALTIES" OF CHAPTER 3 "ANIMALS" OF THE CODE OF ORDINANCES TO INCREASE THE MONETARY PENALTIES FOR VIOLATIONS OF CHAPTER 3 AND PROVIDING THAT UNPAID FINES CONSTITUTE A LIEN; PROVIDING FOR ENFORCEMENT; PROVIDING FOR RIGHTS OF VIOLATORS; PROVIDING FOR THE PAYMENT OF FINES, RIGHT TO APPEAR, FAILLURE TO TO PAY OR APPEAL, AND THE MANNER TO APPEAL DECISIONS OF THE CODE COMPLIANCE BOARD; PROVIDING FOR PENALTIES FOR FAILLURE TO GIVE ACCURATE INFORMATION OR REFUSAL TO SIGN OR ACCEPT A NOTICE OF VIOLATION; PROVIDING FOR INCLUSION IN THE CODE AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comments on Ordinance 2021-04 - First Reading

The following persons spoke on the records:

Emmanuel Ortiz

Bob Anderson

Janey Anderson

Zita (Neighbor)

Commissioner Samaria motioned to approve Ordinance 2021-04 on First Reading with the amendment on Section 3.25 requested by Commission. Commissioner Hamelburg seconded.

Commission voted as follows:

Commissioner Samaria - Yes

Commissioner Hamelburg - Yes

Commissioner Kennedy - Yes

Vice-Mayor Gonzales - Yes

Mayor O'Halpin - Yes

Motion passed 5 - 0.

11 Resolutions

11.a Resolution 2021-15 - Appointments of Code Compliance Board Members

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RATIFYING THE SELECTION, APPOINTMENT AND TERM OF OFFICE OF THE BOARD MEMBERS TO THE CODE COMPLIANCE BOARD; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Samaria motioned to approve Resolution 2021-15. Commissioner Hamelburg seconded. Board members selected are included at Resolution 2021-15.

Motion passed 5 - 0.

11.b Resolution 2021-16 - Appointments of Planning & Zoning Board Members

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RATIFYING THE SELECTION, APPOINTMENT AND TERM OF OFFICE OF THE BOARD MEMBERS TO THE PLANNING & ZONING BOARD; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Samaria motioned to approve Resolution 2021-16. Commissioner Kennedy seconded. Board members selected are included at Resolution 2021-16.

Motion passed 5 - 0.

11.c Resolution 2021-17 - Appointments of Biscayne Park Foundation Members

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RATIFYING THE SELECTION OF THE BOARD MEMBERS TO THE BISCAYNE PARK FOUNDATION; PROVIDING FOR AN EFFECTIVE DATE.

Mayor O'Halpin motioned to approve Resolution 2021-17. Commissioner Hamelburg seconded. Foundation members selected are included at Resolution 2021-17. **Motion passed 5 - 0.**

12 Discussion / Action Items

New Business

12.a Discussion: Time Capsules - by Commissioner Samaria

Commissioner Samaria motioned to direct the Village Manager to act and plan to execute the project of Time Capsule. Commission voted as follows:

Commissioner Samaria - Yes

Mayor O'Halpin - Yes

Commissioner Kennedy - Yes

Commissioner Hamelburg - Yes

Vice-Mayor Gonzalez - Yes

Motion passed 5 - 0

12.b Discussion - Manager Evaluation Plan - by Commissioner Kennedy

12.c Discussion - Recreation Center Master Parking Plan - by Commissioner Kennedy

Commission Kennedy motioned to authorize the Village Manager to contact Calvin Giordano & Associates to start the process of implementation of the project. Commissioner Samaria seconded. **Motion passed 5 - 0.**

12.d Discussion: Lande Development Code - by Commissioner Kennedy

The Commission authorized the following persons to speak on the records, for this specific item:

Bob Anderson

Janey Anderson

Rikki Goldman

Emmanuel Ortiz

Dan Schneiger

13 Request for placement of items on next meeting agenda

14 Announcements


Next Regular Commission Meeting - Tuesday, May 04, 2021
Planning & Zoning Board Meeting - Monday, April 05, 2021
Planning & Zoning Board Meeting - Monday, April 19, 2021

16 Adjournment

Commissioner Kennedy motioned to adjourn the meeting. Commissioner Hamelburg seconded. **Meeting adjourned at 10:40 pm.**

Commission approved on Regular Commission Meeting of May 04 2021.

Attest:


Virginia O'Halpin, Mayor


Roseann Prado, Village Clerk

