



## *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: 996 3228 9288**

**Tuesday, May 04, 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  
Commander Wollschlager  
Rec Center Manager Issa Thornel
- 3 **Pledge of Allegiance**
- 4 **Additions, Deletions or Withdrawals to the Agenda**  
Commissioner Samaria requested to remove item 9.e from Consent Agenda for discussion.  
Village Manager requested to remove item 11.d from agenda.  
Commissioner Samaria motioned to approve changes to agenda as changed.  
Commissioner Hamelburg seconded. **Motion passed 5 - 0.**
- 5 **Presentations**  
Commission presented a plaque of recognition to Doug Tannehill, long time board member of Planning & Zoning Board.
  - 5.a Proclamation - Municipal Clerks Week May 2 - 8, 2021.
  - 5.b Safety Watch Group - Introduction from resident Jill Grucan

**6 Public Comments Related to Agenda Items / Good & Welfare**

The following persons spoke on the records:

Jenne Reed  
Lorie Mertes  
David Raymond  
Janey Anderson  
Gage Hartung  
Barbara Watts  
Maria Sanchez

**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 - Amy Raymond - Public Art Advisory Board**

- Tile bench donation form
- MangoFest
- MangoShare

**8.c Village Attorney's Reports**

**8.d Village Manager's Reports**

**9 Consent Agenda**

**9.a Acceptance of Commission Minutes**

- Regular Commission Meeting Minutes 04/06/2021
- Special Commission Meeting - Variance Hearing Minutes 04/13/2021

**9.b Acceptance of Board Minutes**

- Code Compliance Board Minutes 02 25 2021
- Code Compliance Board Minutes 03 25 2021
- Parks & Parkway Advisory Board Minutes 01 26 2021
- Public Art Advisory Board Minutes 03 10 2021
- Public Art Advisory Board Minutes 04 14 2021
- Planning & Zoning Board Minutes 03 01 2021
- Planning & Zoning Board Minutes 03 15 2021
- Planning & Zoning Board Minutes 04 05 2021

**9.c Resolution 2021-21 - Sale of Surplus Vehicle - PD**

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, DECLARING VILLAGE VEHICLES AS SURPLUS PROPERTY AND GRANTING THE VILLAGE MANAGER AUTHORIZATION TO SELL SAID SURPLUS THROUGH BIDERA AUCTIONS; PROVIDING FOR AN EFFECTIVE DATE.

**9.d Resolution 2021-26 - 2021 Tree Matching Grant Program**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE STREET TREE PLANTING GRANT AGREEMENT BETWEEN THE VILLAGE AND MIAMI-DADE COUNTY, AND EXPEND GRANT AND MATCHING FUNDS IN THE AMOUNT OF \$ 29,500.00 FOR THE PLANTING OF TREES WITHIN THE VILLAGE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Samaria motioned to approve the Consent Agenda.

Commissioner Hamelburg seconded. **Motion passed 5 - 0.**

**9.e Resolution 2021-28 - Agreement w Golden Gates After School Care &**

**Athletics LLC**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH GOLDEN GATES AFTER SCHOOL CARE & ATHLETICS, LLC TO PROVIDE AFTER SCHOOL CARE & SUMMER CAMP PROGRAM SERVICES TO VILLAGE RESIDENTS IN THE ED BURKE RECREATION CENTER; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Commissioner Samaria motioned to approve the Resolution 2021-28.

Commissioner Hamelburg seconded. **Motion passed 5 - 0.**

**10 Ordinances**

**10.a Ordinance 2021-04 - Code of Ordinances - Dogs in Public Areas Regulations - Second 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, FAILURE TO PAY OR APPEAL; AND THE MANNER TO APPEAL DECISIONS OF THE CODE COMPLIANCE BOARD; PROVIDING FOR PENALTIES FOR FAILURE 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 - Second Reading***

*The following persons spoke on the records:*

Bob Anderson

Bernhard Sebastian

Julio Ferandez

Commissioner Kennedy motion to approve Ordinance 2021-04. Commissioner samaria seconded.

Commission voted as follows:

Commissioner Kennedy - Yes

Commissioner Samaria - Yes

Commissioner Hamelburg - Yes

Vice-Mayor Gonzales - Yes

Mayor O'Halpin - Yes

**Motion passed 5 - 0.**

**10.b Ordinance 2021-05 - Amending Ch.6 - Garbage Containers - First Reading**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING SECTION 6.3.2 "CONTAINERS" OF SECTION 6.3 "SOLID WASTE" OF CHAPTER 6 "PUBLIC FACILITIES AND SERVICES" OF THE LAND DEVELOPMENT CODE OF THE VILLAGE OF BISCAYNE PARK, TO ELIMINATE THE MAXIMUM CAPACITY REQUIREMENTS FOR GARBAGE CANS AND APPROVED CONTAINERS; 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:

Linda Dillon

Gage Hartung

Julio Fernandez

Bernhard Sebastian

Barbara Watts

Lorie Mertes

Julio Fernandez

Maria Sanchez

David Raymond

Julio Fernandez

Commissioner Samaria motioned to approve Ordinance 2021-05 on First 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.**

**11 Resolutions**

**11.a Resolution 2021-22 - Approving the Selection of AvMed of Village's Health**

**Plan and Other Benefits Providers**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO COMPLETE AND EXECUTE AN APPLICATION FOR WEX STATE OF FLORIDA FUEL CARD PROGRAM ON BEHALF OF THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR SEVERABILITY: AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Samaria motioned to approve Resolution 2021-15. Vice-Mayor Gonzalez seconded. **Motion passed 5 - 0.**

**11.b Resolution 2021-23 - Appointments of Public Art Advisory Board Member**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, APPROVING THE SELECTION AND APPOINTMENT OF MEMBERS TO THE PUBLIC ART ADVISORY BOARD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner voted as follows:

Mayor O'Halpin: Board member - Barbara Watts / Alternate member - Lorie Mertes

Vice-Mayor Gonzalez: Board member - Barbara Watts / Alternate member - Lorie Mertes

Commissioner Hamelburg: Board member - Lorie Mertes / Alternate member - Barbara Watts

Commissioner Kennedy: Board member - Lorie Mertes / Alternate member - Barbara Watts

Commissioner Samaria: Board member - Barbara Watts / Alternate member - Lorie Mertes

**Barbara Watts (3 votes) appointed Board Member / Lorie Mertes (2 votes) appointed Alternate Member.**

**11.c Resolution 2021-24 - Storm Drain Repair MAGGOLC - piggyback w City of**

**Doral**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH MAGGOLC, INC., FOR DRAINAGE IMPROVEMENT CONSTRUCTION SERVICES ATTACHED HERETO AS ATTACHMENT "A", IN AN AMOUNT NOT TO EXCEED FORTY-EIGHT THOUSAND THREE HUNDRED TWENTY-THREE DOLLARS (\$48,323.00); PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Samaria motioned to approve Resolution 2021-24.

Commissioner Hamelburg seconded. **Motion passed 5 - 0.**

**12 Discussion / Action Items**

**New Business**

**12.c Discussion: FDOT - 6th Avenue Project - Resolution 2021-27 - Village**

**Manager & Calvin Giordano Associates**

A RESOLUTION OF THE VILLAGE COMMISSION REQUESTING THE FLORIDA DEPARTMENT OF TRANSPORTATION SUSPEND THE PROPOSED MODIFICATIONS OF SR 915/6<sup>th</sup> AVENUE IN THE VILLAGE OF BISCAYNE PARK, FLORIDA; ENCOURAGE THE FLORIDA DEPARTMENT OF TRANSPORTATION TO DEVELOP AN ALTERNATIVE PROJECT WHICH WOULD INCLUDE PROPOSED MODIFICATIONS CONSISTENT WITH VILLAGE'S COMMUNITY CHARACTER AND NEEDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Hamelburg motioned to approve Resolution 2021-27.

Commissioner Samaria seconded. **Motion passed 5 - 0.**

10:55 pm - Commissioner Kennedy motioned to extend the meeting to 11:20

- pm. Vice-Mayor Gonzalez seconded. **Motion passed 4 - 0.** (Commissioner Hamelburg left earlier)

**12.b Discussion: Village Code Enforcement - by Village Manager**

**12.a Discussion: Land Development Code and Rec Center Parking Master Plan -  
by Village Manager & Calvin Giordano Associates**

▪ Land Development Code

Commissioner Kennedy motioned to authorize the Village Manager to contract with Calvin Giordano & Associates to start the process of implementation of the project with cost up to \$ 27,000.00. Vice-Mayor Gonzalez seconded. **Motion passed 4 - 0.** (Commissioner Hamelburg left earlier)

▪ Rec Center Parking Master Plan

Commissioner Kennedy motioned to authorize the Village Manager to contact Calvin Giordano & Associates to start the process of implementation of the project with cost up to \$ 15,000.00. Vice-Mayor Gonzalez seconded. **Motion passed 4 - 0.** (Commissioner Hamelburg left earlier)

**13 Request for placement of items on next meeting agenda**

**14 Announcements**

**Next Regular Commission Meeting - Tuesday, June 1, 2021**

Planning & Zoning Board Meeting - Monday, May 03, 2021

Planning & Zoning Board Meeting - Monday, May 17, 2021

Code Compliance Board Meeting - Monday, May 10, 2021

Parks & Parkway Advisory Board Meeting - Thursday, May 20, 2021

Public Art Advisory Board Meeting - Wednesday, May 12, 2021

**16 Adjournment**

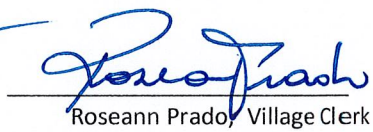
Commissioner Samaria motioned to adjourn the meeting. Mayor O'Halpin seconded. **Meeting adjourned at 11:21 pm.**

Commission approved on Regular Commission Meeting of June 01, 2021.

Attest:



Judi Hamelburg, Vice-Mayor



Roseann Prado, Village Clerk