



## *The Village of Biscayne Park*

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

Telephone: 305 899 8000 Facsimile: 305 891 7241

### **MINUTES**

#### **Regular Commission Meeting**

**Meeting ID: 957 9368 9543**

**Tuesday, September 07, 2021 at 7:00 pm**

- 1 Mayor O'Halpin called the meeting to order at 7:32 pm.
- 2 **Roll Call**  
Mayor O'Halpin - present  
Vice Mayor Gonzalez - present  
Commissioner Hamelburg - present  
Commissioner Kennedy - present  
Commissioner Samaria - present  
  
Staff present:  
Village Manager Mario Diaz  
Village Attorneys Ed Dion and Valerie Vincent  
Chief of Police Luis Cabrera  
Commander Nick Wollschlager  
Village Clerk Roseann Prado
- 3 **Pledge of Allegiance**
- 4 **Additions, Deletions or Withdrawals to the Agenda**  
Mayor O'Halpin requested to item 12.e to 12.a  
It was consensus from the Commission to approve changes to the agenda as requested.
- 5 **Presentations**
  - 5.a Proclamation - Hispanic Heritage Month
  - 5.b Proclamation September 11th Anniversary 2021
- 6 **Public Comments Related to Agenda Items / Good & Welfare**  
The following persons spoke on the records:  
Janey anderson  
Aleksandr Bernhard  
Bod Anderson  
Barbara Watts  
Mike Stosky
- 7 **Commission Reply to Citizens Comments**
- 8 **Reports**  
**Village Commission's Reports**
  - Mayor O'Halpin
  - Vice Mayor Hamelburg

- Commissioner Gonzalez
- Commissioner Kennedy
- Commissioner Samaria

**Village Boards' Reports** - Barbara Kuhl - Parks & Parkway Advisory Board  
 - Aleksandr Bernhard - Ecology Advisory Board

**Village Attorney's Reports**

**Village Manager's Reports**

**9 Consent Agenda**

**9.a Acceptance of Commission Minutes**

- Regular Commission Meeting Minutes 08/05/2021
- Special Commission Meeting - Variance Hearing - 07/29/2021
- Special Commission Meeting - Resolution 2021-46 - 08/19/2021

**9.b Acceptance of Board Minutes**

- Planning & Zoning Board Minutes 07/15/2021
- Planning & Zoning Board Minutes 07/19/2021
- Planning & Zoning Board Minutes 08/16/2021

**9.c Mutual Aid Agreement with City of Miami Police Department**

- RESO 2021-49 - MAA City of Miami Police

**9.d Interlocal Agreement w MDC - Municipal Parking Fines Reimbursement Program**

- RESO 2021-50 - ILA w MDC-ISD-ADA - Municipal Parking Fines Reimbursement Program

**10 Ordinances**

**10.a Ordinance 2021-07 - Pool Water Maintenance and Covering -Second**

**Reading**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING SECTION 11.9 "SWIMMING POOLS" OF CHAPTER 11 "ACCESSORY STRUCTURES" OF THE BISCAYNE PARK LAND DEVELOPMENT CODE TO PROVIDE FOR MAINTENANCE STANDARDS AND REQUIREMENTS FOR SWIMMING POOL WATER; PROVIDING FOR ADDITIONAL MATERIALS TO BE UTILIZED IN THE CONSTRUCTION OF PERIMETER FENCES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; PROVIDING FOR THE IMPOSITION OF LIENS; PROVIDING FOR ABATEMENT; AMENDING SECTION 18.3 "RESPONSIBILITIES OF OWNERS, OCCUPANTS AND USERS OF CONSTRUCTION SITES FOR SECURITY AND MAINTENANCE" OF CHAPTER 18 OF THE BISCAYNE PARK LAND DEVELOPMENT CODE ENTITLED "CONSTRUCTION", TO REQUIRE THAT ALL SWIMMING POOLS LOCATED ON AN UNOCCUPIED PROPERTY WITHIN A CONSTRUCTION SITE BE COVERED BY A WOOD COVER OR MAINTAINED TO MEET WATER CLARITY STANDARDS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; PROVIDING FOR THE IMPOSITION OF LIENS; PROVIDING FOR ABATEMENT; 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 2021-07 - Second Reading**

None

Commissioner Kennedy motioned to approve Ordinance 2021-07. Vice-Mayor Hamelburg seconded. Commission voted as follows:

Mayor O'Halpin - Yes

Vice-Mayor Hamelburg - Yes

Commissioner Gonzalez - Yes

Commissioner Kennedy - Yes

Commissioner Samaria - Yes

**Motion passed 5 - 0.**

## **11 Resolutions**

### **11.a Resolution 2021-45 - Approving ILA for On-Demand Services**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR THE PROVISION OF ON DEMAND PUBLIC TRANSPORTATION SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner samaria motioned to approve Resolution 2021-45. Vice-Mayor Hamelburg seconded.

**Motion passed 5 - 0.**

### **11.b Resolution 2021-51 - Approving Freebee Passenger Shuttle**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT BETWEEN BEEFREE, LLC D/B/A FREBEE AND THE VILLAGE OF BISCAYNE PARK FOR ON-DEMAND TRANSIT SERVICES IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-THOUSAND DOLLARS (\$120,000.00), ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE VILLAGE MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

Commission Samaria motioned to approve Resolution 2021-51. Vice-Mayor Hamelburg seconded.

**Motion passed 5 - 0.**

### **11.c Resolution 2021-47 - Adopting the Annual Solid Waste Assessment for FY**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, ADOPTING THE ANNUAL SOLID WASTE ASSESSMENT FOR FISCAL YEAR 2021-2022; ESTABLISHING THE ASSESSMENT RATE FOR SOLID WASTE SERVICE AGAINST ASSESSED PROPERTY LOCATED WITHIN THE VILLAGE OF BISCAYNE PARK FOR THE FISCAL YEAR BEGINING OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice-Mayor Hamelburg motioned to approve Resolution 2021-47.

Commissioner Samaria seconded.

**Motion passed 5 - 0.**

## **12 Discussion**

**Old Business**

**New Business**

**12.a Permit Fee Schedule**

**12.b (12.e) - Solid Waste Status**

Great Waste - Customer Complaints for July

**12.c Old Business - Driveway / Swale / ROW - Continuing discussion**

**12.d Tree Planting Services - Miami-Dade County Tree Grant**

Vice-Mayor Hamelburg motioned to **draft and adopt** Resolution 2021-52 with Agreement with Country Bill's Landscape Services for fulfillment of Miami-Dade County Tree grant. Commissioner Kennedy seconded.

**Motion passed 5 - 0.**

**12.e Short Term Vacation Rentals (AirBnB) - by Commissioner Samaria**

**12.f Halloween & Holiday Decoration Awards**

Commissioner Kennedy motioned to approve the proposed awards.

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

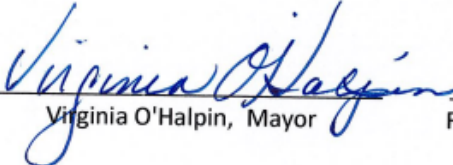
**13 Request for placement of items on next meeting agenda**


**14 Adjournment**

Commissioner Gonzalez motioned to adjourn the meeting. Commissioner Kennedy seconded. **Meeting adjourned at 10:57 pm.**

Commission approved on Regular Commission Meeting of October 5, 2021.

Attest:

  
Virginia O'Halpin, Mayor

  
Roseann Prado, Village Clerk