



VILLAGE OF BISCAYNE PARK
640 NE 114TH STREET
BISCAYNE PARK, FL 33161
TEL: 305 899 8000 FAX: 305 891 7241
www.biscayneparkfl.gov

Mayor and Commission

Noah Jacobs
Mayor

Bryan Cooper
Vice Mayor

Robert "Bob" Anderson
Commissioner

Roxanna Ross
Commissioner

Commissioner Watts
Commissioner

Ana M. Garcia
Village Manager

John J. Hearn
Village Attorney

Maria C. Camara
Village Clerk

MINUTES
REGULAR COMMISSION MEETING
Ed Burke Recreation Center - 11400 NE 9th Court
Biscayne Park, FL 33161
Tuesday, April 2, 2013
Presentations: 6:30PM
Commission Meeting: 7:00PM

Presentations (6:30PM)

- 4.a Mayor Jacobs introduced Chief Ray Atesiano. Chief Atesiano provided statistics from the Click it or Ticket it campaign and recognized the following officers for their performance during the campaign:

Officer Mark Tarr
Officer Carlos Meza
Officer Charlie Dayoub
Officer Nick Wollschlager

Chief Atesiano also recognized Officer Charlie Dayoub as the Officer of the Quarter. During the quarter as a whole, the department had 250 arrests. Of those, Officer Dayoub was responsible for 63. He also had a significant number of narcotics seizures.

Thomas Harrison and George Miyares were sworn in as Biscayne Park reserve police officers by Chief Atesiano.

- 4.b Proclamation - April 2013 is Water Conservation Month
4.c Proclamation - 2013 Viva Florida 500!

Presentations were concluded at 6:50PM

1 Call to Order

Mayor Noah Jacobs called the meeting to order at 7:10pm.

2 Roll Call

Mayor Noah Jacobs - present
Vice Mayor Bryan Cooper - present
Commissioner Bob Anderson - present

Commissioner Roxanna Ross - present
Commissioner Barbara Watts - present

Present from staff were:

Village Manager Ana M. Garcia
Village Clerk Maria C. Camara
Village Attorney John Hearn
Assistant to the Manager, Candido Sosa-Cruz
Chief Ray Atesiano
Finance Director Irwin Williams
Assistant Public Works Director Cesar Hernandez

3 Pledge of Allegiance

4 Presentations
(See above.)

5 Additions, Deletions or Withdrawals to Agenda

Commissioner Ross asks to defer item 10a, approval of the minutes, to the next regular meeting.

Vice Mayor Cooper asks Manager Garcia to provide a report on the treatment of whitefly.

Manager Garcia would get a full report and provide an update at the next month's meeting.

6 Public Comment

Linda Dillon: At the February meeting, brought her attorney to address Resolution 2013-03, and there were misconceptions. She was not questioning the right to do a resolution. Felt the Commission spent money on the AGO unnecessarily. Asked to include the proposed Resolution in the AGO request. Was against the wording of the resolution not whether the Village could issue a resolution. Disappointed in the Mayor that while he asked for her help to draft the resolution, she never heard back from him.

Harvey Bilt: Regarding the boat provisions. The way boat owners keep them is the problem. Most boats are on a lawn or driveway and never move for multiple years. Being used for storage. If it can't be used, should not be there. If not insured, registered, should not be there. Code Compliance can't go on a property to look at it. There are trailers with bent license plates. This is a Village of homes. Don't want to see a boat not being taken care of. People are using them for storage. This would not have come about if residents took care of their boats. Need to be registered once a year and also the trailer. If you bought and did not know the law, it is your responsibility.

Judi Hamelburg: Serves on the Code Review Board. Goes by the book. Anything over \$100 needs a permit. Pulled a permit for a \$150 job and the permit cost more than the repair. There are two meetings a month of the Code Review Board. We look at the current code, compare it to other cities and try to clean up the wording. Not adding a different intent. As things have changed, more needs to be addressed. Need to improve for better information. Meets are open and all invited to attend and give input.

Frank Brown: On Chapter 7, main issue is on 7.4 Commercial Vehicles, those that are over 20'. Many passenger trucks are over 20'. Crew cabs are over 20'. This will exclude many common trucks. Will bring up to the Code Review Board.

Kelvin Whitfield: Did anyone have a realtor look at the changes? He currently has an active real estate license. Twenty two years ago he sold property in the Village. Buyers are looking for a place to raise their family and have nice neighbors. America is going down hill. Big government is interfering with everyone's lifestyle. Has a neighbor with a boat and it is ok. Some commercial vehicles are a distraction. This will reduce value of property. The only thing Biscayne Park has going for it is location, location, location. House and lots are small. To put boats in back is wrong. If I want a boat, I want it in the front. You are telling us you don't want boat people or trailer people or good people.

Barbara Kuhl: Code Review Board was established to look at the code and to make Biscayne Park better. Commission has dragged their feet on this. Over six months ago, had a workshop. Last month when Commissioner Ross wanted to move forward, you said no. That means you don't want to move forward. None of you ever go to Code Review Board meetings, except for Commissioner Anderson. You had two years to go and ask questions. Why wait until the last minute. No residents go either. Why do you wait? Get off your duff and go to meetings. On the last resident's comments, apparently other cities in Miami Dade County also don't do great. So many other cities don't allow boats in the front. And if in the side, they have to be completely screened. We are the only ones that allow. If you have a boat, look for a property that will allow it to fit in the side or back yard. I have a large lot, but in my backyard I cannot fit a pool. I can in the front, but our code does not allow it. Should I be able to come here and say "why can't I put my pool in the front"? There are a lot of people that came out that are boat owners and are not happy, but there are many residents who want to see the tougher code to see improvements in the Village that are not hear and you need to listen to them.

Ed Chisholm: We have an agenda in search of a problem. Not many boats in Biscayne Park. This is overkill for Code Compliance who already don't have time to deal with and enforce the current code. Visibility triangles, dirty roofs. This is a rule in search of a problem. Anybody know how many boats in Biscayne Park? I didn't think you did.

Gary Kuhl: Serves on the Code Review Board. Have been meeting a long time to review the code. Had a workshop, made changes after that workshop. Bottom line, not that many boats, but many of those are unsightly and derelict and are not owned by Biscayne Park residents and being repaired by people who don't live here. You don't want to be the only city in North Dade that allows this. Opening yourself up to become a storage yard for these vehicles. If you walk and drive through the Village, we see wall to wall boats, RV's cars on a property and you can't even see the house. Yes, we have a handful of boats, but we are the most lenient, and we have been so accommodating to those that currently have a boat. You may think that it increases property value to show off your luxury boat, but I don't see it. You cannot convince me of that and you have not done the research to prove it. Miami Gardens does not allow it at all. Others are very restrictive to storage. But no other municipality like ours that allows it.

Estelle Hacia: I have a boat in my driveway for twenty years on a trailer that is pristine. Registers it every year. If you are going to be discriminating boat and RV owners, you need to do the same for cars because we all go through the DMV. You need to have owners show their registration one time and be done with that.

Janice Featherstone: Called police last night at 1:30am. On 116th between 7th and 8th, three huge dogs loose. Has had a cat killed. Thought it was being taken care of. Followed them and called 911 but went to non-emergency dispatch. But by the time they came, the dogs were gone. Officer has seen them, but what is being done about it? What can we do? Can we hire people to go out and search and catch them? Has been going on for months. Can we hire North Miami? Would like to see this resolved.

Chuck Ross: Through Crime Watch, if you see loose animals, call 911 for police and also report to 311. Try to safely take a picture so we can document.

Jean Louis Narboni: Regarding boats, also a realtor and disagrees with previous speakers. Unkempt boats lower property values. Had a neighbor who had a friend bring a boat for two weeks and it turned into two years. Should not allow boats for non-residents. Thanks Candido for his efforts to change recycling schedule that used to start at 6:30am, and is now at 7:00am.

7 Village Manager

7.a Financial Report provided by Finance Director Irwin Williams. Mr. Williams provided an overview of the financial report through February 2013 that was handed out to the commission. On ad-valorem, have collected 81% which is normal at five months in to the fiscal year. Overall we are at 60% remaining on expenditures and we are on target.

Commissioner Anderson: On the budget for Legal, we budgeted for three hour meetings. We are averaging 4+ hours. Where will money come from? Commission needs to cut those expenses down.

Commissioner Ross: A sizeable amount is going to firms for labor disputes. Looks to the Attorney to give us an update on pending cases.

7.b Manager Garcia: Preparedness is most important for hurricane season. Have begun tree trimming throughout the Village to be ready for the upcoming season. On Saturday, May 18th, we will have another Saturday Special Pick Up. Working on tree trimming on medians first, and then will stretch dollars as much as possible to continue throughout other areas where there are no medians. Also identifying the dead trees for removal.

7.c Manager Garcia: Received approval for another FDOT grant and will be planting trees and also there is money in the budget for this to continue beautification and enhancements throughout. Working on improving poor signage and addressing sign pollution.

7.d Manager Garcia: Working with Code Compliance Board, sent a flyer to all residents in three languages on how to improve their property. Goal is to communicate and work with residents to get compliance.

8 New Business (from previous meeting agenda)

Commissioner Ross: We are here today after a long process that started in 2008 and board has met an average of twice per month. Tasked to update, clarify, revise and provide recommendations. Most of us were not even elected. Our peers, neighbors and property owners have contributed their time.

Commissioner Ross: First to discuss is Chapter 6 regulating dumpsters and asking to move it to drafting an ordinance and to put it for first reading at the next meeting.

Mayor Jacobs: Asks to hear 8.b first.

8.b Commissioner Ross: Presents a draft ordinance addressing Code Review Board's recommendations for Chapter 7 of the Village of Biscayne Park Land Development Code.

Commissioner Ross: Regarding Chapter 7, mainly to regulate boats and RV's. Already being regulated in our code, but has been problematic for Code Compliance to enforce. Looks for a respectful discussion. There are still two more public hearings on this.

Mayor Jacobs: Agrees that we are all here to do what is best for the Village.

Gage Hartung, Chair of the Code Review Board: Back in September 2012, we had a workshop. Took in and considered all opinions. Worked not to exclude boat owners and those who want boats in the back. Only community in Miami Dade County that allows boats in the front. This will allow us to be more compliant with Miami-Dade County.

Gary Kuhl: For those properties that have no means to put on side or in back, it was considered by the Board. But ultimate goal is to bring us in compliance with county code, so that we maintain a standard at least equivalent to other less stringent code.

Commissioner Anderson: Regarding to "major" repairs, "major" was taken out. Looks to see "major" put back in.

Gary Kuhl: Not precluding maintenance, it doesn't say that you can't do maintenance, it says you can't do repairs.

Commissioner Anderson: Will there be a problem enforcing it based on the wording that is being proposed? Wants to be able to allow the normal upkeep of a boat, but not to allow major repairs.

Candido Sosa-Cruz: Will use the code and the judgment of the Code Officer on a case by case basis. Will look for anything that affects quality of life for the neighbor.

Mayor Jacobs: Leaves a lot of power with the neighbor. What if you don't get along with your neighbor. You create code to be as fool proof as possible.

Commissioner Watts: Agrees with Commissioner Anderson. Could you rephrase to say maintenance allowed, but no major overhaul work. What word does Miami Dade County use?

Vice Mayor Cooper: Wants to elaborate on the point made by Mr. Kuhl that it is "obnoxious" if someone is painting their boat. Isn't it the same if someone were painting their house? Worried about having somebody, a neighbor, saying it is obnoxious when in reality it is regular maintenance. Many agree here that it would not be obnoxious.

Mayor Jacobs: The purpose of code is that we make sure we consider the health, safety, and welfare of a community. To make sure everybody can live in harmony. This issue here right now has nothing to do with boats not being in compliance, or an eyesore or being derelict. Already being covered in our code. What is before us is how we regulate storage. In my opinion we have more than enough regulations on what we can and can't do in our lives. I'm not going to tell you what you can or cannot do in your property as long as it does not harm someone else, and does not bring down property values. Cannot find where these changes will reduce property values. Wants to make sure our codes are non-discriminatory. If a noise issue, already dealt with. If an eye sore issue, already dealt with.

Vice Mayor Cooper: We don't have many coming forward to say they are against boats and RV's in the front. If you want to talk about maintenance, that already exists in the code. I hear residents say they just don't want to see a boat. This is where we have an issue. I did my research and could not find conclusive evidence in terms of impact to property values. But I did find that boat owners have a high median income. And the same for RV owners. There is a lot of devil in the details. A lot of problems in this. I've driven the neighborhood and probably between 60 and 100 that have RV and boats that I can physically see. A sizable group that if we pass this will create a significant impact. I think this is a family issue. The values that are in this right that currently exists, we should maintain. We are looking for a devil not there. We have no real problem. Yes a few are unsightly, and some are bigger than what people would like, but should not need this change. Bringing a lot of complexity. If we talk about annexation, this would be a huge issue. You have not thought through what you are doing here when considering annexation. Mayor, are we going to go through the devil in the details here?

Mayor Jacobs: What is before us here is a request to move forward with drafting an ordinance.

Vice Mayor Cooper: You will allow to grandfather, but you will require a variance or some type of registration. And you will allow a replacement if damaged. But if they want to upgrade or downgrade, they would have to store it in the back?

Gary Kuhl: To clarify, what we are asking is that if you own a boat and you have the space to store on the side or behind the front line of your home to do so, and if you cannot, to get a variance. Registration with the Village is not required, but you have to register the way you do a car. We have boats here that are not owned by residents, we have derelict boats. This is not a legal variance that would need advertising and those costs associated with that.

Vice Mayor Cooper: We did have a workshop and residents provided input at that time, but a lot of people there were against it. I want to be careful on how we portray this audience here. I heard a dissenting voice and that we don't need this. We heard the complaints, but other ways to address those concerns without saddling the current boat owners or future new owners. This is an anti-family ordinance. I've seen other municipalities able to handle this.

Gary Kuhl: How can you possibly think that you want to be the one municipality in North Dade to be a free commercial parking zone. This does not add to property values.

Commissioner Anderson: Confirms that our current code addresses those boats that are currently derelict and improperly kept. What our original code is missing is the confirmation that the boats on property are properly registered and are owned by the property owner or tenant, and that a copy of that registration is provided to the Village. Should make accommodations for box trucks that are currently owned and being properly stored and impacts that resident's livelihood, it should be grandfathered in.

Commissioner Ross: Issue with size limitations. We can work out the details. Board took in comments at workshop and have made accommodations.

Commissioner Ross makes a motion that we move this draft ordinance for first reading at the next commission meeting. It is seconded by Commissioner Anderson.

Commissioner Watts: Agrees with Commissioner Ross on size limitations. Appreciates the work of the entire board. Issue of registering is excessive and would tax the staff.

Candido Sosa-Cruz: This will assist Code Compliance, but will add extra work.

Commissioner Watts: On section 7.2.a.1 - Add ability to current boat owner who gets a variance to allow them to purchase a new one.

Mayor Jacobs: We have need for more residents, and people that have boats could likely buy homes that allow boat storage.

Commissioner Watts: But many have room for storage on the side. One of the problems is that a boat in the front takes up parking for vehicles. Some houses look like parking lots. Visually one of the worst aspects of the Park.

Vice Mayor Cooper: If you want to make it illegal for people to own too many cars, do that separately. Liked the point that if you are a boat owner, if they are grandfathered in, to allow them to upgrade, and go further and vest it with the property. Those houses would be the most valuable in the Village. Those owners have a higher median income than non-boat owners. It is clear that boaters are affluent.

Commissioner Watts: I see some that live hand to mouth, and they have one boat in their yard, and another in someone else's yard. Many buy a boat on credit.

Commissioner Ross: On the property value issue, did reach out to a realtor, and they e-mailed me that it would increase values by moving boats to behind the front line of property and to make them more aesthetically pleasing. The county has moved in this direction as well as those cities that surround us.

The motion is called to a vote.

All in favor: Commissioner Anderson, Commissioner Ross and Commissioner Watts

Opposed: Mayor Jacobs and Vice Mayor Cooper

Motion carries: 3/2

8.a Commissioner Ross: Presents a draft ordinance addressing Code Review Board's recommendations for Chapter 6 of the Village of Biscayne Park Land Development Code.

Gage Hartung: Brought by staff for those few properties that utilize dumpsters. Used Miami Dade County code and tweaked for the Village. Has nothing to do with construction dumpsters.

Commissioner Ross: On 6.3.3 it states owner/occupant. Should be just property owner.

Gage Hartung: Will clarify.

Commissioner Ross makes a motion to move the Code Review Board's recommendations on Chapter 6 and move this draft ordinance for a first reading at the next commission meeting. It is seconded by Commissioner Anderson.

All in favor: Mayor Jacobs, Vice Mayor Cooper, Commissioner Anderson, Commissioner Ross and Commissioner Watts.

Opposed: None

Motion carries: 5/0

Mayor Jacobs calls for a recess at 9:16pm

Commissioner Cooper leaves the meeting at 9:25pm

Meeting is resumed at 9:26pm

9 Village Attorney

9.a Review of fund raising by Boards/Committees

Attorney Hearn: Our current code expressly states no fund raising by the boards unless there is commission approval. You have two legal entities, the Village and the Foundation. For boards to do it, has to have commission approval and to give limitations and with some staff involvement.

9.b Newsletter advertisements

Attorney Hearn: Currently there is no formal policy on what you can and can't put in the newsletter. The purpose of the newsletter is to get out information. You can regulate and must be view point neutral.

Mayor Jacobs: Should not give point of view on pending issues and should also not comment on those already voted on.

Mayor Jacobs: We are not changing any policy. We haven't had a policy and we continue not to have a policy so we're sticking with the status quo until someone brings something forward.

9 Consent Agenda

Commissioner Watts pulls item 10.h, Resolution 2013-16 and it becomes item 12.c.

Mayor Jacobs pulls item 10.d.1, Resolution 2013-10 and 10.d.2 and it becomes item 12.d.

Mayor Jacobs pulls item 10.i, Resolution 2013-17 and it becomes item 12.e.

Left on the consent agenda:

Acceptance of Board Minutes:

- > Code Compliance Board - March 12, 2013
- > Ecology Board - February 25, 2013
- > Ecology Board - March 21, 2013
- > Planning & Zoning Board - March 4, 2013
- > Planning & Zoning Board - March 18, 2013

Resolution 2013-09

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK **RATIFYING THE APPOINTMENT OF MICHAEL HUBER TO THE RECREATION ADVISORY BOARD**; PROVIDING FOR AN EFFECTIVE DATE

Resolution 2013-11

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK **JOINING THE BISCAYNE BAY COALITION** IN SUPPORT OF ITS PROTECTION FOR THE HEALTH AND WELLBEING OF MIAMI-DADE COUNTY RESIDENTS AND THE IMPROVEMENT OF OUR TOURISM ECONOMY; PROVIDING FOR AN EFFECTIVE DATE

Resolution 2013-13

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK **IN SUPPORT OF MILITARY FAMILY AND COMMUNITY COVENANT DAY**; PROVIDING FOR AN EFFECTIVE DATE

Resolution 2013-14

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **CREATING A PROPERTY ASSESSED CLEAN ENERGY PROGRAM AND JOINING THE TOWN OF BAY HARBOR ISLANDS IN THE CLEAN ENERGY COASTAL CORRIDOR PROGRAM** IN ACCORDANCE WITH SECTION 163.08, FLORIDA STATUTES; ADOPTING AN INTERLOCAL AGREEMENT PURSUANT TO SECTION 163.01, FLORIDA STATUTES RELATING TO THE CORRIDOR; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Ross makes a motion to approve the balance of the consent agenda and it is seconded by Commissioner Anderson.

All in favor: Mayor Jacobs, Vice Mayor Cooper, Commissioner Anderson, Commissioner Ross and Commissioner Watts.

Opposed: None

Motion carries: 5/0

11 Ordinances - FIRST READING

11.a Ordinance 2013-04

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING CHAPTER 12 OF THE VILLAGE OF BISCAYNE PARK LAND DEVELOPMENT CODE ENTITLED SIGNS, **BY PROVIDING PERMISSIBLE PLACEMENT OF SIGNS**, TECHNICAL CHANGES, PROVIDING FOR ORDINANCES IN CONFLICT, REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Attorney Hearn read the title.

Mayor Jacobs opened the meeting for public comment, and there were none.

Mayor Jacobs: Why not 5' instead of 10'?

Commissioner Ross: This is suggested language from the Code Review Board.

Mayor Jacobs: Suggests 7'.

Commissioner Anderson: Wants to keep it at 10'. Need to keep off swale area.

Candido Sosa-Cruz: 10' is the norm. Like Miami Shores and many other cities.

Commissioner Ross makes a motion to approve Ordinance 2013-04 at first reading and it is seconded by Commissioner Anderson.

All in favor: Mayor Jacobs, Commissioner Anderson, Commissioner Ross and Commissioner Watts.

Opposed: None

Motion carries: 4/0

Ordinances - SECOND READING

11.b Ordinance 2013-01

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **RELATING TO MODIFYING THE START DATE FOR THE CHARTER REVIEW ADVISORY BOARD**; MODIFYING ORDINANCE 2012-08; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE

Attorney Hearn read the title.

Mayor Jacobs opened the meeting for public comment

Chuck Ross: We are short on funds in Legal, and this was not provided for in the current budget. Makes more sense to move this.

Mayor Jacobs: Want to clarify that as of October 1st, we can start placing members on the board.

Attorney Hearn: No, selection is 24 months prior to 2016, which is November 2014.

Commissioner Anderson makes a motion to approve Ordinance 2013-01 at second reading and it is seconded by Commissioner Watts.

All in favor: Commissioner Anderson, Commissioner Ross, and Commissioner Watts

Opposed: Mayor Jacobs

Motion carries: 3/1

11.c **Ordinance 2013-03**

AN ORDINANCE OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RELATING TO CHAPTER 17 ENTITLED "FEES BONDS AND CHARGES" **CREATING A ZONING FEE SCHEDULE AT NEW SECTION 17.6; PROVIDING FOR A SHORT MORATORIUM ON APPLICATIONS SO THAT THE FEE SCHEDULE MAY BE IMPLEMENTED;** PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Attorney Hearn read the title.

Mayor Jacobs opened the meeting for public comment, and there were none.

Commissioner Ross makes a motion to approve Ordinance 2013-03 at second reading and it is seconded by Commissioner Anderson.

All in favor: Mayor Jacobs, Commissioner Anderson, Commissioner Ross, and Commissioner Watts

Opposed: None

Motion carries: 4/0

12 Resolutions

12.a **Resolution 2013-03**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **ADVOCATING THE PROHIBITION OF SALES AND POSSESSION OF AUTOMATIC AND SEMI AUTOMATIC WEAPONS;** PROVIDING FOR AN EFFECTIVE DATE.

Mayor Jacobs passes the gavel.

Mayor Jacobs makes a motion to draft and adopt a resolution using the City of Miami resolution provided and it is seconded by Commissioner Anderson.

All in favor: Mayor Jacobs, Commissioner Anderson, and Commissioner Watts

Opposed: Commissioner Ross

Motion carries: 3/1

12.b Resolution 2013-12

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK SUPPORTING ADOPTION OF UNIFORM FEDERAL LEGISLATION TO ACCOMPLISH A REDUCTION IN GUN VIOLENCE; PROVIDING FOR AN EFFECTIVE DATE

Commissioner Watts asks for the opinion of resident Linda Dillon.

Linda Dillon: No way to enforce this.

Commissioner Anderson makes a motion to approve Resolution 2013-12 and it is seconded by Mayor Jacobs.

All in favor: Mayor Jacobs, Commissioner Anderson, Commissioner Ross, and Commissioner Watts

Opposed: None

Motion carries: 4/0

12.c Resolution 2013-16

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK SUPPORTING BAYNANZA BISCAYNE BAY CLEANUP DAY SPONSORED BY THE MIAMI-DADE COUNTY DEPARTMENT OF REGULATORY RESOURCES, DIVISION OF ENVIRONMENTAL RESOURCES MANAGEMENT (DERM); PROVIDING FOR AN EFFECTIVE DATE

Commissioner Watts: If we do this, we could choose a site and we could all go as a group.

Commissioner Anderson makes a motion to approve Resolution 2013-16 and it is seconded by Commissioner Ross.

All in favor: Mayor Jacobs, Commissioner Anderson, Commissioner Ross, and Commissioner Watts

Opposed: None

Motion carries: 4/0

12.d Resolution 2013-10

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK RE-APPOINTING DALE BLANTON TO THE CODE COMPLIANCE BOARD AND THE AD HOC CODE REVIEW COMMITTEE

Commissioner Ross: Restates amended language for the resolution: Mr. Blanton is appointed to initially serve as an alternate, until such time as a position is vacated by resignation, abandoned, or otherwise becomes available, at which time he will be a full voting member. Clarification is made that in this case, he will continue to be a full voting member until such time the vacated position receives the elected official's appointee.

Mayor Jacobs: I'm willing to reaffirm, let's call a vote.

Motion is called to a vote:

All in favor: Commissioner Anderson, Commissioner Ross, and Commissioner Watts

Opposed: Mayor Jacobs

Motion carries: 3/1

12.e Resolution 2013-17

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, SELECTING AN ARCHITECTURE FIRM FROM THE VILLAGE'S RFQ 2013-01, AND AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE A FINAL CONTRACT WITH THE SELECTED ARCHITECTURE FIRM FOR THE PERFORMANCE OF A COMPREHENSIVE ASSESSMENT FOR THE RENOVATION AND RESTORATION OF THE HISTORICAL VILLAGE HALL LOG CABIN; PROVIDING FOR AN EFFECTIVE DATE

Mayor Jacobs: Do any of the firms have log cabin experience?

Manager Garcia: Yes, Heisenbottle.

Commissioner Ross makes a motion to approve Resolution 2013-17 and it is seconded by Mayor Jacobs.

All in favor: Mayor Jacobs, Commissioner Anderson, Commissioner Ross and Commissioner Watts.

Opposed: None

Motion carries: 4/0

13 New Business

< None >

14 Old Business

< None >

15 Final Public Comment

Barbara Kuhl: What is the quorum if board has five members. Is it three?

Attorney Hearn: More than 50%.

Linda Dillon: Thanks Commissioner Watts for the idea to do Earth Hour. It was a great event. Asks if her Lady's Gun Club could advertise in the newsletter. *(The answer provided was yes.)*

Fred Jonas: The energy being put forth is not to restrict boats, but to set guidelines with as much liberty as possible.

Dan Samaria: Disappointed with not allowing boards to do fund raising. This is one of the reasons I became a board member. May have to considering not continuing as a board member. Very disappointed about this.

Chuck Ross: Crime Watch meeting is set for Thursday, April 4th at 6:30pm. On political comments for the newsletter, you need to set this policy. It is a bad procedure to allow it. Vote on it already. This is the third or fourth meeting that Vice Mayor Cooper has walked out of. What can be done? Man needs to be sanctioned. The comments he (Chuck Ross) made during the November meeting during Public Comment were not included in the minutes. Since those minutes have been approved, looking to have a motion made to amend those minutes to include his comments that were provided to the Clerk.

16 Committee / Board Reports

Fred Jonas, Biscayne Park Foundation: Had Food & Tunes on March 15th and it was very successful. Next one is scheduled on May 17th. There is a person that is interested in joining the Foundation and looks for the Commission to appoint her. Next meeting of the Foundation is April 29th.

17 Announcements

Clerk Camara read the announcements:

All public meetings are held at the Ed Burke Recreation Center,
11400 NE 9th Court, Biscayne Park.

Tuesday, April 9th - Code Compliance Board at 7:00pm

Thursday, April 11th - Recreation Advisory Board at 7:00pm

Monday, April 15th - Planning & Zoning Board at 6:30pm

Wednesday, April 17th - Parks & Parkway Advisory Board at 6:00pm

Wednesday, April 17th - Code Review Board at 7:00pm

Thursday, April 18th - Ecology Board at 6:30pm

Saturday, April 20th - Earth Day at 10:00am

Wednesday, May 1st - Code Review Board at 7:00pm

Monday, May 6th - Planning & Zoning Board at 6:30pm

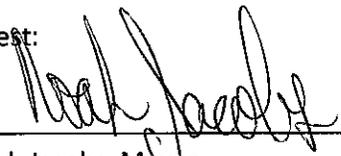
Our next regular Commission meeting is Tuesday, May 7, 2013 at 7:00pm.

Adjournment

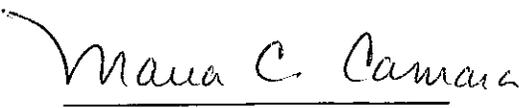
The meeting was adjourned at 11:01pm.

Commission approved on 7/9/13.

Attest:



Noah Jacobs, Mayor



Maria Camara, Village Clerk