



MEETING MINUTES

TUESDAY, FEBRUARY 20, 2018

6:30 PM

COUNCIL CHAMBERS

1. CALL TO ORDER

Vice Mayor Brady called the meeting to order at 6:33 PM.

2. MOMENT OF SILENCE/ PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present (4):

Mayor MacAdam Glinn (arrived at 6:36 PM)
Vice Mayor Sean Brady
Councilwoman Alice Burch
Councilman Jonathan Meltz

Councilman Steven Zelkowitz was absent.

Also Present:

Tom Benton, Village Manager
Ysabely Rodriguez, Village Clerk
Richard Sarafan, Village Attorney

4. PUBLIC COMMENTS (3 Minutes Time Limit Per Speaker)

Mr. Al Crespo asked about the Village Council's attendance requirement concerning Council Meetings, the status of previous inquiries with respect to recent hurricane cleanup costs, and the Public Works Compound theft incident. He also suggested for the Village Council agendas to include a Village Manager Report item.

Mr. Ronnie Guillen spoke in opposition to opening the Aquatic Facility to the Town of Bay Harbor Islands residents, he asked the Village Council to verify Section 16-19 of the Village Code and its relation to the non-resident use of recreational facilities, and further asked for clarification of the ordinance concerning repairs to chain link fences.

Mr. Pablo Minces spoke in opposition to a notice he received from the Village indicating his sidewalk needs repair. He proposed the Village (1) reconsider shifting the responsibility from the property owner to the Village when the damage is not attributed to the owner's neglect (2) postpone enforcement of sidewalk disrepair until damage allegedly attributed to the Village is complete, and (3) retain contractors to repair the sidewalks Village-wide.

Dr. Kelly Andrews, Executive Director of Doctors Charter School (DCS), thanked the Village and Miami Shores Police Department for their communication and collaboration regarding school safety due to the recent Parkland mass shooting tragedy. She also read the letter sent to DCS families regarding the tragic event into the record.

5. PRESENTATIONS

- A. GREATER MIAMI SHORES CHAMBER OF COMMERCE QUARTERLY REPORT PRESENTED BY THE EXECUTIVE DIRECTOR

Greater Miami Shores Chamber of Commerce Executive Director, Megan Gerstel, presented the quarterly report.

6. CONSENT AGENDA

A motion was moved by Councilwoman Burch and seconded by Vice Mayor Brady to approve the Consent Agenda. The motion passed unanimously.

- A. APPROVAL OF THE JANUARY 23, 2018 VILLAGE COUNCIL MEETING MINUTES (STAFF: VILLAGE CLERK)

Passed on Consent.

- B. RATIFICATION OF THE POLICE PENSION BOARD'S SELECTION OF A FIFTH BOARDMEMBER: RESIDENT JOHN BOLTON (STAFF: VILLAGE CLERK).

Passed on Consent.

- C. AWARD OF BID FOR THE AQUATIC CENTER ACTIVITY POOL RESURFACING PROJECT TO NATIONAL POOL DESIGN FOR AN AMOUNT NOT TO EXCEED FORTY-NINE THOUSAND FIVE HUNDRED SIXTY-SIX DOLLARS (\$49,566) AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE ALL RELATED DOCUMENTS TO EFFECTUATE THE AGREEMENT (STAFF: RECREATION DIRECTOR).

Passed on Consent.

7. ORDINANCE ON FIRST READING

- A. AN ORDINANCE OF THE MIAMI SHORES VILLAGE COUNCIL, RELATING TO ZONING, APPENDIX "A", AMENDING ARTICLE V (5), DIVISION 4, "AREA REGULATIONS", SECTION 518, "FENCES, WALLS AND HEDGES"; PROVIDING FOR CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE. (STAFF: PLANNING & ZONING DIRECTOR).

The Village Clerk read the title of the Ordinance into the record.

Planning and Zoning Director Travis Kendall provided a brief overview of the item and answered questions posed by the Village Council.

A motion was moved by Councilwoman Burch and seconded by Vice Mayor Brady to approve the Ordinance on First Reading.

Councilwoman Burch accepted Mayor Glinn's friendly amendment to include language at the end of line 29 stipulating "and provided that the resident makes no more than two repairs in one calendar year."

There being no further discussion, Mayor Glinn called for the vote of the motion to approve the Ordinance on First Reading as amended, which passed unanimously.

8. ORDINANCES ON SECOND READING- PUBLIC HEARING

- A. AN ORDINANCE OF THE MIAMI SHORES VILLAGE COUNCIL, AMENDING CHAPTER 20 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES BY ADOPTING A NEW ARTICLE VIII (8) PARKING BY PERMIT ONLY, SEC. 20-150 THROUGH AND INCLUDING SEC. 20-166, CONTAINED IN THE CODE OF ORDINANCES OF MIAMI SHORES VILLAGE, PROVIDING FOR RESIDENT ONLY PARKING WITHIN THE RIGHT-OF WAY OF AREAS DESIGNATED BY THE VILLAGE, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE (STAFF: PLANNING & ZONING DIRECTOR).

THIS ITEM WAS APPROVED ON FIRST READING BY A 5/0 VOICE VOTE ON JANUARY 23, 2018.

The Village Clerk read the title of the Ordinance into the record.

Mayor Glinn opened the public hearing.

Mr. Ronnie Guillen spoke in opposition to the item.

Mayor Glinn closed the public hearing, as no one else wished to speak.

Responding to Mayor Glinn's inquiry regarding community outreach, Mr. Benton reported letters were sent to affected property owners informing them of the item scheduled for the February 6, 2018 Village Council Meeting. Upon cancellation of said meeting, a notice was placed on the front doors of Village Hall informing the public of the rescheduled meeting date of February 20, 2018 for all of the items on that agenda.

Councilman Meltz moved to defer the item to a time certain in four months, which he subsequently withdrew.

There was discussion amongst the Councilmembers regarding the amendments that passed on First Reading and objections raised by the residents.

A motion was moved by Councilman Meltz and seconded by Vice Mayor Brady to defer the item to the June 19, 2018 Village Council Meeting.

There being no further discussion, Mayor Glinn called for the vote, which passed unanimously.

- B. AN ORDINANCE OF THE MIAMI SHORES VILLAGE COUNCIL, ADOPTING DIVISION 22. MIAMI SHORES DOWNTOWN DISTRICT, APPENDIX A, ZONING, CONTAINED IN THE CODE OF ORDINANCES OF MIAMI SHORES VILLAGE, FLORIDA, PROVIDING FOR THE ADOPTION OF THE "ARCHITECTURAL DESIGN MANUAL," AND ZONING CODE REGULATION TO IMPLEMENT THE MANUAL, SETTING FORTH THOSE CONDITIONS, CREATING, DEFINING AND REGULATING THE MIAMI SHORES DOWNTOWN DISTRICT AS AN OVERLAY, AMENDING THE LIST OF PERMITTED USES AND AMENDING THE PARTIAL LIST OF USES DEEMED TO BE NOT INCLUDED IN THE LIST OF PERMITTED USES IN THE B1 DISTRICT LOCATED WITHIN THE MIAMI SHORES DOWNTOWN DISTRICT, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE (STAFF: PLANNING & ZONING DRECTOR).

THIS ITEM WAS APPROVED ON FIRST READING BY A 3/2 VOICE VOTE ON JANUARY 9, 2018.

**Please be advised* that an amendment may be proposed which deletes "the partial list of uses deemed to be not included in the list of permitted uses in the B1 District" and further be advised that an amendment creating a Development Bonus Program within the Miami Shores Downtown District may be proposed.

The title of the possible amendment(s) is as follows:

AN ORDINANCE OF THE MIAMI SHORES VILLAGE COUNCIL, ADOPTING DIVISION 22. MIAMI SHORES DOWNTOWN DISTRICT, APPENDIX A, ZONING, CONTAINED IN THE CODE OF ORDINANCES OF MIAMI SHORES VILLAGE, FLORIDA, PROVIDING FOR THE ADOPTION OF THE "ARCHITECTURAL DESIGN MANUAL," AND ZONING CODE REGULATION TO IMPLEMENT THE MANUAL, SETTING FORTH THOSE CONDITIONS, CREATING, DEFINING AND REGULATING THE MIAMI SHORES DOWNTOWN DISTRICT ~~AS AN OVERLAY,~~ AMENDING THE LIST OF PERMITTED USES ~~AND AMENDING THE PARTIAL LIST OF USES DEEMED TO BE NOT INCLUDED IN THE LIST OF PERMITTED USES IN THE B1 DISTRICT LOCATED WITHIN THE MIAMI SHORES DOWNTOWN DISTRICT,~~ AND CREATING A DEVELOPMENT BONUS PROGRAM WITHIN THE MIAMI SHORES DOWNTOWN DISTRICT, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

The Village Clerk read the title of the Ordinance and possible amendment(s) into the record.

Mayor Glinn opened the public hearing and subsequently closed it, as no one present wished to speak.

Mr. Kendall provided a brief recap of the amendments approved during First Reading and the possible amendments to the Ordinance outlined in Option B, which delete the land use restrictions and establish a Development Bonus Program for the Downtown District.

Individual Councilmembers provided input regarding the Development Bonus Program.

A motion was moved by Mayor Glinn and seconded by Vice Mayor Brady to amend the ordinance to include the proposed amendments which delete the partial list of uses deemed to be not included in the list of permitted

uses in the B1 District and creates a Development Bonus Program within the Miami Shores Downtown District. The motion passed unanimously.

A motion was moved by Mayor Glinn and seconded by Vice Mayor Brady to adopt the ordinance as amended. There being no further discussion, Mayor Glinn called for the vote, which was unanimous in favor of the motion.

- C. AN ORDINANCE OF THE MIAMI SHORES VILLAGE COUNCIL, AMENDING ARTICLE V. SUPPLEMENTAL REGULATIONS, BY CREATING DIVISION 23, SEAWALL REGULATIONS, ESTABLISHING CONSTRUCTION STANDARDS THAT ENSURE SEAWALLS CONTRIBUTE TO COASTAL RESILIENCE AND MITIGATE THE EFFECTS OF TIDAL FLOODING AND SEA LEVEL RISE, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE (SPONSORED BY: VICE MAYOR BRADY).

THIS ITEM WAS APPROVED ON FIRST READING BY A 5/0 VOICE VOTE ON JANUARY 23, 2018.

The Village Clerk read the title of the Ordinance into the record.

Mr. Kendall provided a brief overview of the amendment approved on First Reading which includes minimum seawall elevation of 4.0 feet NAVD88 or 5.5 feet NGVD29 and for future seawall height extension of up to a minimum elevation of 5.0 feet NAVD88 or 6.5 NGVD29.

Mayor Glinn opened the public hearing and subsequently closed it, as no one present wished to speak.

A motion was moved by Vice Mayor Brady and seconded by Councilwoman Burch to adopt the Ordinance on Second Reading.

There being no further discussion Mayor Glinn called for the vote, which was unanimous in favor of the motion.

9. DISCUSSION & POSSIBLE ACTION ITEMS

- A. SEWER SYSTEM PROJECT UPDATE BY THE VILLAGE MANAGER.

Mr. Benton provided a brief update on the Sewer System Project, thereby disclosing there are seven (7) applications at the County level, four (4) Village buildings and three (3) private buildings, to permit the Village's grinder pump stations. Mr. Benton reported his upcoming meeting with Mayor Glinn and the Miami Dade County Mayor to discuss the sewer system wet wells permit issue. He also reported that the Library application concerning the grinder pump station will be forthcoming in order to have the Library connected to the sewer system and to subsequently jumpstart the Library Addition Project.

No discussion or action was taken on this item.

- B. DISCUSSION AND POSSIBLE ACTION REGARDING SCHOOL SAFETY (SPONSORED BY: MAYOR MACADAM GLINN).

Mayor Glinn briefly introduced the item and spoke about the tragic incident that occurred in Parkland, FL last week.

Mr. Benton introduced Police staff who were in attendance, Lieutenants James Somohano, David Golt, and David McLeod, and further spoke about the Village's efforts and plans with respect to ensuring school safety.

Councilwoman Burch proposed staff to coordinate a meeting with the Village Manager, local school administrators, and Miami Shores Police Department (MSPD) to address school safety concerns.

There was consensus to direct the Village Manager to coordinate a meeting with all local school administrators, Mayor Glinn, and Police staff to discuss school safety.

Mayor Glinn opened the floor to public comments.

Dr. Kelly Andrews spoke about the importance of collaboration and calmness to ensure safety for all of the students who attend schools located in the Village.

Mayor Glinn closed public comments, as no one else wished to speak.

Mr. Benton informed Police Chief Kevin Lystad, as President of the Florida Police Chief's Association, was unable to attend tonight's meeting because he is currently in Tallahassee participating in the Governor's roundtable on the topic of school safety.

No further action was taken on this item.

10. ANNOUNCEMENTS

The Village Clerk read the announcements into the record.

11. VILLAGE COUNCIL COMMENTS

Councilman Meltz thanked Mayor Glinn for his tenacity in championing the revitalization of the Downtown District.

Councilwoman Burch spoke about the Hidden Figures exhibit available to the public at Brockway Memorial Library, the Environmental Vulnerability Study Workshop, and the SMART Plan Charrette. She further encouraged residents to attend the Village's Farmers Market on Sundays, the Fireside Concert, the Mayor's Gala, and the next Plaza 98 event.

Vice Mayor Brady thanked MSPD for their presence at Doctors Charter School and further encouraged residents to apply to the Education Advisory Board.

Mayor Glinn thanked the public for attending tonight's meeting, thanked staff for their hard work in crafting the Architectural Design Manual Ordinance, and thanked former Councilmembers who also advocated for the revitalization of the Downtown District. He also provided a status update on his trip to Tallahassee, the People of Color event, and spoke about bringing forth an agenda item to discuss the safety issues concerning the Brightline rail system. Lastly, he proposed reinstating the House of the Month recognition program.

Mr. Sarafan encouraged property owners who reside near NE 2nd Avenue to contact the Village Council and voice their stance on parking on the swale adjacent to their home, as the resident only parking ordinance will be brought forth on June 19, 2018 for Village Council consideration.

12. ADJOURNMENT

There being no further business before the Village Council, the meeting was adjourned at 8:15 PM.