



MEETING MINUTES

TUESDAY, JULY 17, 2018

6:30 PM

COUNCIL CHAMBERS

1. CALL TO ORDER

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

2. MOMENT OF SILENCE/ PLEDGE OF ALLEGIANCE

3. ROLL CALL (4)

Mayor MacAdam Glinn
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)

Ms. Elaiza Irizarry spoke in support of Items 10A, 10B, and 10C.

Ms. Alexandra Palomina, co-owner of Mima's Market, spoke in support of Items 10A, 10B, and 10C.

Ms. Giselle Kovac, Executive Director of the Miami Theatre Center, spoke in support of Items 10A, 10B, and 10C. With respect to Item 10C, if approved, Ms. Kovac encouraged the Village Council to reach out to local merchants.

Mr. Armando Ortiz spoke in support of Village beautification efforts and the commuter train station.

5. PRESENTATIONS

- A. HOUSE OF THE MONTH CERTIFICATES OF RECOGNITION PRESENTED TO VIRGINIA WILDS DAY FOR THE MONTH OF JUNE AND DARREN OCKERT AND ARMANDO ORTIZ FOR THE MONTH OF JULY.

Mayor Glinn presented the House of the Month Certificate of Recognition for the month of July to Darren Ockert and Armando Ortiz.

The June House of the Month recipient, Ms. Wilds Day, was not in attendance.

B. PRESENTATION AND ACCEPTANCE OF THE 2017 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017.

Mr. Enrique Llerena from the auditing firm of Caballero Fierman Llerena Garcia, LLP provided highlights of 2017 Comprehensive Annual Financial Report (CAFR). Mr. Llerena stated that there were no findings reported in the CAFR and that the Village is fiscally healthy with proper reserves and accounting practices in place.

Mayor Glinn moved to accept the 2017 Comprehensive Annual Financial Report for the fiscal year that ended on September 30, 2017. Vice Mayor Brady seconded the motion, which passed unanimously.

6. CONSENT AGENDA (Items are routine, self-explanatory matters and are not expected to require discussion or review. Items will be enacted by one motion. If discussion is desired by any member of the Council, that item must be removed from the Consent Agenda and considered separately. If the public wishes to speak on a matter on the Consent Agenda, they must inform the Village Clerk prior to the start of the meeting. They will be recognized to speak prior to the approval of the Consent Agenda).

The Village Clerk, Ms. Ysabely Rodriguez, read the introductory statement and the caption of each item contained on the Consent Agenda.

Mr. Sarafan noted a minor scrivener's error on the attachment of Item 6B, which was mislabeled as "Budget Amendment #6" instead of "Budget Amendment #7."

At Councilwoman Burch's request, Item 6C was pulled from the Consent Agenda for discussion.

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

A. APPROVAL OF THE JUNE 19, 2018 VILLAGE COUNCIL MEETING MINUTES

Passed on Consent.

B. A RESOLUTION OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, CREATING BUDGET AMENDMENT #7 TO THE FISCAL YEAR 2017-2018 OPERATING BUDGETS; TRANSFERRING \$79,756 FROM THE NON-DEPARTMENTAL CONTINGENCY ACCOUNT IN THE GENERAL FUND TO VARIOUS POLICE DEPARTMENT PAYROLL ACCOUNTS (STAFF: FINANCE DIRECTOR).

Passed on Consent.

C. A RESOLUTION OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE JOINT PARTICIPATION AGREEMENT WITH MIAMI-DADE COUNTY NE 96 STREET FROM NE 2 AVENUE TO NE 10 AVENUE (STAFF: VILLAGE MANAGER).

Responding to Councilwoman Burch's inquiry concerning the prospect of converting the straight lane on N.E. 96 Street and Biscayne Boulevard to also permit left turns, Mr. Benton informed the aforesaid intersection functions at overcapacity in all directions and, according to the Florida Department of Transportation (FDOT), there is not enough timing at the intersection to allow for the proper flow of north and south bound traffic. Mr. Benton further reported, to accomplish the intended outcome, two left turn lanes and a dedicated straight lane would have to be implemented. However, according to FDOT, if there are two left turn lanes, there isn't enough room for a dedicated straight lane.

Responding to Vice Mayor Brady's request, Mr. Benton mentioned he would consult with FDOT concerning the prospect of lengthening the left turn lane on N.E. 96 Street and Biscayne Boulevard.

Vice Mayor Brady moved to approve Item 6C and the motion was seconded by Councilwoman Burch. The motion passed unanimously.

7. DOCTORS CHARTER SCHOOL BOARD APPOINTMENTS (3 Vacancies)

Applicants:

Nancy Cigno

Glenna Hatfield

John Rosenquest

Carlos Viera

The Village Clerk provided a brief introduction, thereby noting the withdrawal of Ms. Glenna Hatfield's application for consideration.

The following applicant was present and spoke on his behalf: Mr. John Rosenquest.

Seeing there were three qualified candidates to fill the three vacancies, Mayor Glinn entertained a motion to appoint the aforementioned candidates in lieu of casting individual ballots.

Vice Mayor Brady moved to appoint Ms. Nancy Cigno, Mr. John Rosenquest, and Mr. Carlos Viera to the Doctors Charter School Board. Councilwoman Burch seconded the motion.

Councilman Meltz suggested bringing forth an agenda item in the near future to discuss the appointment process, specifically as it relates to the assumption of automatic appointment when the number of candidates and vacancies are the same. Notwithstanding, Councilman Meltz expressed support for the appointment of the three candidates.

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

8. ORDINANCE ON SECOND READING- PUBLIC HEARING

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

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

Mr. Travis Kendall, Planning and Zoning Director, provided a brief overview of item, noting no changes were made to the Ordinance between first and second reading.

Mayor Glinn opened the public hearing.

Mr. Thomas Robertson, legal counsel to the Bernard family, thanked staff for their hard work on this item and expressed support for the peace of mind and safety the passage of this Ordinance will bring to his client.

Seeing no members of the public wishing to speak on this item, Mayor Glinn closed the public hearing.

Councilwoman Burch moved to adopt the Ordinance and the motion was seconded by Vice Mayor Brady. There being no discussion, Mayor Glinn called for the vote, which was unanimous in favor of the motion.

9. RESOLUTIONS

- A. A RESOLUTION OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE FLORIDA, SETTING TENTATIVE OPERATING AND DEBT SERVICE AD VALOREM MILLAGE LEVIES FOR FISCAL YEAR 2018-2019, BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019; SETTING THE TIME, DATE AND PLACE FOR THE TWO PUBLIC HEARINGS FOR THE FISCAL YEAR 2018-2019 OPERATING AND CAPITAL BUDGETS AND PROPOSED AD VALOREM MILLAGE RATES (STAFF: FINANCE DIRECTOR).

The Village Clerk read the caption of the Resolution into the record

Mr. Benton provided a brief overview of the item, summarizing the proposed millage levies as discussed at the Budget Workshop.

Councilwoman Burch thanked the Finance Director, Ms. Holly Hugdahl, for her work in reducing the debt service by approximately thirty percent in comparison to the last fiscal year.

Vice Mayor Brady moved to approve the Resolution and Mayor Glinn seconded the motion.

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

- B. A RESOLUTION OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA JOINING THE SEAWALL COALITION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE (SPONSORED BY: VICE MAYOR SEAN BRADY).

The Village Clerk read the caption of the Resolution into the record.

Vice Mayor Brady and Mr. Benton provided a brief overview of the item, stating the advocacy organization helps communities better prepare areas that are vulnerable to sea level rise and it works to help secure federal dollars to aid municipalities with sea level rise.

Mr. Sarafan noted there is no cost or obligation associated with joining the organization and in the event the Village chooses to rescind its membership, it may do so at any time.

A motion was moved by Vice Mayor Brady and seconded by Councilwoman Burch to approve the Resolution.

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

- C. A RESOLUTION OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, DESIGNATING RESIDENT ONLY PARKING AREAS WITHIN THE RIGHT-OF-WAY OF CERTAIN AREAS (SPONSORED BY: VICE MAYOR SEAN BRADY).

The Village Clerk read the caption of the Resolution into the record.

Vice Mayor Brady provided a brief overview of the item and recommended deleting the following proposed parking area from the resolution: NE 99 Street from NE 2nd Ave to NE 3rd Ave.

Mr. Benton informed staff disseminated notices to the affected residents who reside in the areas indicated in the attached map.

Councilwoman Burch proposed amending the Resolution by deleting NE 99 Street from NE 2nd Avenue to NE 3rd Avenue from the proposed list of designated areas. She further recommended staff provide notice of possible designation of “residential parking permit areas” to the residents who live along NE 98 Street from NE 2nd Avenue to 1st Avenue prior to the September Village Council Meeting.

Mayor Glinn opened Public Comments.

Mr. Bill Walk raised concerns regarding the possibility of over-enforcement by staff. He subsequently recommended the Village Council consider (1) shortening the affected zoning area to where parking is impacted and (2) allowing affected residents to call for enforcement when a parking issue arises as opposed to automatic enforcement.

There being no further members of the public wishing to speak, Mayor Glinn closed Public Comments.

Mr. Benton clarified the intended enforcement approach would be to allow residents to call the Code Compliance Department during Village hours of operation and to call Miami Shores Police Department after hours as the need arises. He further mentioned, if the Resolution passes, staff would have to order hangtags and signage.

Vice Mayor Brady moved to approve the Resolution as amended, deleting Section 1(2) as a designated parking area.

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

D. A RESOLUTION OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT BETWEEN MIAMI SHORES VILLAGE AND BARRY UNIVERSITY FOR COMMUNITY ORIENTED POLICE SERVICES (STAFF: VILLAGE MANAGER).

The Village Clerk read the caption of the Resolution into the record.

Mr. Benton provided a brief overview of the item and further sought authorization to negotiate and execute an agreement with Barry University.

On line 9 of the draft Resolution, Mr. Sarafan recommended inserting “not to exceed ten (10)” in the blank space.

Dr. Scott Smith, Barry University Vice President for Admissions and Student Engagement, briefly spoke about the initial commitment term of five years.

Mr. Sarafan and Mr. Benton noted the draft agreement includes provisions concerning the initial term of the agreement, automatic renewal, and 18 months advanced written notice of termination.

Chief Lystad spoke in support of the item and answered questions posed by the Village Council regarding the gradual recruitment process, the supervision structure, and Miami Shores Police Department resources.

Vice Mayor Brady moved to authorize the Village Manager to negotiate and execute an agreement between the Village and Barry University for community oriented police services, subject to the following:

- the insertion of “not to exceed 10” in the blank space of line 9 of the draft Resolution; and
- the Village Attorney circulating the penultimate draft to individual Councilmembers for review and possible modifications.

The motion was seconded by Councilwoman Burch.

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

10. DISCUSSION & POSSIBLE ACTION ITEMS

A. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVING A TWO YEAR COMMITMENT TO DISPLAY A SCULPTURE GARDEN AT 9301 NE 2ND AVE BY THE FINE ARTS COMMISSION (SPONSORED BY: COUNCILWOMAN ALICE BURCH).

Fine Arts Commission members, Victor Bruce and Miryam Rojas, delivered a brief presentation on the proposed two-year commitment to display a sculpture garden with five loaned art pieces designed by Alberto Cavaliere at 9301 NE 2nd Avenue.

Responding to Mr. Sarafan's questions, Mr. Bruce stated the two-year commitment refers to occupying the space at 9301 NE 2nd Avenue and he elaborated on the Village permitting process associated with the four-foot high foundations of the art pieces.

Discussion ensued regarding possible liabilities associated with the art pieces, the estimated costs associated with installation, the option of reducing the two-year commitment, and the Village Attorney reviewing the contract for legal sufficiency prior to execution.

Councilwoman Burch moved to approve the concept of a two-year commitment to display a sculpture garden at 9301 NE 2nd Avenue, subject to the Village Attorney's review of the written commitment prior to execution. Vice Mayor Brady seconded the motion.

Councilman Meltz spoke in opposition to a two-year commitment and proposed amending the motion to terminate the sculpture garden commitment at the end of 2019. Councilwoman Burch accepted Councilman Meltz's friendly amendment.

Councilwoman Burch also accepted Mayor Glinn's friendly amendment to include a one-year extension clause in the contract, subject to the Village Council's discretion.

Mr. Sarafan noted, in addition to the Village Council's approval of the concept, the sculpture garden is subject to the approval of Building and Public Works permits. Mr. Sarafan also clarified the Fine Arts Commission is responsible for all of the expenses associated with the sculpture garden.

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

No further action was taken on this item.

B. DISCUSSION AND POSSIBLE ACTION REGARDING EL PORTAL'S PROPOSAL FOR THE NEW EASTSIDE COMMUTER TRAIN STATION TO BE LOCATED ON THE SITE OF THE FORMER LITTLE FARM TRAILER PARK SITE (SPONSORED BY: MAYOR MACADAM GLINN).

Mayor Glinn provided a brief overview of the item and asked the Village Council to consider directing staff to draft a resolution in support of the Village of El Portal's proposal for the new eastside commuter train station to be located on the site of the former Little Farm Trailer Park in El Portal.

In the interest of time, Mr. Sarafan indicated the Village Council has the option of crafting an oral resolution in support of the Village of El Portal's proposal, approving it tonight via motion, and directing staff to draft and execute the hardcopy after the fact.

Mayor Glinn, with the guidance of the Village Attorney and recommendations of the Councilmembers, proposed an oral resolution to include the following language in support of the Village of El Portal's proposal:

“A RESOLUTION OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA SUPPORTING THE VILLAGE OF EL PORTAL'S PROPOSAL FOR THE NEW EASTSIDE COMMUTER TRAIN STATION TO BE LOCATED ON THE SITE OF THE FORMER LITTLE FARM TRAILER PARK IN EL PORTAL.

WHEREAS, the Miami Shores Village Council has unanimously expressed its support for the Miami-Dade Transportation Planning Organization's Strategic Miami Area Rapid Transit (SMART) Plan as a solution to alleviating traffic in the Northeast Corridor; and

WHEREAS, the Miami Shores Village Council deems it in the best interest of Miami Shores Village to support a proposed new eastside commuter train station to be located on the site of the former Little Farm Trailer Park in El Portal.”

A motion was moved by Mayor Glinn and seconded by Vice Mayor Brady to approve the oral resolution and to direct staff to draft and execute the resolution retroactively, incorporating the aforementioned language in support of the Village of El Portal's proposal for the new eastside commuter train station to be located on the site of the former little farm trailer park in El Portal.

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

No further action was taken on this item.

C. DISCUSSION AND POSSIBLE ACTION REGARDING INSTALLATION OF MEDIANS ON NE 2ND AVENUE THROUGH THE DOWNTOWN AREA FOR BEAUTIFICATION PURPOSES AS WELL AS TO IMPROVE PEDESTRIAN ACCESS AND SAFETY (SPONSORED BY: MAYOR MACADAM GLINN).

Mayor Glinn provided a brief overview of the item, stating he and the Village Manager discussed and received initial support from Miami-Dade County staff and Miami Dade County Commissioner Audrey Edmonson regarding the above initiative; however, the question of funding was left unanswered.

Although there are no funds currently allocated for the initiative, Mayor Glinn sought Village Council support to proceed with the exploration of installing medians on NE 2nd Ave through the Downtown Area to improve Village aesthetics and pedestrian safety.

Individual Councilmembers shared their respective views regarding the initiative.

By way of consensus, the Village Council directed staff to proceed with determining the feasibility of installing medians on NE 2nd Avenue throughout the Downtown Area to improve Village aesthetics and pedestrian safety, specifically as it relates to determining available grant funding, median layout and location.

No further action was taken on this item.

D. SEWER SYSTEM PROJECT UPDATE BY THE VILLAGE MANAGER.

Mr. Benton reported Starbucks is connected to the sewer system. No discussion or action was taken on this item.

11. ANNOUNCEMENTS

The Village Clerk read the announcements

12. VILLAGE COUNCIL COMMENTS

Councilwoman Burch	Councilwoman Burch commended Dr. Kelly Andrews for Doctors Charter School's balanced budget and further reported Dr. Andrews and one of the school principals will be delivering a presentation at the Florida Charter School Conference.
Councilman Meltz	Councilman Meltz thanked the public for attending the meeting and celebrated the Village for implementing innovative solutions, such as LimeBike, to address everyday needs.
Vice Mayor	Vice Mayor Brady thanked the Village Council for reaching consensus on a number of items this evening and encouraged residents to share their ideas for future Village Council agenda items.
Mayor Glinn	Mayor Glinn thanked the Doctors Charter Board appointees for their willingness to serve and encouraged residents to contact the Village Council.

13. ADJOURNMENT

There being no further business before the Village Council, the meeting adjourned at 8:39 PM.