



VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report

#Item 8.a

REGULAR MEETING

TO: Honorable Mayor & Members of the
Biscayne Park Village Commission

FROM: Maria C. Camara, Village Clerk

DATE: February 8, 2017

TITLE: Approval of Minutes

Background

The Minutes as listed below are being provided for the Commission's review and approval.

Recommendation

Approval at consent.

Attachment

- Minutes January 10, 2017 Regular Commission Meeting
- Minutes January 19, 2017 Special Commission Meeting

Prepared by: Maria C. Camara, Village Clerk

February 8, 2017
Item# 8.a

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MINUTES
REGULAR COMMISSION MEETING
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Tuesday, January 10, 2017 at 7:00pm

1 Call to Order

Mayor Tracy Truppman called the meeting to order at 7:02pm.

2 Roll Call

Mayor Tracy Truppman - present
Vice Mayor David Coviello - present
Commissioner Jenny Johnson-Sardella - present
Commissioner Roxanna Ross - present
Commissioner William Tudor - present

Present from staff were:

Village Manager Sharon P. Ragoonan
Village Clerk Maria C. Camara
Village Attorney John Hearn
Interim Police Chief Nicholas Wollschlager
Finance Manager Claude Charles

3 Pledge of Allegiance

A moment of silence for the victims of the Ft. Lauderdale Airport shooting and the two Orlando Police Officers killed in the line of duty.

4 Presentations

4.a Commissioner Ross recognized the Amazonia Ensemble Choir and the Biscayne Park Foundation for their organization and participation of the Christmas Concert.

Commissioner Tudor recognized Richard Ederr, Fiat of North Miami and Dan Samaria for their participation in Winterfest.

Mayor Truppman recognized Rosemary Wais for her dedicated efforts in Winterfest and the Recreation Department.

Commissioner Johnson-Sardella recognized Kathleen Simon-St.Gerard, Julian and Afiya Gates, Linda Dillon, Janey Anderson and Rosemary Wais for their volunteer efforts.

4.b Aletha Player from Florida Power & Light introduced the new area representative, Addys Kuryla.

4.c Manager Ragoonan introduced the new Code Compliance Officer, Elizabeth Pinero.

5 Additions, Deletions or Withdrawals to the Agenda

Mayor Truppman moves item 8.c, Resolution 2017-01, out of consent to item 13.a.1.

Mayor Truppman moves item 13.c and 13.d to be heard together.

Mayor Truppman adds a new item, 13.g, discussion of the job description for the Interim Police Chief.

Mayor Truppman moves item 13.h and 11.a to be heard together.

6 Public Comments Related to Agenda Items / Good & Welfare

Dan Samaria: Vote against the referendum that is being proposed. This is a reaction to the previous Commission and Manager. We have a new group that is headed in the right direction. This proposal would change our constitution. It works fine today. Manager has responsibility to hire and fire and is responsible for their actions. Prior Commission did not communicate properly with the former Manager. Process already in place for oversight.

Harvey Bilt: Provided a handout with suggested language for the Police Chief job description. Need to hire reserve police officers now. Charter is meant to change with the times. Believes Commission should have oversight on hires. Buck stops with them. They should tell the Chief what to do. You were elected and you should do it. Election already scheduled, so no added cost. If the Village does not like it, they will vote it down.

Chuck Ross: Supports the resolution Interim Police Chief Wollschlager. Opposed to item 13.g. It was not deferred by the prior Commission. Rather it was recommended by the Charter Review Committee not to make any changes and accepted by the Commission. On adding language to ballot, there would be a low voter turnout at a Special Election, not enough time to educate the residents, and our charter requires it goes before a Charter Review committee. Also goes against what you ran for during your election, transparency and input from the Committee. If you feel this is what we need, do it with the proper process. Do not rush it. On the Civility Resolution, very disappointed it was not passed at last Commission meeting. Not law or policy, just taking a position.

Dan Keys: On charter changes, fine line for oversight and micromanaging. Commission-Manager government works better without micro managing. This proposal is an over reach. This subject was very much discussed at the first charter review. We are so small, Commission oversight not necessary for operations. You already can have checks and balances. Ask questions. Not enough time to inform the voters.

Mac Kennedy: Agree with Dan and Chuck. If you push this through, make this to go in effect for the next Commission and not for yourselves. You were elected under the current power dynamic. Hold this at a regular election.

Barbara Kuhl: Agree with Harvey. Was on the first charter review and it was not thought of then. Have now been through four Managers. El Portal and Miami Shores have had Managers for a long time. All on the Commission have been in the Village for 50 years collectively. This is an effort to work together more. Having more input makes it better. Result will be the selection of the right person. Some job descriptions not written well. Public Works Manager description is more for facilities. Green space, etc., not properly addressed. Hope that with or without it, that the Manager and Commission work together better. Regarding current issue with driveways and swales, need better notification to residents.

Janey Anderson: On the Peace Pole, an interesting concept, but wish there were a rendering of it. On reserve officers, thanks for bring it up. Disconcerting that there are no procedures, but don't let this keep from hiring. On Code Report, concerned that on the Landlord Permit issue, this was passed a while back, and want to see the annual inspection being done. So many properties are rentals, and there are landlords that are not keeping up. Like to see that other cities have regulations for excessive criminal issues, and permits can be revoked. This will truly increase our property values to keep these business owners accountable. On the charter change, let the people decide.

Gary Kuhl: On charter amendment, more input than just one person is a good idea. On 12.a landscaping requirements, it is a county ordinance. Just a minimum standard is required. Pleased about the construction site language. Needs some improvements on the language. Would be difficult for contractors to park off-site. \$1,000 bond needs to be more substantial.

Fred Jonas: On charter change issue, agree with Harvey that it is a living document. Should be susceptible to change. A higher scrutiny. Changed twice since 2005, the first to create a Commission-Manager form of government where the Commission only directs the Manager. This was already carefully discussed and considered and voted for. The second charter review did not propose to change this. If necessary, a new charter review should consider it again. This is not an emergency. Three of you just got elected. Have not had time to work with the Administration and the process. Slow it down.

Bob Anderson: On construction site proposal, a great idea. Also consider not just the medians, but the swales during construction. On timeline for the recruitments, a very transparent process.

H. Jordan Weitz: On charter amendment, supports it. Commission is accountable for the hires. On landscaping and code issues, encourage adding an administrative variance process. For the aesthetic issues, current process is burdensome. On Griffing, the boat storage requirements can be a detriment to the neighboring property.

Linda Dillon: Applauds all that the Interim Police Chief has done. But opposed to the contract. Want to see the agreement re-negotiated. The \$5,000 bonus is more than this Village can handle.

7 Information / Updates

- 7.a FY 2016-17 Monthly Financials as of October 31, 2016
FY 2016-17 Monthly Financials as of November 30, 2016

Manager Ragoonan provided a brief summary on the two monthly financials.

8 Consent Agenda

Item 8.c, Resolution 2017-01, removed from the Consent agenda. Left on the consent agenda:

- 8.a Approval of Minutes

December 6, 2016 Regular Commission Meeting
December 6, 2016 New Commission Orientation
December 17, 2016 Community Forum

- 8.b Acceptance of Board Minutes

Parks & Parkway Advisory Board - August 25, 2016
Parks & Parkway Advisory Board - September 7, 2016
Planning & Zoning Board - October 17, 2016
Parks & Parkway Advisory Board - October 19, 2016
Code Compliance Board - October 11, 2016
Biscayne Park Foundation - October 11, 2016

Planning & Zoning Board - November 7, 2016
Biscayne Park Foundation - November 7, 2016
Planning & Zoning Board - November 21, 2016
Parks & Parkway Advisory Board - November 16, 2016
Planning & Zoning Board - December 5, 2016
Biscayne Park Foundation - December 6, 2016
Planning & Zoning board - December 19, 2016

Vice Mayor Ross makes a motion to accept the balance of the consent agenda and it is seconded by Vice Mayor Coviello.

All in favor: Mayor Truppman, Vice Mayor Coviello, Commissioner Johnson-Sardella, Commissioner Ross and Commissioner Tudor.

Opposed: None

Motion carries: 5/0

9 Public Hearing

- 9.a Variance Request - Eric Mainade at 11711 Griffing Blvd
Side set back for accessory structure (shed)

Attorney Hearn provided the background, and swore in the petitioners and those who would be speaking on the item.

Eric Mainade (petitioner): Provided the Commission with their petition for the variance to allow an existing shed to remain in the current location within the set back requirements. Eddie Martinez from the surveying firm of Zurwelle & Whittaker spoke on the transgression issue.

Jeffrey Jones and Laura Graves (11725 Griffing Blvd), the immediate neighbor on the south spoke in opposition to granting the variance.

Public Comments, not evidentiary:

John Holland: When the existing structure was changed, it was not permissible. Allow to change back to original permitted structure. Be impartial. Keep it simple.

After discussion, Commissioner Johnson-Sardella makes a motion to deny the variance due to the fact that not all four points required for the variance were met. The motion is seconded by Vice Mayor Coviello.

All in favor: Mayor Truppman, Vice Mayor Coviello, Commissioner Johnson-Sardella and Commissioner Ross

Opposed: Commissioner Tudor

Motion carries: 4/1

10 Ordinances

< None >

12 Old Business

12.a Code Review Board - Zoning review and proposed language regarding new builds.

Vice Mayor Coviello makes a motion to defer the item to the March meeting and it is seconded by Commissioner Johnson-Sardella.

All in favor: Mayor Truppman, Vice Mayor Coviello, Commissioner Johnson-Sardella, Commissioner Ross and Commissioner Tudor.

Opposed: None

Motion carries: 5/0

12.b Enforcement process for current code regarding off-street parking (driveways and swales) related to Chapter 5, per Ordinance 2015-04 passed September 1, 2015.

After discussion, Vice Mayor makes a motion to extend the deadline six months from today. Motion fails for lack of a second.

Commissioner Johnson-Sardella makes a motion to extend the deadline to September 1, 2017 to come into compliance, and if changes made to the code, they will be grandfathered. The motion is seconded by Vice Mayor Coviello.

All in favor: Mayor Truppman, Vice Mayor Coviello, and Commissioner Johnson-Sardella.

Opposed: Commissioner Ross and Commissioner Tudor

Motion carries: 3/2

Mayor Truppman calls for a recess at 9:34pm.

Meeting resumes at 9:45pm.

13 New Business

13.a.1 Resolution 2017-01

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **RATIFYING THE VILLAGE MANAGER'S EXECUTION OF THE AGREEMENT BETWEEN THE VILLAGE OF BISCAYNE PARK AND NICHOLAS WOLLSCHLAGER FOR THE POSITION OF INTERIM CHIEF OF POLICE**; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title.

Mayor Truppman pulled the item from consent due to concerns over the salary amount. However, supports Interim Chief Wollschlager.

After discussion Vice Mayor Coviello makes a motion approve Resolution 2017-01 and it is seconded by Commissioner Ross.

All in favor: Mayor Truppman, Vice Mayor Coviello, Commissioner Johnson-Sardella, Commissioner Ross and Commissioner Tudor.

Opposed: None

Motion carries: 5/0

13.a.2 Board member resignation - Planning & Zoning Board

Mayor Truppman announced the resignation of alternate member Mario Rumiano.

13.b MLK Day of Service - setting date and objectives as requested by Commissioner Ross

Commissioner Ross suggest to first start with fund raising, with a pledge to match up to \$250 for materials. Then take the concept and rendering to both the Public Art Advisory Board and Parks & Parkway Advisory Board.

Commissioner Ross makes a motion to approve the drafted Resolution and it is seconded by Vice Mayor Coviello.

All in favor: Mayor Truppman, Vice Mayor Coviello, Commissioner Johnson-Sardella, Commissioner Ross and Commissioner Tudor.

Opposed: None

Motion carries: 5/0

15 Reports

Village Manager:

15.a.2 Fiscal Year Legislative priorities and appropriations requests.

Manager Ragoonan provided the background.

After discussion and public input, there was consensus for the top three priorities to be lighting (public safety), road improvements, stormwater/drainage improvements.

Mayor Truppman asks and gets consensus that the balance of the agenda and items not heard be deferred to a Special Commission Meeting on Thursday, January 19th, at 7:00pm.

16 Announcements

Wednesday, January 11th - Public Art Advisory Board at 6:00pm

Monday, January 16th - All Village Departments are closed for the Martin Luther King Holiday

Tuesday, January 17th - Planning & Zoning Board at 6:30pm

Wednesday, January 18th - Parks & Parkway Advisory Board at 7:00pm

Thursday, January 19th - Special Commission Meeting at 7:00pm

Saturday, February 4th - Arts & Artisan Show/Farmer's Market at 3:00pm

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

The next regular Commission Meeting is Wednesday, February 8th at 7:00pm.

17 Adjournment

The meeting was adjourned at 10:39pm.

Commission approved on _____.

Attest:

Tracy Truppman, Mayor

Maria Camara, Village Clerk



MINUTES
SPECIAL COMMISSION MEETING
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Thursday, January 19, 2017 at 7:00pm

1 Call to Order

Mayor Tracy Truppman called the meeting to order at 7:03pm.

2 Roll Call

Mayor Tracy Truppman - present
Vice Mayor David Coviello - present
Commissioner Jenny Johnson-Sardella - present
Commissioner Roxanna Ross - present
Commissioner William Tudor - present

Present from staff were:

Village Manager Sharon P. Ragoonan
Village Clerk Maria C. Camara
Village Attorney John Hearn
Interim Police Chief Nicholas Wollschlager

3 Pledge of Allegiance

4 Presentations

< None >

5 Additions, Deletions or Withdrawals to the Agenda

Mayor Truppman suggests that variances to be heard at the end of the meeting or a Special Commission meeting.

There is consensus to schedule variances at the end of a meeting.

6 Public Comments Related to Agenda Items / Good & Welfare

Judi Hamelburg: Have noticed a major improvement in policing. Thanks Interim Chief Wollschlager.

Harvey Bilt: Do not set a Special Election until there is a vacant seat.

Andrew Olis: On variance process and scheduling it at the end of a meeting, remember that the public may want to speak on it. May not have the effect you want if there is no interest to speak on it.

Milton Hunter: Have also seen an improvement in policing. Want to see progress on removal of double poles. On good and welfare portion, previously had been removed. All should respect it. You can also write directly to the Commission. On charter changes, don't see a need now. Still feeling the issues caused by the prior Manager.

Janey Anderson: Concur with increase in police presence. Thanks to Interim Chief Wollschlager. Agree with changing the Detective position to a regular patrol officer. More boots on the ground. On charter changes, let the people decide. On landlord permit, still concerned there has been no action. At last meeting the legislative funding requests were roads, lighting and drainage. Document provided today shows more towards stormwater mitigation. Please revisit.

Bob Anderson: Outstanding job by the police. Perhaps slow down on replacement of Chief. Take time to vet the applicants. Work towards more reserve officers. On wish list for legislature, most appropriations are with matching funds. Be careful what you are asking for. Do not deplete the CITT funds.

Chuck Ross: Nicholas Wollschlager a great choice for Interim Chief. Have also seen a difference Coffee with a Cop is being planned for early February. Proposal for charter change needs to be given time to understand the impact. This would be a shift in the dynamics. Go through a review board. Vet it with public. Take your time.

Judith Gersten: Most concerned about item 13.f regarding the log cabin fire panel. No fire alarm working in the log cabin. There are sensors missing in A/C according to the Mayor's report Not sure if fire sprinklers are working. How did Village Manager pay for work without certificate of completion. Open since January 2016. Has been available for rent for a full year. Can't believe contractor let this go. On Village Hall, much more serious. No smoke detectors or fire alarms. This is a public building. Records are housed there. How could Village Manager have left this. If you are required in a home, how could you not do the same in a public building. Grave concern for all.

Nancy Davis: Happy to hear all the good news on the Police. But not feeling the love on Sixth Avenue, on the north end. Continue to see a lot of speeding.

Mac Kennedy: On referendum change, if you take it to the voters, insure you have the best turnout. A Special Election could feel like voter suppression. Wait on next regular election. If you do pass, make it effective for next elected Commission. Feels like a power grab. You should not benefit from this.

Dan Schneider: On candidate forum, you were all asked your top three challenges. None of you brought up a charter amendment. Why? Let the Manager do her job. If any of you had brought it up during the election, you would not have gotten my vote.

Mayor Truppman: Brings up the issue of waiving the fees to renew permits due to delay with driveway/swale changes.

After discussion, Commissioner Ross makes a motion that the permit renewal fees for driveway permits be waived from January 1, 2017 forward. The motion is seconded by Vice Mayor Coviello.

All in favor: Mayor Truppman, Vice Mayor Coviello, Commissioner Johnson-Sardella, Commissioner Ross and Commissioner Tudor.

Opposed: None

Motion carries: 5/0

6.a Response to prior public comments and inquiries

Attorney Hearn confirms that the Village can set the special election without a vacancy. Vice Mayor Coviello will provide a letter with his resignation effective prior to the date of the election.

7 Information / Updates

8 Consent Agenda

9 Public Hearing

10 Ordinances

11 Resolutions

Resolution 2017-02 heard with item 13.e under New Business

12 Old Business

13 New Business

13.c Discussion on the hiring of Reserve Police Officers - As requested by Commission Johnson-Sardella

Commissioner Johnson-Sardella provided the background.

After discussion, Vice Mayor Coviello recommends that there s a policy to have Staff and the Administration focus on hiring reserve officers, but without setting a quota or specific timeline, and make it a priority. Let the professional Manager and the Interim Police Chief do their work. There is a consensus of the entire Commission.

- 13.d Discussion on Police Department: Shift in policy to address overtime expenditures, proactive policing, increasing enforcement and visibility - As requested by Mayor Truppman

Mayor Truppman provided the background. Suggests the conversion of the budgeted Detective position to a full-time Police Officer which would provide a \$10,000 savings in salary.

There is Commission consensus that the Detective position be filled by a patrol officer.

- 13.g Discussion on the policy for setting job requirements for Chief of Police - As requested by Mayor Truppman

Mayor Truppman provided the background. Suggests to slow down the hiring and let the Interim Chief work with the Manager to create stability.

After discussion, there is consensus to move the item to the February 8th meeting to allow the Manager to discuss further with the Interim Chief.

- 13.f Discussion on Log Cabin fire suppression and detection/alarm system status and fire alarm system in Village Hall - as requested by Mayor Truppman

Mayor Truppman provided the background.

Speaking on the item were Sal Annese, Building Official for the Village of Biscayne Park, and Hector Gonzalez, representative from McKenzie Construction.

Mr. Annese will continue to work with the architects and contractors of both the Village Hall and Log Cabin. The item is deferred to the February 8th meeting.

- 13.e Discussion on amendments to the Charter corresponding with special election timelines - As requested by Mayor Truppman

Mayor Truppman provided the background. Has reconsidered and will not go forward with this item today. Instead will hold Community Forums to set the vision for the Village for the next five years, and will include the discussion of the structure of government.

- 11.a **Resolution 2017-02**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **CALLING A SPECIAL ELECTION IN THE VILLAGE TO BE HELD ON MARCH 28, 2017**, FOR THE PURPOSE OF SUBMITTING TO QUALIFIED ELECTORS OF THE VILLAGE OF BISCAYNE PARK THE CANDIDATES TO FILL THE VACANCY CREATED BY THE RESIGNATION OF DAVID COVIELLO; PROVIDING FOR AN EFFECTIVE DATE

Mayor Truppman read the title.

Commissioner Ross makes a motion to approve Resolution 2017-02 and it is seconded by Vice Mayor Coviello.

All in favor: Mayor Truppman, Vice Mayor Coviello, Commissioner Johnson-Sardella, Commissioner Ross and Commissioner Tudor.

Opposed: None

Motion carries: 5/0

14 Request for placement of items on next meeting agenda.

No items were added.

15 Reports

15.a Village Manager:

15.a.1 Goal setting and action plan - Manager will defer to the February 8th meeting.

15.a.4 Construction site guidelines - Manager will defer to the February 8th meeting.

Review of Local Funding Initiative Request draft submitted by Manager Ragoonan:

After discussion, there is consensus to remove "stormwater" and to concentrate on roads, lighting and drainage. On CCTV item, consensus to move forward as is.

Manager Ragoonan provided an update on the PAMM (Perez Art Museum Miami) project.

Manager Ragoonan provided an update on the Landlord inspection process. Recommends that for 2016, the Village collect the landlord permit fee only, and for 2017, proceed with collecting the landlord permit fee and inspection fee. There is Commission consensus to proceed as recommended.

15.b Village Attorney:

Attorney Hearn provided that there is a general consensus from the State representatives that no money is available this year. There is much discussion taking place for many cities on sober homes.

16 Announcements

Saturday, January 21st - Saturday Special Trash/Yard Debris Pick Up
Saturday, February 4th - Arts & Artisan Show/Farmer's Market at 3:00pm
Monday, February 6th - Planning & Zoning Board at 6:30pm

The next regular Commission meeting is Wednesday, February 8th at 7:00pm.

17 Adjournment

The meeting was adjourned at 10:04pm.

Commission approved on _____.

Attest:

Tracy Truppman, Mayor

Maria Camara, Village Clerk