



## Village of Biscayne Park Commission Agenda Report

**Village Commission Meeting Date:** March 3, 2015

**Subject:** Approval of Minutes

**Prepared By:** Maria C. Camara, Village Clerk

**Sponsored By:** Staff

### **Background**

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

### **Fiscal/Budget Impact**

None.

### **Staff Recommendation**

Approval

### **Attachments**

- February 3, 2015 Regular Commission Meeting



**MINUTES**  
**REGULAR COMMISSION MEETING**  
**Ed Burke Recreation Center - 11400 NE 9th Court**  
**Biscayne Park, FL 33161**  
**Tuesday, February 3, 2015 at 7:00pm**

**1 Call to Order**

Mayor David Coviello called the meeting to order at 7:00pm.

**2 Roll Call**

Mayor David Coviello - present  
Vice Mayor Fred Jonas - present  
Commissioner Bob Anderson - present  
Commissioner Roxanna Ross - present  
Commissioner Barbara Watts - present

Present from staff were:

Village Manager Heidi Shafran  
Village Clerk Maria C. Camara  
Village Attorney John Hearn  
Public Services Manager Krishan Manners  
Finance Director Irwin Williams  
Parks & Recreation Manager Shelecia Bartley  
Assistant Public Works Manager Cesar Hernandez

**3 Pledge of Allegiance**

**4 Presentations**

4.a Reserve Police Officer Max Jean Charles was sworn in by Village Clerk Maria Camara.

4.b Jeff Cazeau of Becker & Poliakoff provided an update on the Village's annexation application

**5 Additions, Deletions or Withdrawals to the Agenda**

Commissioner Anderson requests an update on the recreation restrooms during the Manager's report.

Commissioner Ross to provide an update on MLK Day of Service during Commission reports.

Mayor Coviello requests to move item 10.a, Resolution 2015-02, before item 9.a, Ordinance 2015-01.

## **6 Public Comments Related to Agenda Items / Good & Welfare**

Marie Smith, resident and member of the Ecology Board: Commissioner Watts asked for support from the Ecology Board regarding the Pine Rocklands. Biscayne Times has an article on this project. Miami Dade County is becoming a concrete jungle. We as a Village, as a Tree City, as a bird sanctuary, we need to stand behind municipalities to keep the green. Please pass the resolution.

Dan Keys: Have provided On the meetings to discuss Chapter 5, changes were made to reduce from three zones to two zones in the swale area. If you don't provide suggestions to the board on whether you like what has been presented, the board will continue with what they have. To defer some pain when this actually comes before you, you may want to consider providing suggestions now.

Barbara Kuhl: Agree with Marie Smith and supports resolution on Pine Rocklands. On the ordinance to borrow, agree to borrow, but should cut money in the budget, not move it around. We started with \$40,000 in landscape which was too high. There is money in the budget. Have to decide what we need and we want. Don't want contingency reduced. We need that in reserves. Need to cut the budget. Recreation has a large budget. Can reduce there or you need to justify why we need another full time person, more programs, more staff. On bathrooms, it's been six months. The schedule of the Public Services Manager has nothing to do with this. The person we hired should be doing this and getting the job done.

Janey Anderson: Walking around the recreation center, entire field was filled with kids playing soccer. But the field looks tired. Are these groups renting? Residents or non residents? Many cars parked partially on the sidewalk. Staff needs to keep an eye on this. On the loan, asks Commission to remember that at the end of the day, you are responsible for our money, and for our future. Don't gamble. Watch where you get money from. In support of borrowing.

Manager Shafran: Bathroom renovations moving along. In the past, major issues were covered up. Uncovered major leak and mold issue. Also uncovered termites. Had to seal planter before sheetrock was applied. Decisions were made the first time that the Manager was not advised of. This time each step is being looked at reviewed closely.

Public Services Manager Manners: Have spoken to the contractor to maintain regular schedule and get the job completed.

Manager Shafran, regarding the field, we are addressing the field condition and will coordinate a two-week hiatus to do an intense field healing.

Jorge Marinoni: In support of the Pine Rocklands resolution. On borrowing, even though a conservative, agree that this is the right thing to do. Good interest rate now. To use our reserves is ill advised.

Chuck Ross: Agree with Jorge. Rate of 4.25% is good. Had a Crimewatch meeting on January 18th, but was not well attended. A handout was provided on identify theft and can provide to anyone interested. Another is scheduled in February and looks forward to higher attendance. On the Ball Player sculpture, have collected approximately \$5,700 in donations and the goal was \$6,000. Additional pledges will get us to that goal.

Milton Hunter: Evaluation was done in 2012 on Village Hall. It is not efficient to meet the needs of the staff. It is not ADA. There are safety issues with staff in close proximity to prisoners. There are fire hazards. There are employee health issues. A project back in 2004 was discussed to build a new Village Hall in the median on 114th Street; then later for a Computer Learning Center in the gravel lot. Neither project went through. Poor planning, lack of commission decision in a timely manner were the reasons. Can't believe that anyone would see the \$1 million grant as a negative. Move forward while we are still on the clock.

Tracy Truppman: Thanks staff and commission for listening to concerns. In support of Pine Rockland resolution. In regards to our park, we need to balance the needs of the residents with those of not residents. Look for charging and make it more revenue neutral. Needs to be addressed. On borrowing, go back and forth on this issue. Concern with making sure we have reserves and the need for the building. Figure out financially what is best for Village. Concern with taking out a loan when we have had financial issues. On information going around the Village that are misleading and erroneous, concerned with this. Encourage residents that if you have questions, go to the staff and commission. They have been kind with their time and encourage you to get information from the source.

Manager Shafran: In regards to park revenues, we are currently at 55% of our projected revenues, but only at 25% of the year. It was a commitment we made during budget discussions, and we are continuing with that and balancing it with the needs of maintaining the field.

## **7 Information / Updates**

- 7.a Month end financials for fiscal year 2014-15 as of December 31, 2014, provided by Finance Director Williams.

## **8 Consent Agenda**

### **8.a Approval of Minutes**

January 6, 2015 Regular Commission Meeting

January 15, 2015 Community & Board Workshop on Chapter 5

**8.b Acceptance of Board Minutes**

Parks & Parkway Advisory Board - December 17, 2014

Biscayne Park Foundation - December 8, 2014

Biscayne Park Foundation - January 5, 2015

Planning & Zoning Board - January 5, 2015

Planning & Zoning Board - January 20, 2015

Code Compliance Board - January 13, 2015

Public Art Advisory Board - January 14, 2015

Recreation Advisory Board - December 16, 2014

Charter Review Advisory Board - January 8, 2015

Charter Review Advisory Board - January 22, 2015

**8.c Resolution 2015-03**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; AUTHORIZING THE MAYOR TO EXECUTE THE **AGREEMENT BETWEEN GAIL GOEBEL AND THE VILLAGE OF BISCAYNE PARK FOR THE PROVISION OF A DANCE AND EXERCISE PROGRAM** AT THE ED BURKE RECREATION CENTER; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Jonas makes a motion to approved the consent agenda and it is seconded by Commissioner Anderson.

All in favor: Mayor Coviello, Vice Mayor Jonas, Commissioner Anderson, Commissioner Ross and Commissioner Watts.

Opposed: None

Motion carries: 5/0

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*Item 10.a is moved up in the agenda.*

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**10.a Resolution 2015-02**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **OPPOSING THE PROPOSED DEVELOPMENT OF APPROXIMATELY 88 ACRES OF PINE ROCKLAND GENERALLY LOCATED ALONG S.W. 152ND STREET AND S.W. 127TH AVENUE** WITHIN UNINCORPORATED MIAMI-DADE COUNTY; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title.

Commissioner Watts introduced Leslye Jacobs who spoke on behalf of the Pine Rockland Coalition.

Vice Mayor Jonas makes a motion to approve Resolution 2015-02 and it is seconded by Commissioner Anderson.

All in favor: Mayor Coviello, Vice Mayor Jonas, Commissioner Anderson, Commissioner Ross and Commissioner Watts.

Opposed: None

Motion carries: 5/0

## 9 Ordinances

First Reading:

### 9.a Ordinance 2015-01

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; **AUTHORIZING THE BORROWING OF MONEY IN AN AMOUNT NOT TO EXCEED THREE HUNDRED FIFTY THOUSAND DOLLARS (\$350,000.00)** FOR THE PURPOSE OF FINANCING A PORTION OF THE VILLAGE'S COSTS FOR THE TOTAL AMOUNT TO FUND THE BALANCE OF RESTORATION OF THE HISTORIC VILLAGE HALL LOG CABIN; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title.

Mayor Coviello opened the meeting for public comment:

Dan Keys: In favor. Have looked at all options. The 4.25% rate is a reasonable rate available in the market today. We need the money. Do something to help us spend \$1 million of someone else's money.

Chuck Ross: In favor. Move forward. Something we have looked to do for many years.

Vice Mayor Jonas makes a motion to approve Ordinance 2015-01 and it is seconded by Commissioner Ross.

Manager Shafran provided a summary and introduced Mariano Martinez from City National Bank.

Mayor Coviello: Congratulates the Manager on the projected \$100,000 in savings from the prior year budget.

Mayor Coviello: Was having the RFP out for only one week a standard practice?

Manager Shafran: Were advised by industry professionals to keep it short due to market and fluctuation of interest rates.

Commissioner Anderson: Why not consider a line of credit?

Mr. Martinez: Yes it was considered, but typically have a variable rate. In the rate environment we are in and based on scope of the project, better to lock in a rate for 15 years.

Commissioner Anderson: Really feel this amount of money we could cut back on what we are doing on the log cabin. Phase it in and don't do it all at once. Eliminate something in the beginning and defer it down the road, over a 5 year period. Not in favor of borrowing.

Commissioner Ross: Was going to ask if \$350,000 was enough. Got affirmation from the Manager that this amount was good. Considered drawing down a third of the amount as needed, but understands the impact to interest rate. This is a great advantage to be able to pay it off after 5 years. There are other negotiating points to allow Manager to work through. This commission has been looking for financing as far back as 2012. Previously discussed reducing scope of administration building by putting Police in Public Works, but decided to keep them at Village Hall. Totally in favor of getting this done. Don't want to jeopardize this gift of a million dollars. More expensive to piece meal this.

Commissioner Watts: Why is 4.25% so much higher than home mortgage rate. How many banks were approached on this RFP? On the half cent sales tax as collateral, isn't this already allocated in the budget for something else? We should look for items in the budget to cut like not hiring a full time person in Recreation Center. Can we shave off the budget to not have to borrow this amount. Can we reduce cost for furnishings on the new building? If budget was passed so thin, how can we all of a sudden find these funds?

Mr. Martinez: Usually commercial loans differ from home loans, and home loans are typically for a longer timeframe.

Manager Shafran: Currently have not hired at full time. But cannot commit that salary as there are other issues such as A/C repair, termite tenting.

Watts: Look to get surplus furniture, like the donation from FIU.

Mayor Coviello: What is on the table is borrowing the amount, not exactly where it will be paid from.

Manager Shafran: As there were savings in various line items last year, we look for those same savings this year, and the goal is not to go over budget.

Commissioner Watts: Not in favor of borrowing.

Commissioner Anderson: When agreement for new building was approved, I supported that as long as there were budget cuts. What is being presented tonight is not a budget cut. It is taking money earmarked for reserves. Concerned with reserves in the case a hurricane were to come through.

Manager Shafran: Provided a recap of what occurred in 2006 after Hurricane Wilma. Well aware of the process for reimbursements. Since then, FEMA has improved their processes and cities have also learned. We are well covered if this were to happen again without having to touch our reserves.

Commissioner Ross: Referenced the programs available from the Florida League of Cities to assist cities in this situation.

Mayor Coviello: Looks for alternative solutions.

Commissioner Anderson: As I asked for originally, reduce our operating budget, don't take out of reserves. Keep what is earmarked for reserves. Don't do all the work now on the log cabin. Don't know what the final cost is? Fund the interior yearly. We have other expenses and won't know what is going to happen.

Mayor Coviello: We have an estimate from the architect on the log cabin, and soon we will have an exact amount. Have already started some preliminary work and we estimate we will need at least \$350,000. Assuming we are not deciding tonight on where the payment to the loan is coming from, and we are only approving the borrowing, are you in favor? Better to do all at once and not in pieces.

Commissioner Anderson: Looking at this as a whole package. Have been given no other options than just borrowing. Need to reduce expenses. Agree with doing the new building all at once, but on the log cabin, we can do that in phases.

Commissioner Ross: This loan would be used by end of summer. First payment would be in next fiscal year?

Manager Shafran: Need to expend on Village Hall restoration prior to June 30th.

Commissioner Watts: Go to Tallahassee and get another million.

Vice Mayor Jonas: Thanks Manager for the amazing job she is doing with our budget. This is the time to stop having little or no vision. Be ambitious. Borrow the money and get it done right. We will find the funding.

Commissioner Ross: If we do nothing, we are delaying what we have already started. Delays cost more in the end.

Mayor Coviello: Agrees 100% with Jonas. Looks for Anderson for ideas.

Commissioner Anderson: Based on attachment A, will interest payment start on March 20th even though we don't need the money then.

Manager Shafran: The attachment referenced is just a response to the proposal. We would now start the negotiation process and payments will start when the loan is finalized.

Commissioner Anderson: Comfortable borrowing a maximum of \$150,000. If any more, will not vote for it at second reading.

Mayor Coviello: Support using the \$100,000 from FY 2013-14 after the audit is done?

Commissioner Anderson: No. Manager can come up with this amount from the budget.

Manager Shafran: Cannot make a 10% cut to our current budget. Cannot do this without shutting down departments. Residents need the Building Department, they need Code Compliance, they value the use the park. List of projects for Public Works that won't end.

Commissioner Anderson: Only thing we need to provide to the residents is police. Look at other departments and squeeze what you can. Look at outsourcing departments. Do layoffs. Need to bite the bullet. This should have been thought about before this.

Commissioner Watts: What was presented to Tallahassee was short.

Manager Shafran: We were on point with the projected amount. Only after Heisenbottle provided more concrete figures is when it increased.

Commissioner Ross: This would be burdensome to the current residents to have to absorb the Village's contributions. This should be spread out over many years.

Mayor Coviello: Working hard on annexation to improve services. Why are we even considering cutting services. Absurd to think we can find this amount in one year.

Commissioner Anderson: When you look to borrow money, you have to also look at cutting expenses. And these should have been considered already, not now when we have to make the decision. We have no options.

Commissioner Watts: Consider only borrowing \$250,000.

Vice Mayor Jonas: Now is the time to get out of the way, and not to micromanage the manager. Have vision, have courage and let us improve the Village.

Commissioner Anderson: In favor of borrowing, but not this amount. We have been provided zero options.

Commissioner Watts: Not in favor of using money for reserves. We should have at least 20% of our operating expenses in reserves, or more as we are a small municipality. Not just 15%.

Mayor Coviello: We passed a resolution in 2012 establishing 15% as the amount to have in reserves which is what we have.

Manager Shafran: If this does not go through, only have \$200,000 to put towards the log cabin. There is an issue with the foundation in the log cabin. The additions have to be removed. We have no windows in some areas. If we don't get the loan, recommend not doing any work on the log cabin. We will just have a new annex building and an empty log cabin with a leaking roof and a foundation held up with cinder blocks.

Attorney Hearn: Realistically no bank will hold this rate for several months. Cannot move forward on an agreement for restoration of the log cabin unless we get this loan approved.

Additional public comment after commission discussion:

Dan Keys: All of us here have had a mortgage. This is what we are discussing here, a \$350,000 loan with an annual payment of \$31,000. In any budget year, you can find that amount. This is a necessary evil. A no brainer. Rubber hitting the road. This is an amazing \$1 million once in a lifetime. Only have to come up with \$31,000 each year. Take \$5,000 from each department and you have it. Trend is going up with real estate. Any budget year we can find \$31,000. I encourage you to do it. Have the confidence that many in the Village support this.

Chester Morris: Looks like we have to do it. We got \$1.1 million and we are \$350,000 short. If you don't do this, you will have a problem. Already started the building. All comes down to fiduciary responsibility. Unfortunately don't see any other way. Agree with Danny. Look to pay it off in 5 years.

Barbara Kuhl: Those that spoke said to get it done right the first time. The \$31,000 the Village can find it. You have to go forward. Can't have half a building. Community in favor to go forward. Won't be a problem paying back. Bite the bullet and find way to best allocate the funds and do this now.

Chuck Ross: Discussed putting police department in Public Works. If there was a concern with borrowing, that is when this should have been discussed. Now we are already committed. 4.25% is a cheap rate. We can find \$35,000 in the budget. Asks if better to go with a 20 year loan. There is consensus to get this done properly. Manager is being fiscally responsible. Properties are selling at higher levels. There is a property for sale for \$1 million. Please move forward at first reading and discuss more. Not fair to shave a considerable amount off of the current budget. Don't impact the current residents.

Commissioner Watts: On some e-mails received from residents, if we were going broke, and expenses going up and that's why we need to do annexation, why are we considering borrowing money.

Mayor Coviello: What we want to do with annexation is to not to just get by every year, but have a substantial amount of money to make substantial improvements to the Village and elevate this Village.

Commissioner Anderson: Would consider voting in favor, if the amount ear-marked for reserves and the amount in contingency is not touched. Payments need to come from somewhere else in the budget.

Manager Shafran: Will look at both reduction in expenses and increase in revenues.

The motion is called to a vote. Roll call:

Commissioner Watts: No

Commissioner Ross: Yes

Commissioner Anderson: Yes

Vice Mayor Jonas: Yes

Mayor Coviello: Yes

Motion carries: 4/1

## **10 Resolutions**

### **10.b Resolution 2015-04**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **SUPPORTING "15 DAYS OF NEIGHBORLY LOVE"** A VALENTINE'S DAY GOODWILL INITIATIVE; PROVIDING FOR AN EFFECTIVE DATE

Commissioner Ross provided the background.

Commissioner Ross makes a motion to approve and it is seconded by Commissioner Anderson.

All in favor: Mayor Coviello, Vice Mayor Jonas, Commissioner Anderson, Commissioner Ross and Commissioner Watts

Opposed: None

Motion carries: 5/0

## **11 Old Business**

*< None >*

## **12 New Business**

*< None >*

## **13 Request for Placement of Items on Next Meeting Agenda**

Commissioner Anderson: Discussion on train horns and to contact other municipalities along the railroad track.

Commissioner Watts: Discussion on board appointments and number of members on the board and definition of 'family'.

## **14 Reports**

### **14.a Village Manager:**

- Lob cabin restoration and annex building: Provided updated GANT chart.

- Proposed code changes to chapter 5: A third joint meeting with the Code Review Board and Parks & Parkway Advisory Board scheduled for February 18th at 6:30pm.

- Community Signage Project: Currently out to bid for a landscape architect. Bids are due February 25th.

- Bathroom renovations: The sinks removed from men's restroom due to safety reasons.

#### 14.b Attorney Hearn:

- Reminder of the required training for all elected officials. Will provide information on webinar that is available.

- Reminder of the required training for all elected officials. Will provide information on webinar that is available.

- On the board appointments that are scheduled for March, in regards to Planning & Zoning Board, related code is in multiple places. Asks for commission approval to move forward on drafting an ordinance to clarify.

Commissioner Anderson makes a motion to support a rewrite of our code as it relates to the Planning & Zoning Board. It is seconded by Commissioner Ross.

All in favor: Mayor Coviello, Vice Mayor Jonas, Commissioner Anderson, Commissioner Ross and Commissioner Watts

Opposed: None

Motion carries: 5/0

#### 14.c Board / Committee Reports

< None >

#### 14.d Commissioner Reports

Commissioner Ross thanks those that came out and supported the MLK Day of Service. A successful event that resulted in \$1,025 in donations.

### 15 Announcements

Saturday, February 7th - Walk a Hound Lose a Pound at 9:00am

Monday, February 9th - Biscayne Park Foundation at 7:00pm

Tuesday, February 10th - Code Compliance Board at 7:00pm

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

Thursday, February 12th - Charter Review Advisory Board at 7:00pm

Monday, February 16th - All Village Departments are closed in observance  
of President's Day

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

Tuesday, February 17th - Ecology Board at 6:30pm

Wednesday, February 18th - Parks & Parkway Advisory Board at 6:00pm

Wednesday, February 18th - Joint Code Review and Parks & Parkway Board at 6:30pm  
Saturday, February 21st - E-Waste Collection Event from 9:00am-12:00pm  
Saturday, February 21st - Movie Night in the Park at 6:00pm  
Tuesday, February 24th - Recreation Advisory Board at 7:00pm  
Thursday, February 26th - Charter Review Advisory Board at 7:00pm  
Monday, February 2nd - Planning & Zoning Board at 6:00pm

The next regular commission meeting is Tuesday, March 3, 2015, at 7:00pm.

**15 Adjournment**

The meeting was adjourned at 9:40pm.

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Commission approved on \_\_\_\_\_.

Attest:

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David Coviello, Mayor

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Maria Camara, Village Clerk