



## Village of Biscayne Park Commission Agenda Report

**Village Commission Meeting Date:** June 7, 2016

**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**

- April 5, 2016 Regular Commission Meeting
- April 11, 2016 Special Commission Meeting
- April 20, 2016 Special Commission Meeting



**MINUTES**  
**REGULAR COMMISSION MEETING**  
**Log Cabin - 640 NE 114th Street**  
**Biscayne Park, FL 33161**  
**Tuesday, April 5, 2016 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 Barbara Watts - absent (*Arrived at 7:18pm*)  
Commissioner Bob Anderson - present  
Commissioner Fred Jonas - present  
Commissioner Roxanna Ross - present

Present from staff were:

Village Manager Heidi Siegel  
Village Clerk Maria C. Camara  
Village Attorney John Hearn  
Finance Manager Claude Charles  
Lieutenant Detective Hector Pineda  
Parks & Recreation Manager Shelecia Bartley

**3 Pledge of Allegiance**

**4 Presentations**

4.a Miami-Dade Fire Rescue Chief Dave Downey presented their annual report summarizing the services provided to the Village.

4.b Manager Siegel presented a replica of the Log Cabin. This artwork was donated by Intensified Wood Restoration, the log specialists that worked on the log cabin renovation.

4.c Proclamation for Arbor Day on April 23, 2016

4.d Proclamation in support of the Pelican Harbor Seabird Station

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

Commissioner Anderson asks that on item 12.c, to have a special commission meeting to discuss in detail. (*Request discussed during 12.c.*)

Commissioner Ross adds a discussion on funding the Public Services Manager position. Added as item 12.e.

Commissioner Ross adds a discussion on the Manager's annual review. Added as item 12.f.

Vice Mayor Watts adds a discussion on the solar lights for community signage. Added as item 12.g.

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

Dan Samaria: Will donate acrylic frame for the log cabin artwork. The Recreation Advisory Board is changing the date of the Pot Luck event to June 4, 2016. Will provide a flyer and asks the Mayor to include in Egret.

Chester Morris: The revenues collected for this building is \$1.7 million. You spent \$1.8 million. You have a \$150,000 deficit. Been on numerous boards. If we did that people would be fired. This is fiduciary irresponsibility. You want to hire an Assistant Manager - that is wrong. Miami Shores does not have that. To come up with the \$150,000 shortfall, you don't hire a \$70,000 Assistant Manager. Don't pay the Commission \$15,000. Take \$30,000 out of the Manager's salary who was responsible to sign off on this project.

Genesis Troutman: Love Biscayne Park. Sense of community. Wants to make a positive difference in Biscayne Park. As a Code Compliance Inspector for City of Miami, want to provide my expertise as a board member on the Code Compliance Board. My background was provided with the board member application.

Milton Hunter: Have reviewed the numbers for the building projects. Shows we are \$800,000 over the grant amount. Dubious that we are only over 7%. Also told that the Village signage project is over budget. Who is responsible for this? Cannot afford to stay this course. How are we planning to recoup? How do we know these numbers are accurate unless an independent review is done? Urge you all to suspend all expenditures. Have reviewed Manager's contract. Believe Manager has not fulfilled her obligations. Feels it is time to remove her due to just cause. As elected officials you must govern with the best interests of the residents in mind. Time for responsible parties to be held responsible.

Barbara Kuhl: On entry signage, it was obtained through a \$50,000 grant. Then the solar collectors were added. Need to be removed. Parks & Parkway Board has stated that you need to find a better solution. Do all that is necessary to correct. One 12.c, a lot of information provided. To simplify, it is deceptive. That \$115,000 is a shortfall. Numbers do not add up. What has actually been paid? Need to better inform the residents. It is not not typical to have overage. Not clear what is over. The way spreadsheet is done, the revenues are not clear. Revenue is not something you take from another line item. Need to have an honest look at how the money was spent and not hire anyone else until done.

Mike Kopsick: The Commission does not show any concern - very surprised. You need to get together and cut back. You need to come back to us and explain how you are being fiscally responsible. None of you should be rehired. Look at what is being done, what we have and how you are spending. Very disappointed in the whole group.

Dan Keys: On 12.a, can CITT be used for other projects, such as for directional signage projects, curbing for future installations of entry signs. Provided proposed better language for placement of trash.

Janey Anderson: Thanks the Commission for tackling several problem ordinances. Great start, but need to have continued enforcement. Many residents don't think rules apply to them and have recurring fines. Need people on Code Board who have strength to enforce the rules. Concerned with a traffic issue from William Jennings Bryan School. On north side of 121st Street, pick ups and drop offs are taking place. Supposed to be on North Miami side. Have noticed it is spilling into Biscayne Park. Need the Commission to be aware.

Linda Dillon: Agree with all that have spoken. Tremendous mis-management of our money.

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*Mayor Coviello moves up item 12.c from New Business*

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12.c Reconciliation of new construction of Village Hall and the Log Cabin restoration projects - As requested by Commissioner Ross

After discussion, there is consensus to schedule a Special Commission Meeting on Wednesday, April 20th at 6:30pm.

## **7 Information / Updates**

7.a Manager Siegel provided the financials for current fiscal year 2015-16 for the month ending February 29, 2016.

Commissioner Ross: Helpful and important to include the bank balances on the report. There is consensus to add to the monthly reports going forward.

## 8 Consent Agenda

Commissioner Ross pulls item 8.f, Resolution 2016-17, from the Consent agenda.

Left on the Consent agenda:

### 8.a Approval of Minutes

March 1, 2016 Regular Commission Meeting

### 8.b Acceptance of Board Minutes

Parks & Parkway Advisory Board - December 9, 2015

Parks & Parkway Advisory Board - January 20, 2016

Parks & Parkway Advisory Board - February 16, 2016

Parks & Parkway Advisory Board - March 16, 2016

Recreation Advisory Board - February 24, 2016

Recreation Advisory Board - March 23, 2016

Planning & Zoning Board - March 7, 2016

Planning & Zoning Board - March 21, 2016

Code Compliance Board - March 14, 2016

Public Art Advisory Board - March 8, 2016

Code Review Board - March 2, 2016

### 8.c Resolution 2016-14

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA MIAMI-DADE SCHOOLS POLICE DEPARTMENT** AND THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE

### 8.d Resolution 2016-15

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE TOWN OF MEDLEY, FLORIDA** AND THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE

### 8.e Resolution 2016-16

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE CITY OF SOUTH MIAMI, FLORIDA** AND THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE

### 8.g Resolution 2016-18

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **ACCEPTING DONATION OF ARTWORK** TO THE VILLAGE; PROVIDING FOR AN EFFECTIVE DATE

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

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

Opposed: None

Motion carries: 5/0

8.f **Resolution 2016-17**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO APPLY FOR THE 2016-2017 COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT** THROUGH THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR AN EFFECTIVE DATE

Manager Siegel provided the background. Opportunity to get up to \$40,000 without any required match for technical assistance for a zoning re-write in our Code as was the consensus from the Commission following the "Commission in the Community Session" that took place in February.

Commissioner Ross: Concerned that we do not know how much this project will cost the Village without doing the proper bid process, and similar to the Entry Sign project, all of the costs involved could exceed that grant amount. Should not be on consent unless it has been thoroughly discussed with the Commission and before the public.

After discussion, Commissioner Anderson makes a motion to bring back this grant opportunity at a future date and it is seconded by Vice Mayor Watts.

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

Opposed: None

Motion carries: 5/0

9 **Ordinances**

*< First Reading >*

9.a **Ordinance 2016-05**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AMENDING CHAPTER 14 OF THE LAND DEVELOPMENT CODE ENTITLED "CODE COMPLIANCE BOARD"**; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE

Attorney Hearn read the title.

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

Commissioner Anderson: Commission needs to consider and leave as is. A financial obligation is needed by the board member.

Mayor Coviello: Agrees, but there may be an extraordinary situation that this change will allow for.

Commissioner Ross: Amount of fines stated in subsection B, is it because we are following state statute?

Attorney Hearn will look at before second reading.

Commissioner Jonas makes a motion to approve at first reading and it is seconded by Commissioner Ross.

The motion was called to a vote:

Commissioner Jonas: Yes

Commissioner Anderson: No

Vice Mayor Watts: Yes

Commissioner Ross: Yes

Mayor Coviello: Yes

Motion carries: 4/1

**< Second Reading >**

**9.b Ordinance 2016-02**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AMENDING SECTION 16-15 OF THE LAND DEVELOPMENT CODE ENTITLED "LANDLORD PERMITS"**; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title.

Mayor Coviello opened the meeting for public comment.

Janey Anderson: Glad to see we are extending permit requirement after 3 years. But not glad that you are removing the inspection requirement. When properties were inspected, several failed. It sends a clear message to business owners that this city holds them accountable. All or part of all ordinances make some upset. Need to consider what is best for overall community. Not just a taxable expense. Why treat landlords differently? If you are not close to a problem area, you may not realize magnitude of problem. Reconsider the inspection requirement.

Barbara Kuhl: Does not affect me, but Janey is right. Many look like they need an inspection. 20% of the properties are rentals. Make it a higher standard.

Mayor Coviello agrees. Should keep the inspection.

Commissioner Ross: Need to know the cost for the inspection. What is burden to Code Officer. Perhaps raise fee or look at outsourcing this part of the process.

Attorney Hearn: Will make changes to the Ordinance to keep the required annual inspection.

Commissioner Anderson makes a motion to approve Ordinance 2016-02 with the changes discussed, and it is seconded by Commissioner Jonas

The motion was called to a vote:

Commissioner Ross: Yes

Vice Mayor Watts: Yes

Commissioner Anderson: Yes

Commissioner Jonas: Yes

Mayor Coviello: Yes

Motion carries: 5/0

9.c **Ordinance 2016-03**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AMENDING SECTION 6.3 ENTITLED "SOLID WASTE"**; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title and provided background.

Mayor Coviello opened the meeting for public comment.

Dan Keys: Term of domestic trash is not clearly defined. Not sure if recyclable materials or garden/bulky waste is well defined. Stating to place trash at property line is not a good choice. No provision for allowing pickup at the rear of yard. Provided suggested language to clear that up. Need to be clear if you are going to cite someone.

After discussion, Commissioner Ross makes a motion to change the time when garbage and recycling containers are to be placed out is no earlier than 5pm the day before collection. It is seconded by Commissioner Jonas.

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

Opposed: Mayor Coviello and Commissioner Anderson

Motion carries: 3/2

There is discussion the placement of containers, at property line or edge of pavement.

After discussion, there is consensus to state placement is at edge of pavement unless yard service is requested.

Commissioner Anderson makes a motion to approve Ordinance 2016-03 with the changes discussed, and it is seconded by Commissioner Jonas

The motion was called to a vote:

Commissioner Ross: No  
Vice Mayor Watts: No  
Commissioner Anderson: Yes  
Commissioner Jonas: Yes  
Mayor Coviello: Yes  
Motion carries: 3/2

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Mayor Coviello recognizes Don Festge in the audience who is running for Senate District 38.

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9.d **Ordinance 2016-04**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AMENDING 6.3.3 OF THE LAND DEVELOPMENT CODE ENTITLED "OWNER/OCCUPANT RESPONSIBILITY"; AMENDING SECTION 6.3.4 OF THE LAND DEVELOPMENT CODE ENTITLED "GARDEN/BULKY WASTE"; "AMENDING SECTION 14.1 OF THE LAND DEVELOPMENT CODE ENTITLED "COMPLIANCE PROCEDURE"; AMENDING SECTION 15.4 OF THE LAND DEVELOPMENT CODE ENTITLED "OTHER PENALTIES AND REMEDIES";** PROVIDING FOR INTENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title and provided the background. All related changes for Ordinance 2016-03 are automatically moved to this ordinance.

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

Consensus to change from 10 days to 14 days at section 4.1 on pages 5-7.

Commissioner Jonas makes a motion to approve ordinance 2016-04 with changes and it is seconded by Commissioner Anderson.

The motion was called to a vote:

Vice Mayor Watts: No  
Commissioner Anderson: Yes  
Commissioner Ross: Yes  
Commissioner Jonas: Yes  
Mayor Coviello: Yes  
Motion carries: 4/1

**10 Resolutions**

Clerk Camara tallied the Commission votes for Board Member selections. There is consensus that the second highest votes will be the alternate.

10.a **Resolution 2016-12**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **RATIFYING THE SELECTION, APPOINTMENT AND TERM OF OFFICE OF THE BOARD MEMBERS TO THE PLANNING BOARD;** PROVIDING FOR AN EFFECTIVE DATE

Board members selected: Dan Schneiger and Laura Graves as the alternate.

Commissioner Anderson makes a motion to approve Resolution 2016-12 and it is seconded by Commissioner Jonas.

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

Opposed: None

Motion carries: 5/0

**10.b Resolution 2016-13**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **RATIFYING THE SELECTION, APPOINTMENT AND TERM OF OFFICE OF THE BOARD MEMBERS TO THE CODE COMPLIANCE BOARD**; PROVIDING FOR AN EFFECTIVE DATE

Board members selected: Gary Kuhl and Art Pyle as the alternate.

Commissioner Anderson makes a motion to approve Resolution 2016-12 and it is seconded by Commissioner Jonas.

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

Opposed: None

Motion carries: 5/0

**10.c Resolution 2016-19**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AMENDING THE SCHEDULE OF FEES** FOR SERVICES PROVIDED AND REGULARLY CHARGED AS SPECIFIED BY VILLAGE CODE; PROVIDING FOR AN EFFECTIVE DATE

Clerk Camara provided the background and listed the changes to the fee schedule.

Commissioner Ross confirms that for Landlord permit with the inspection, the total is \$145 per year (\$50 permit and \$95 inspection fee).

After discussion, motion by Commissioner Ross to approve and it is seconded by Commissioner Anderson.

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

Opposed: Vice Mayor Watts

Motion carries: 4/1

**11 Old Business**

**11.a Recreation Center Lighting - Commissioner Anderson**

Commissioner Anderson: Recommends to hold off on installation at entrance until we do a review of entire park lighting needs.

Consensus to hold off installation for a future date.

## 12 New Business

- 12.a Discussion on utilization of CITT funds for bus shelter at 114th Street - As requested by Commissioner Ross.

Commissioner Ross: On the funding received from CITT (County's half penny sales tax), a certain element needs to be spent on transit. Current balance for that portion is approximately \$55,000. If not spent within the parameters that CITT specifies, funds could revert back to the County. Propose that these funds are used for a bus shelter at 6th Avenue at the bus stop just west of Village Hall. Welcomes all ideas.

After discussion, consensus to give staff direction to get more information on locations for a bus shelter.

- 12.b Discussion regarding dog park - As requested by Mayor Coviello

Mayor Coviello: Many residents have brought this forward. Possible area is triangle park on the Biscayne Park side of the bridge on 6th Avenue, but there are issues with that area that need to be worked out. Has been discussed in other municipalities. Should we take idea to next level?

Commissioner Ross: At this time there are other more serious issues we need to consider.

No direction provided.

- 12.d Discussion on vacation home rentals - As requested by Commissioner Ross

Commissioner Ross: There have been concerns with rental properties that have reoccurring tenants, short term or vacation rentals. Impact on the neighbors. Legislation has been passed on this subject and has asked Attorney Hearn to look into.

Attorney Hearn: Law provides that local government can regulate short term rentals as long as they do not prohibit them, they cannot regulate the duration of the rental, or the frequency of the rentals. Ft. Lauderdale has passed legislation on this which provides for specific requirements for the short term rentals.

After discussion, consensus to have staff review and see what we can implement from this to make our code stronger.

- 12.e Discuss funding for Public Services Manager position - As requested by Commissioner Ross

Commissioner Ross: We should not hire until we clarify all other issues.

After discussion, consensus to not fill the Public Services Manager position until further notice.

12.f Discussion of Manager's annual review - As requested by Commissioner Ross

Commissioner Ross: We were due to review the Manager this past October, but have not done so. Need to set time table.

After discussion, consensus for each Commissioner to complete the written evaluation within 30 days of receiving the form, which the Clerk is directed to provide.

12.g Discussion on the solar lights for community signage - As requested by Vice Mayor Watts.

Vice Mayor Watts: Agree with Parks & Parkway Board that the solar lighting is unacceptable. Suggest they are taken out and go back to Savino Miller for an alternative.

Commissioner Ross: Lighting not working all the time. But in regards to the installation, once the landscape is in and matured, the pole will blend in. But do not purchase any more for the other signs to be installed.

After discussion, there is consensus not to remove the solar lights. Use landscaping to soften the impact. Work on making the lights operate properly.

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

Vice Mayor Watts: Issue with feral cats.

**14 Reports**

14.a Village Manager

Annexation update: Existing application to proceed. Verbal confirmation that we are on the April 12th meeting. Still waiting for official notice.

14.b Village Attorney

Provided highlights of legislation passed including forfeiture law, public records law and backyard shooting range prohibitions.

On water agreement with North Miami, look to set up a meeting with their attorney and new City Manager. Will provide them with newly updated draft agreement.

**15 Announcements**

- Wednesday, April 6th - Code Review Board at 7:00pm
- Saturday, April 9th - Quarterly Saturday Trash Pick-Up
- Saturday, April 9th - Relay for Life
- Monday, April 11th - Code Compliance Board at 7:00pm
- Tuesday, April 12th - Biscayne Park Foundation at 7:00pm
- Wednesday, April 13th - Public Art Advisory Board at 6:00pm
- Monday, April 18th - Planning & Zoning Board at 6:30pm
- Wednesday, April 20th - Special Commission Meeting at 6:30pm
- Wednesday, April 20th - Parks & Parkway Advisory Board at 7:00pm
- Saturday, April 23rd - Community Yard Sale & Home Improvement Workshop from
- Saturday, April 23rd - Arbor Day / Earth Day from 2:00pm - 4:00pm
- Tuesday, April 26th - Recreation Advisory Board at 7:00pm
- Monday, May 2nd - Planning & Zoning Board at 6:30pm

Our next regular Commission meeting is Tuesday, May 3, 2016, at 7:00pm.

**Adjournment**

The meeting was adjourned at 10:37pm.

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

Attest:

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David Coviello, Mayor

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Maria Camara, Village Clerk



**MINUTES  
SPECIAL COMMISSION MEETING  
Log Cabin - 640 NE 114th Street  
Biscayne Park, FL 33161  
Monday, April 11, 2016 at 12:00pm**

**1 Call to Order**

Mayor David Coviello called the meeting to order at 12:00pm

**2 Roll Call**

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

Present from staff were:

Village Manager Heidi Siegel  
Village Clerk Maria C. Camara  
Village Attorney John Hearn

**3 Pledge of Allegiance**

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

*< None >*

**5 Public Comments**

Dan Samaria: Holding meeting at this time is not right. Money was mishandled with the projects. Was this done in good faith? How can we run over and the Commission not know. Who managed the budget other than the Village Manager? Was there an allowance for overage. Calling for a forensic audit on this project and any others in the last 24 months. As a reporter I failed. I should have verified monies were properly spent. Calling for a full investigation.

Chester Morris: This was not a witch hunt. Don't be in a hurry to hire a new person. President of the Florida League of Cities is a good friend. If you need advice, contact him. Because of contract, suggest talking to League before hiring and get a forensic accounting. If I was a new comer, would want to verify.

Jorge Marinoni: A little shaken the way this is happening. Some of our neighbors are making a stink before getting the facts. If you don't have proof of any wrong doing, you are making unfounded accusations. Second Manager we are breaking.

Mike Kopsick: Upset last time I spoke. Did not mean to be mean. I am kind to those doing their job. Very glad to see the suggestions made and that you are having a meeting to review. Glad to see you are moving quickly. Thank you for taking our suggestions.

Max Deitermann: Very important to understand what we have here. We have 1,000 city managers, 1,000 police officers and 1,000 code officers. Not supposed to be like this. Let people we hire do their job. Do not micro-manage.

## **6 New Business**

### **6.a Resignation of Village Manager**

Attorney Hearn: Manager has notified the Village of her resignation. There is no severance, only payout of accrued vacation. Manager has also given the required 60 day notice, but is asking for an earlier separation date, April 29th.

Manager Siegel: Very proud of my record at Biscayne Park. Accomplished a lot. Proud of staff, both old and new. Resigning to move forward with my career and the betterment of my family. Not resigning due to the construction projects being 6% over budget.

Commissioner Jonas: From the Manager's resignation letter, reminded of other positive things. Thankful for what she has done and the improvements made. Concerned with timing of separation and impact on the staff.

Commissioner Jonas makes a motion to accept the Manager's request for the earlier separation date of April 29, 2016.

Commissioner Anderson: Manager wants to move date of separation and we should go along with her wishes.

Vice Mayor Watts: Agrees with Commissioner Anderson and thanks Heidi.

Commissioner Ross: Many accomplishments that were guided by the Manager. Very appreciative. April 29th is acceptable, but need to talk about the interim.

Mayor Coviello: Also agrees. In regards to Interim, asks Clerk Camara if she would take on that position.

Clerk Camara: Yes, would accept the position of Interim Village Manager.

Commissioner Ross seconds the motion made by Commissioner Jonas.

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

Opposed: None

Motion carries: 5/0

#### 6.b Selection of Interim Village Manager

Commissioner Ross recommends utilizing a management firm similar to when Manager Spence resigned in 2009. When Manager Garcia left, there were other people in place, for example the Assistant to the Manager/Public Works Manager. Too much to put on one person. On the Florida City Manager's Association website, there is reference to services of retired city managers.

After discussion, motion by Commissioner Anderson to appoint Maria Camara as the Interim Village Manager and it is seconded by Commissioner Jonas.

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

Opposed: None

Motion carries: 5/0

Clerk Camara provided the information on the salary increase in August 2013 through December 2013 when in the position of Interim Village Manager.

Mayor Coviello: Recommends the same percentage salary increase as the last time in 2013.

Commissioner Jonas: All Village employees should get the same percentage increase. Everyone will work hard.

Commissioner Anderson makes a motion to increase salary to \$75,000. Motion fails for lack of second.

Commissioner Ross makes a motion to increase salary by the same percentage as in 2013 and it is seconded by Vice Mayor Watts.

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

Opposed: Commissioner Jonas

Motion carries: 4/1

Mayor Coviello: Discussion on raises for rest of Staff to be discussed at April 20th meeting.

#### 6.c Village Manager Selection Process

Clerk Camara provided the process conducted in 2013 and the updated position posting.

After discussion, motion made by Commissioner Jonas to accept the same process and position and it is seconded by Commissioner Anderson.

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

Opposed: None

Motion carries: 5/0

Vice Mayor Watts asks that transcripts be provided by top applicants selected and there is consensus to add this change.

Commissioner Jonas: This is a different time for everyone. Thank you Heidi. Thank you to Jorge Marinoni for opening comments. Thank you to Mike Kopsick for your apology.

Mayor Coviello: From an outside perspective, some have stated that the Manager's resignation stemmed from a witch hunt over the 6% overage of the two construction projects. From an inside perspective, believe this started much earlier. We have a professional form of government, which means Manager is CEO and runs Village on a day to day basis. System is relatively new to Biscayne Park. It works when you have a qualified professional in the position and when the Commission and community allow them to do so in accordance with the policies set by Commission. We have had a professional with Heidi Siegel, as well as with Ana Garcia. Perfect, no. Dedicated and confident, yes. If we don't change our mentality, we will always be faced with the situation we have today. Tremendous group of active residents. We all have strong opinions on issues, which must be stated in a respectful way. Understand that no one person's views are more important than others. We need to let the hired professionals do their job without micro-managing and constant meddling. This applies to the Manager and all other staff. Many, in my opinion, have continued to overstep boundaries regarding day to day function. Ideas and constructive criticism must be stated respectfully, but still may not be workable. Have seen where residents turn on other residents, simply because they do not agree on an issue. Toxic environment permeates to Staff. Creates us vs. them mentality. Not what we are about. Imagine if we all came together. Soon another qualified candidate will take on this position. Unless we come together and end the bitter tone of politics, we will be right back here sooner rather than later.

Vice Mayor Watts: Thank you Heidi. Wish you and your family well.

Commissioner Ross: Log Cabin and Village Hall projects were led by Heidi. Many other changes, too, including restructuring of Public Works and Police. Thanks her for all the improvements made.

Commissioner Anderson: Wishes the Manager well.

**7 Announcements**

Wednesday, April 20, 2016 - Special Commission Meeting at 6:30pm  
Tuesday, May 3, 2016 - Regular Commission Meeting at 7:00pm

**8 Adjournment**

The meeting was adjourned at 12:53pm.

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

Attest:

\_\_\_\_\_  
David Coviello, Mayor

\_\_\_\_\_  
Maria Camara, Village Clerk



**MINUTES  
SPECIAL COMMISSION MEETING  
Log Cabin - 640 NE 114th Street  
Biscayne Park, FL 33161  
Wednesday, April 20, 2016 at 6:30pm**

**1 Call to Order**

Mayor David Coviello called the meeting to order at 6:30pm

**2 Roll Call**

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

Present from staff were:

Village Manager Heidi Siegel  
Village Clerk Maria C. Camara  
Attorney Andrew Dunkiel

**3 Pledge of Allegiance**

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

Commissioner Ross: Brief discussion of payment at separation. Added as item 8.b

**5 Public Comments**

Chuck Ross: Rox and I reviewed projects. Looked thru from beginning. Started with funding and estimated costs. Initial funding including phase 4 was \$1,660,000. Then after all costs, and after all contracts were in place. Heisenbottle's cost was not in the original estimates. Came up with other items not included. Bulk of this happened before we even started. Not properly funded.

Barbara Kuhl: Not necessary to increase the pay of other employees except for Maria as Interim Manager. In other companies when people leave or take vacation, everyone else pinches in. In regards to the budget, on September 9th, Commission accepted contract for Village Hall for \$833,000. Manager stated it would take another \$497,000 to complete Log Cabin, leaving shortfall of \$250,000. On February 3rd after much debate, Commission decided to borrow \$350,000 which Manager stated would be adequate for both projects. Cost of two buildings was \$1.8 million. After grants, left \$725,000 and when you subtract the \$350,000 borrowed, leaves \$375,000 which the Village had to take out of reserves or out of General Fund. How many people realize this? \$115,000 of these funds was not authorized by the Commission. A charter violation. Expected to address this at the Commission meeting. I hold the Manager accountable, but you didn't. Should have terminated with cause then. When were you going to tell the residents the real cost for these projects? Heard that the way the Mayor addressed the residents was insulting. Blame entire Commission for managing too little. Not the first time concerns were raised. The problems is that the Commission is at fault, too. Owe the community a clear explanation. If estimations were done better, could have spread the cost over several years. Because of this, so many other things will have to wait. Are you still planning an individual assessment? You need an outside accountant to verify every penny spent, and to make sure this never happens again.

Janey Anderson: Whatever conclusions you come up with, one is that we expect you to save. For one of you to look to increase staff salaries, that is irresponsible. Everybody else should just pinch in. If you try to balance that against the savings from not having a Manager, or not hiring for another position, those are savings you should be looking to find. If you think it is just a few thousand, remember that a few thousands add up. Just look at how fast the change orders added up. Do the best with our money.

Noah Jacobs: Sent e-mail about two weeks ago. What is the reserves when the project started? What is it now?

Gary Kuhl: This meeting should be about how we got here. Where is accountability and oversight? It is about all the projects. Lax oversight and misinformation. We see a Manager attack Commissioner Anderson because he does not want to fund the Public Services Manager position, and Commission says nothing. We hear a Mayor who thinks the residents are the problem. How are we micro-managing? Resident comments have no impact as no changes have been made. \$219,000 in extra costs for the Log Cabin alone. There were \$81,000 in deductions. \$74,000 in window credits given. Why so much spent when original windows budgeted at \$17,000. Village Manager recommends we spend \$24,000 on the dais, when we are \$219,000 over on this project. Yes, we complained about spending on the dais. We spend all this and we can't even close the bathroom doors.

Chester Morris: Wants Biscayne Park to be like when I came here 47 years ago. All worked together. Did not spend money we did not have. Get an outside audit for the people of Biscayne Park. I wish you luck.

Karen Cohen: Find it disheartening to hear complaints. People who complain are the same that staff our boards and committees. They have a right to complain. Being unfair to residents. Listen respectfully to residents. Need outside audit for full transparency. If people had known about expenses for projects, may have had different opinions. Do an independent audit. You owe it to the Village.

## **6 Resolutions**

### **6.a Resolution 2016-20**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT FOR INTERIM VILLAGE MANAGER BETWEEN THE VILLAGE OF BISCAYNE PARK AND MARIA C. CAMARA**; PROVIDING FOR AN EFFECTIVE DATE

Attorney Dunkiel read the title.

Commissioner Jonas makes a motion to approve Resolution 2016-20 and it is seconded by Commissioner Anderson.

Commissioner Ross: Asks to add a discussion on work distribution and staffing. It is added as item 8.c.

After discussion the motion is called to a vote:

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

Opposed: None

Motion carries: 5/0

## **7 Old Business**

### **7.a Projects reconciliation - Construction of Village Hall/Public Safety Annex and Restoration of the Log Cabin**

Manager Siegel: In regards to the question on how much has gone into reserves, since December 2013, based on the completed audit, over \$200,000 has gone into reserves - a 25% increase. At the end of September 2015, able to close out with an excess of \$39,000. Includes all project payments that took place prior to 9/30/15, which are payments 1-9 for Bejar, and 1-4 for McKenzie. All other bills related to the project have been paid. As previously reported, we are halfway through the year and we are at 42% for expenses, and 74% in revenues. Cautions Commission that you have heard many numbers during this meeting, and the numbers provided in the report provided come directly from our accounting software. Productive to work from those numbers. Welcomes that an audit be done. Look forward to those results. There is no money missing. There is no fraud. In regards to lack of communication, based on the e-mail copies provided, many of the changes occurred at the end of the project. This was an 82 year old building. Both Mr. Heisenbottle and representatives from McKenzie Construction are here to answer questions.

Richard Heisenbottle provided an explanation and understanding of how change orders evolved, the bulk of which happened at the end of the project. Worked closely with the contractor and Manager during the entire process.

Commissioner Anderson: Wants an audit to be conducted. At least have written documentation from Finance Manager as an assurance that overage is correct after reviewing all the records.

Commissioner Ross: Do not need a forensic audit. This will be squared away when our audit is done. Apologize to residents for not having better oversight on this project. Take fiscal responsibility very serious. Look to utilizing Estrada Hinojosa to assist in reviewing, and prepare budget amendments.

Vice Mayor Watts: If we would known about all these added expenses, may have made different decisions. Need to put in policies that will prevent this in the future. Apologize to residents over this. Find out cost for an audit.

Mayor Coviello: There are issues here that need to be addressed. A lot of misinformation out there. It is an overage of 6%. These two projects are done and they are capital improvements that will last 50-60 years. Yet, do agree that we should have know about the overage, but would not have made a difference as they were all necessary. Take responsibility that needed better oversight.

Commissioner Jonas: Did everything we knew to do to make this as in-expensive as possible. And we have something to be very proud of. But agree that we all lacked in communication.

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*Mayor provided for Public Comment:*

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Mike Kopsick: Beating a dead horse. Look to future and get over it. Going to have audit. Forensic audit is expensive. Not going to recover that. Move forward. Provide balance sheets every month.

David Raymond: Based on my experience working in Government for renovation projects, one was 200% over and another was 50% more. 6% on a historic building is very small. Contingency for the project should have been higher, at 25%. Process wise, look at what was authorized under resolutions. If you specified certain oversight and Manager did not do, then there is a problem. Perhaps appoint a small ad hoc committee to go over. Would be transparent and make people feel better.

7.b Salary view of Village Staff

Commissioner Jonas: Village sub-managers will also work harder like Maria and should be given a raise. But understand those that do not agree.

After discussion, consensus to review all positions in May when the budget amendments are drafted, or during budget process, and make a recommendation at that time for bonuses or pay raises.

**8 New Business**

8.a Resident Review Committee selection

Clerk Camara provided the Commission with the 12 (twelve) names and comments of the residents interested in serving on the Resident Review Committee.

After discussion, consensus to have all 12 residents that applied to be on the Committee.

8.b Payment at separation for the Manager - As requested by Commissioner Ross.

Attorney Dunkiel: The payout to the Manager is both based on her contract and Village policy. Discussion should be with the Manager and Interim Manager at separation as to what the payout will be.

Commissioner Ross: Brought up for two reasons. Had a prior Manager depart who had a very large payout and has been spoken about. Don't want that to happen again. In review of policy and contract, there is the calculation of accrued hours.

After discussion, consensus to have the Village attorney review the contract, Village policy and provide interpretation.

8.c Discussion on work distribution and staffing - As requested by Commissioner Ross.

Commissioner Ross: Primary concern is Finance and financial season we are going into, TRIM, budget amendments and audit.

Clerk Camara: Have already started looking at. At next meeting will be providing budget calendar for FY 2016-17, the current budget report as of March 31st (six months), required budget amendments and audit.

**9 Announcements**

Saturday, April 23rd - Community Yard Sale & Home Improvement Expo - 8:00am to 12:00pm

Tuesday, April 26th - Recreation Advisory Board at 7:00pm

Monday, May 2nd - Planning & Zoning Board at 6:30pm

Tuesday, May 3rd - Regular Commission Meeting at 7:00pm

**10 Adjournment**

The meeting was adjourned at 8:24pm.

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

Attest:

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David Coviello, Mayor

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Maria Camara, Village Clerk