



## Village of Biscayne Park Commission Agenda Report

**Village Commission Meeting Date:** August 2, 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**

- July 12, 2016 - Regular Commission Meeting
- July 20, 2016 - Special Commission Meeting



**MINUTES**  
**REGULAR COMMISSION MEETING**  
**Log Cabin - 640 NE 114th Street**  
**Biscayne Park, FL 33161**  
**Tuesday, July 12, 2016 at 7:00pm**

**1 Call to Order**

Mayor David Coviello called the meeting to order at 7:07pm.

**2 Roll Call**

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

Present from staff were:

Interim Village Manager Maria C. Camara  
Village Attorney John Hearn  
Police Chief Cornelius McKenna

**3 Pledge of Allegiance**

**4 Presentations**

4.a Florida House Representative Daphne Campbell - Candidate for Florida State Senate  
District 38

Anis Blemur - Candidate for Florida State Senate District 38

4.c Village Manager Panel Interview

Mayor Coviello introduced each of the candidates, followed by each of the candidates being asked questions individually:

- Sharon Ragoonan
- Robert Santos-Alborna
- Mark Kutney

Commission to further consider and make final selection at the July 20th Special Commission meeting.

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

Vice Mayor Ross - Discussion on line of site issues at corner, added as item 12.d

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

Harvey Bilt: Need to have professional draft language done. What do "collector roads" mean? How does this affect a county road. Need to go through language one by one. Make it so it is understandable. Need better lighting in our streets. We talk so much about it, but nothing gets done. Need to do a list and every month give a status. Line of sight discussion, 119th is a problem. Had requested a stop sign at that intersection six years ago.

Judi Hamelburg: Waste Pro finally emptied garbage container. Neighbors up in arms about driveway situation. Don't recognize what has been drafted as it did not come from the Code Review Board. As a Code Review Board member, unable to defend it.

Mary Larsen: Biscayne Park is broken. Trying to make money from code enforcement. Have gotten various violations and feel harassed. Cited for trash pile due to oversize. Do not understand the swale issue. Cannot build a driveway on my property. It would make my property look hideous. You are pushing me out of this neighborhood. Why can't we all of a sudden not be able to park on the swale?

Steve Bernard: Annexation will destroy the Village. Only states we are hiring two cops and one part time code officer, and the net revenues we are projecting. Two cops cannot patrol that area so it will take cops away from the Village. Will cost us more than what we will gain. Not once has Manager sent out an email, or the Commission, to ask what residents think. Hundreds of residents say we do not agree and should not if we cannot handle our own money. No legal, administrative or zoning costs budgeted. It is foolish. Same group that underfunded these buildings and made a wrong decision on outsourcing sanitation are making this decision. Please join me at the County commission meeting to voice our opposition. On the driveways, learn to write an ordinance.

Michelle Peters: Not fair to have residents spend money to do this. Not a just ordinance. Want improvements, but there are other ways. Currently parking on the swale and the drainage is fine. To create a driveway on my property would be difficult. If I can now park on the swale, why do I need to put in a driveway? Do not like this change.

Chuck Ross: Saturday, July 16th at 10:am there will be a Crime Watch meeting. On annexation, did an analysis of current revenues and it is projected to be \$663,000. Previous Chief had addressed how the area would be patrolled. Additional revenues would be obtained from non-advalorem, state revenue sharing, CITT, communications tax, etc. The Village Manager candidates have spoken in favor. Tax base is primarily commercial and two apartment buildings.

Rosemary Wais: In regards to the incident in Dallas involving the police officers, and for our own police officers, dedicated her support.

Barbara Kuhl: Not sure about annexation. Only list a part time code officer and two police. Only cost that was provided. Biscayne Park needs a better presentation to have a better shot. Need complete cost and all fees associated. Not transparent or honest. No police vehicles mentioned. More crime happens there. Worry we will be short changed.

Janey Anderson: What started off regarding driveways has morphed into much more. Current code does not work for so many properties. Not clear how it will impact landscaping. Want to see housekeeping issues and abandoned properties given attention. So many existing driveways are in bad condition. These are the priorities.

Chester Morris: On franchise fees, we will not get them through annexation. Have not seen a breakdown on paper given to residents on annexation. Want to see all numbers, income and expenses sent to all residents. Crime is up in the Village, and concerned we will now take up another area.

George Marin: Have seen many changes. Annexation will cause bifurcation. Village has natural boundaries. Once stated as an oasis in Miami Dade County. We will lose our charm. We have gotten along fine for so many years. Annexation motivation is for money, and not for the good of the park. Spent millions on the park and put crunch on our budget. Park is the same size as it was back in the twenties. On driveway, nice to have, but Biscayne Park is not going to pay for it. Some are elderly on a fixed income and cannot afford. Are you going to fine them? Not the same park from thirty years ago. Don't want to lose the oasis. This is not Weston or Davie. Rest of us want to keep it as is. On the driveway ordinance, you are going to get litigation.

Jeanine Maleno: On garbage collection situation, still not picking up on designated day. Trucks are speeding in the dark. Used to be done right before.

John Liptak: On driveway, written poorly. Code Review Board ignored.

Dave Murphy: Two year resident. Confused on issues being discussed. On annexation, have you gotten majority vote of Biscayne Park residents? If you did, would get a lot of opposition. On driveway, have residents been asked to vote. You need to serve the majority. Need to go to the residents.

## **7 Information / Updates**

7.a Interim Manager Camara provided recap of FY 2015-16 at month end, May 31, 2016.

Vice Mayor Ross: Looking for reason as to why there is a difference in the percentage collected between Sanitation fees and ad valorem taxes. For next meeting, discuss if we need to do a mid-year budget amendment.

## **8 Consent Agenda**

8.a Approval of Minutes

April 5, 2016 Regular Commission Meeting  
April 11, 2016 Special Commission Meeting  
May 3, 2016 Regular Commission Meeting  
June 7, 2016 Regular Commission Meeting  
June 21, 2016 Special Commission Meeting

8.b Acceptance of Board Minutes

Biscayne Park Foundation - May 10, 2016  
Parks & Parkway Advisory Board - May 28, 2016  
Planning & Zoning Board - June 6, 2016  
Planning & Zoning Board - June 20, 2016  
Code Compliance Board - June 13, 2016

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

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

Opposed: None

Motion carries: 5/0

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*Mayor calls for a recess at 9:48pm*

*Meeting resumes at 10:04pm*

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## **9 Ordinances**

**< None >**

## **10 Resolutions**

**< None >**

## 11 Old Business

### 11.a Proposed code changes regarding driveway improvements.

Mayor Coviello reviewed the core concepts agreed to at the June meeting:

> Existing swales that are currently are used for parking and are properly maintained can remain, unless there is deterioration beyond 50%.

> No new development of the swale area for parking will be allowed.

> If you currently have an existing swale and use it for parking, and do not have a parking surface (driveway) on the property, you must provide for parking on the driveway.

> If you are not able to put a parking surface (driveway) on your property due to a unique property, or extraordinary circumstance related to the property, you can get an exception.

> Ribbon driveways are allowed as long as properly maintained. There must also be a driveway approach that connects the ribbon driveway to the road.

Discussion on whether to put any changes on hold until the new Village Manager is hired and to let him/her work with the Code Review Board on the proper language.

Mayor Coviello opened the meeting for public comment on this topic:

George Marin: So many irregular properties. Trying to paint with a broad brush. There are different materials that will allow drainage. Peat rock is not good.

Michelle Peters: Do not want to spend money to put in driveway when I already park in the swale and it is properly maintained.

Steve Bernard: If swale works, and now you are asking for a driveway on the property, will still have to have approach on the swale, you are just adding to the impervious materials. Who is asking for this?

Manuel Sanchez: Will you be extending the deadline?

Barbara Kuhl: All agree it is going to make the Village neater. This is an enforcement issue. You are taking away ability to park on swale. Give them a year to improve swale if they want to.

Dan Schneiger: All in favor for this change. Deceptive to say so many are against. Many are coming forward with permit applications.

Dave Murphy: Property values up 30% in last three years. If so as is, why going through all this? What is the pulse of the 3,000+ residents?

Linda Dillon: Have issue with parking on front lawns. Leave all else as is.

Mac Kennedy: In favor of reclaiming of swales. Have provided photos of many properties in the Village. You were elected to lead. Do that.

Eddie Bridges: Have a swale in good condition. Want to replace and improve it.

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At 10:56pm, Vice Mayor Ross makes a motion to extend the meeting for 15 minutes, and it is seconded by Commissioner Jonas.

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

Opposed: Commissioner Anderson and Commissioner Watts

Motion carries 3/2.

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Vice Mayor Ross makes a motion that existing swales that are currently used for parking and are properly maintained can remain, unless there is deterioration beyond 50%. It is seconded by Commissioner Jonas.

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

Opposed: Commissioner Watts

Motion carries: 4/1

Commissioner Jonas makes a motion that to the extent that if you currently do not use the swale for parking, you will be able to develop the swale area for parking within one year of adoption. Motion fails for lack of second.

Vice Mayor Ross makes a motion that no new development of the swale area will be allowed, except for the necessary driveway approach. Motion seconded by Commissioner Jonas.

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

Opposed: Commissioner Watts

Motion carries: 4/1

Commissioner Anderson makes a motion that if your currently have a swale used for parking that has been grandfathered in and is properly maintained, and there is no parking provided on the property, you will not be required to provide for parking on the property. Seconded by Commissioner Watts.

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

Opposed: Commissioner Jonas and Commissioner Watts

Motion carries: 3/2

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At 11:11pm, Vice Mayor Ross makes a motion to extend the meeting for 10 minutes, and it is seconded by Commissioner Jonas.

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

Opposed: Commissioner Anderson and Commissioner Watts

Motion carries 3/2.

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Commissioner Jonas makes a motion that if you are not able to put a parking surface (driveway) on your property due to a unique property, or extraordinary circumstance related to the property, you can get an exception. The Village Manager would make the determination to submit the variance request to Planning & Zoning for approval. Any appeals are then brought before the Commission. Motion seconded by Vice Mayor Ross.

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

Opposed: Commissioner Anderson and Commissioner Watts

Motion carries: 3/2

Vice Mayor Ross makes a motion that ribbon driveways are allowed as long as properly maintained. There must also be a driveway approach that connects the ribbon driveway to the road. Motion seconded by Commissioner Jonas.

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

Opposed: Commissioner Watts

Motion carries: 4/1

Attorney Hearn to update based on the motions and bring back another draft for review.

#### 11.b Annexation application status

The Miami Dade County Commission will decide on our application at their public meeting on Tuesday, July 19th. Urge residents to attend. Village to send e-mail blast and provide link to the application and report found on the County's website.

All items left on the agenda that were not discussed will be moved to the August Commission meeting.

## 15 Announcements

Meetings are on website, reminder about Special Commission Meeting on Wednesday, July 20th at 6:30pm.

### Adjournment

The meeting was adjourned at 11:22pm.

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

Attest:

\_\_\_\_\_  
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**  
**Wednesday, July 20, 2016 at 6:30pm**

**1 Call to Order**

Mayor David Coviello called the meeting to order at 6:36pm.

**2 Roll Call**

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

Present from staff were:

Interim Village Manager Maria C. Camara  
Attorney Andrew Dunkiel  
Finance Manager Claude Charles  
Police Chief Cornelius McKenna

**3 Pledge of Allegiance**

**4 Presentations**

4.a Gene Schriener of Craig A. Smith & Associates provided a brief recap on the status of the Stormwater Master Plan. Will be ready to provide a presentation to the Village Commission and residents at the September 13th meeting.

4.b Introduction of Kenneth Rivera, Municipal Marketing and Governmental Affairs Representative for Waste Pro, and Route Supervisor William "Billy" Pfenninger.

Commission discussed service issues with Waste Pro, required reporting requirements based on agreement, and recycle rebates as provided by the agreement. Mr. Rivera to research and provide reports and answers.

Mayor Coviello directed the Attorney to review the Waste Pro contract and provide what the Village's rights are regarding liquidated damages if service does not approve.

#### 4.c Village Manager Selection

The Mayor and each Commissioner provided their comments on the three finalists.

Mayor Coviello opened the meeting for public comments on the selection:

Chester Morris: As a point of information, have worked with someone who commuted from West Palm Beach. Never had a problem. Commuting distance should not be an issue.

Milton Hunter: Have had similar feelings when meeting each one. Did not read resumes. Based on gut feeling, Sharon wants us specifically. Don't get that from Mark. Concerned about distance. Also, who would best communicate with the residents. Feel Sharon is the better choice.

Dan Samaria: If distance was a concern, that candidate should never have been a finalist. Concerned why Sharon wants this so much. Feels Mark is better. Want someone for the long run and fully committed.

Chuck Ross: Both Mark and Sharon are good. Local connections important. At end of Crime Watch meeting, Sharon brought up great points. Prefer Sharon. Energetic, and eager.

Gary Kuhl: Distance not a big consideration. Need a person who will hit the ground running. Local connection is important. Sharon has been here day and night interacting. Extraordinary interest and knowledgeable. Code compliance and community outreach a big issue. People will love Sharon.

Janey Anderson: Cannot predict how long will stay. Who came the most prepared. Who is most likely to want to make a difference.

Linda Dillon: An extremely difficult process. Two excellent candidates. Both almost equal. My preference is Sharon. Has gone out of her way.

The Mayor and each Commissioner made their selection on a ballot. The results:

Mayor Coviello selects Sharon Ragoonan  
Vice Mayor Ross selects Sharon Ragoonan  
Commissioner Anderson selects Sharon Ragoonan  
Commissioner Jonas selects Sharon Ragoonan  
Commissioner Watts selects Mark Kutney

Motion made by Commissioner Anderson to select Sharon Ragoonan as the Village Manager and it is seconded by Commissioner Watts.

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

Opposed: None

Motion carries 5/0.

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

Mayor Coviello adds an update on the Annexation application.  
Vice Mayor Ross adds a discussion of the Village Manager contract.

**6 Public Comments**

Gary Kuhl: Pathetic the issues with Waste Pro. Too many excuses. They are on the road more days and so many are confused. Go back to the contract. On large piles, due to tree trimmers. The new schedule has been published as well as our code. If guilty, remove the trash pile and charge the resident.

Barbara Kuhl: On Waste Pro, those I have contacted are extremely nice. Customer Service is good. Problem is with the collection service. My problem is with the side yard garbage collection. Too many excuses. Never had a problem before.

Allan Moreno: Very disappointed with Waste Pro. They said Monday pick up was best day as most do landscaping on Sunday. But they did not speak to me. Disappointed that million dollar company has provided disastrous service since July 4th. They do not have a set route. We need to know this. If we get fined, they

Chester Morris: Never had a problem with Public Works. Had great employees. Told you that you were going to have a problem. Waste Pro is not doing their job. Have called them numerous times. Taking corners and destroying yards. You are stuck with them unless you want to buy trucks and rehire staff. On annexation, was never for it. Who would want to pay 9.7 over 1.9. It is over, now figure out how to pay. Don't spend money you don't have.

Chuck Ross: On Public Works, if it stayed would have had to retrofit entire department. Thanks the Commission for allowing public input on selection. Keep millage at 9.70 until you go through the workshops. Agree that oversize should be picked up the same day.

Mac Kennedy: Agree with picking up trash same day and charging the resident. We are responsible as residents, and this applies to code compliance. When people break the rules, fine them.

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Henry Patel - candidate for Florida State Representative, District 108.

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## 7 Resolutions

### 7.a Resolution 2016-27

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; **ESTABLISHING A TENTATIVE MILLAGE RATE OF 9.5000 FOR FISCAL YEAR 2016-17**, ESTABLISHING THE CURRENT YEAR ROLLED-BACK RATE TO BE 8.7863 AND ESTABLISHING THE FIRST AND THE SECOND PUBLIC BUDGET HEARINGS AS REQUIRED BY LAW; DIRECTING THE VILLAGE CLERK AND FINANCE MANAGER TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA; ESTABLISHING THE TIME AND LOCATION OF THE FIRST AND SECOND PUBLIC HEARINGS; PROVIDING FOR AN EFFECTIVE DATE

Attorney Dunkiel read the title.

Interim Manager Camara provided the background.

After discussion, motion made by Commissioner Anderson to set the tentative millage rate at 9.70 and it is seconded by Commissioner Watts.

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

Opposed: Commissioner Jonas

Motion carries: 4/1

## 8 Old Business

8.a Annexation application update: Mayor Coviello provided a recap of the County Commission meeting and that the Board of County Commissioners did not approve the application. Looks to those that did not agree with annexation to help in coming up with solutions to increase and diversify our revenue base.

8.b Village Manager Contract: The Commission discussed and provided direction for the Attorney to draft the agreement and to reach out for negotiation:

- Sick and vacation earned and accruals will be the same as the Employee Policies Handbook for general employees.
- Salary is \$80,000 (Vice Mayor Ross did not agree.)
- Carl allowance remains at \$400/mo. (Commissioner Watts did not agree.)
- Phone allowance at \$40/mo.
- Health benefits, same as general employees, with \$10 contribution per pay period.
- Add standard provision when there is an election in the first year of employment.
- Probationary period is six months.
- Merit raise will be based on evaluation at end of fiscal year.
- Tentative start date is September 1, 2016.

Agreement to be drafted and brought back to the Commission for approval at the August 2nd meeting.

**9 Request for placement of items on next meeting agenda**

Commissioner Watts:

- Proclamation in memory of Mayor Daisy Black
- Discussion on resolution on plastic bags.
- Discussion on Village's response to FPL's request to increase their base rate.
- Proactive response from Miami Dade County police dispatch.
- Discussion on noise issues.

**8 Announcements**

Sunday, July 24th - Bark of July/Dogs in the Park Day from 4:00-6:00pm

Monday, August 1st - Planning & Zoning Board at 6:30pm

The next regular Commission Meeting is Tuesday, August 2, 2016 at 7:00pm.

**9 Adjournment**

The meeting was adjourned at 9:44.

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

Attest:

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David Coviello, Mayor

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Maria Camara, Village Clerk