



Village of Biscayne Park Commission Agenda Report

Village Commission Meeting Date: August 4, 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

- July 7, 2015 Regular Commission Meeting
- July 22, 2015 Special Commission Meeting



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

1 Call to Order

Village Clerk Maria Camara called the meeting to order at 7:01pm.

2 Roll Call

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

Present from staff were:

Village Manager Heidi Siegel
Village Clerk Maria C. Camara
Village Attorney John Hearn
Public Services Manager Krishan Manners
Police Chief Cornelius McKenna
Finance Manager Claude Charles
Parks & Recreation Manager Shelecia Bartley
Assistant Public Works Manager Cesar Hernandez

3 Pledge of Allegiance

4 Presentations

4.a Chief McKenna introduced new reserve police officers Leslie Llanes and Alejandro Villazan, as well as current officers that were in attendance.

4.b Pablo Llerenas, from the auditing firm of GLSC & Company, PLLC, presented the audit report for the fiscal year ending September 30, 2014.

4.c Jorge Marinoni, Vice President of the Biscayne Park Foundation, stated that \$2,000 has been collected by the Foundation to be used for lighting at the Recreation Center. Looks to have the Village match that amount in order to complete the project.

The Foundation is also in need of one additional member.

Mayor Coviello advised that the \$2,000 match for the lighting project will be considered during the budget conversations.

5 Additions, Deletions or Withdrawals to the Agenda

Manager Siegel pulls item 13.b, Fine Reduction.

Vice Mayor Anderson asks the Manager to include in her report an update on the entry signage and water fountain at the recreation center.

Commissioner Jonas asks to move item 13.a, discussion of tipping options, earlier in the meeting.

Parks & Recreation Manager Bartley introduces the two new employees, Natacha Sageesse and Rafael Gutierrez. Bark of July was well attended, and a Lego Club will be starting on August 1st.

6 Public Comments Related to Agenda Items / Good & Welfare

Chester Morris: Concerned that it is after 7pm and WastePro is still doing their collection. The Rotary Club has a flag program and the money collected from the program goes towards worthy causes. Thanks the Manager for the tour of the log cabin, and for working on getting the Comcast lines down. On the budget, don't spend what you don't have. As a board member of the North Shore Medical Center, willing to bring any Village needs to them for their consideration.

Rosemary Wais: Provided an update on the upcoming Children's Safety Day and 1st Annual Bike Race taking place on August 15th. Thanks those that have volunteered or made a donation. The event is designed and planned for the kids, for their safety and education. Flyers available on all events planned for that day.

Virginia Halpin: Need to do something about the Church and events taking place there. Music very loud. Had to call police three times. Also have to look at the circus tent. Parking signs are always displayed. Third time in recent weeks they have had an event. Shouldn't they be fined for noise violations.

Marie Smith: When WastePro comes down Griffing at 7am, the traffic gets more chaotic and it piles up. Consider using the police to control the traffic, or have Waste Pro come in the afternoon.

Manager Siegel: Will visit the Church with the Police Chief. The Church did not notify the Village of these events. On the tent, if not temporary, will ask for it to be removed.

7 Information / Updates

7.a Manager Siegel reviewed key dates on the FY 2015-16 budget calendar that was provided. For next year, would like the Commission to consider scheduling the budget workshops before setting the tentative millage rate.

7.b Finance Manager Charles presented the monthly financials as of May 31st.

7.c David Caserta provided a recap of the 2015 legislative session. Highlight was the award of \$150,000 to the Village for a storm water master plan.

Manager Siegel detailed that the award of the storm water funding was one of the three requests made during the session. The request for a Historic Preservation grant to be used for Phase 4 of the log cabin restoration project; and a request for funding for emergency vehicles was not approved.

Item 13.a is moved up.

13.a Discussion of garbage disposal ("tipping") options.

Manager Siegel presented the item and provided the background. Introduced Stacey McDuffie from Miami-Dade County Public Works & Waste Management Department, who provided information on utilizing the county dump sites.

Manager Siegel introduced Russell Mackie of Waste Pro, who provided information on Waste Pro's ability to better negotiate with private companies for dump sites. Those savings can be made available to the Village.

Manager Siegel informed the Commission that at the September meeting, the Village needs to either renew our contract with the County, or to amend our Waste Pro contract to include the disposal.

Manager Siegel will provide additional information on the options at the August meeting.

Mayor Coviello asks Mr. Mackie to speak on the continued waste collection issues.

Mr. Mackie advised that they will look at route scheduling on Griffing and reconfirms his commitment to improve service issues in the near future.

8 Consent Agenda

On the consent agenda:

8.a Approval of Minutes
June 2, 2015 Regular Commission Meeting

- 8.b Acceptance of Board Minutes
 - Parks & Parkway Advisory Board - January 21, 2015
 - Parks & Parkway Advisory Board - March 18, 2015
 - Recreation Advisory Board - May 26, 2015
 - Planning & Zoning - June 1, 2015
 - Planning & Zoning - June 15, 2015
 - Public Art Advisory Board - June 10, 2015

8.c **Resolution 2015-36**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS **TO EXECUTE THE AMENDMENT TO THE CONTRACT BETWEEN THE VILLAGE OF BISCAYNE PARK AND BEJAR CONSTRUCTION, INC.** FOR THE CONSTRUCTION OF THE PUBLIC SAFETY AND ADMINISTRATION ANNEX EXTENDING THE TERM OF THE CONTRACT FOR A PERIOD OF THIRTY (30) DAYS; PROVIDING FOR AN EFFECTIVE DATE

8.c **Resolution 2015-37**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A LICENSE AND HOLD HARMLESS AGREEMENT FOR THE USE OF THE MEDLEY POLICE FIREARMS TRAINING CENTER;** PROVIDING FOR AN EFFECTIVE DATE

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

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

Opposed: None

Motion carries: 5/0

9 Public Hearing

- 9.a Variance Request - Gary & Jovita Nalepa, 775 NE 113th Street
Front set back for accessory structure (pool)

Attorney Hearn presented the item and explained the quasi-judicial procedures; and the four criterias the Commission must consider. Petitioners and anyone in the public speaking on the item were sworn in.

Gary Nalepa, petitioner, explained his property is on a corner lot and the need for the variance.

Commissioner Jonas makes a motion to approve the variance and confirms the four required criterias were met. The motion is seconded by Vice Mayor Anderson.

Roll Call vote:

Commissioner Ross: Yes

Commissioner Jonas: Yes

Vice Mayor Anderson: Yes

Commissioner Watts: Yes

Mayor Coviello: Yes

Motion carries: 5/0

10 Ordinances

< None >

11 Resolutions

11.a Resolution 2015-38

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK
DESIGNATING THE VOTING DELEGATE FOR THE FLORIDA LEAGUE OF CITIES 89TH ANNUAL CONFERENCE TO BE HELD ON AUGUST 13-15, 2015, IN ORLANDO, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

Vice Mayor Anderson makes a motion to select Mayor Coviello as the voting delegate and it is seconded by Commissioner Jonas.

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

Opposed: None

Motion carries: 5/0

12 Old Business

12.a Chapter 5 Proposed Changes

Attorney Hearn provided a recap of the changes discussed at the last meeting. There was further discussion on certain points in 5.6.8 and 5.3, which Attorney Hearn will review and recommend the best language.

There is consensus to move forward with drafting an ordinance for first reading at the August meeting and to only include the proposed changes that the Commission has reviewed and agreed on.

Manager Siegel will include a summary of the proposed changes in the next Village newsletter, as well as a link on the home page of the Village website.

12.b Discussion of the Fiscal Year 2015-16 Budget Goals

Manager Siegel provided a recap of the items discussed at the June meeting.

Commissioner Watts: Looks for money to go towards tree trimming; fertilizer for trees, specifically Australian Pines.

Commissioner Ross: Budget for replacement of aging cars in the fleet.

Vice Mayor Anderson: Have second thoughts on lowering of millage. Concerned with hitting residents with extra fees. Look to maintain storm water drainage improvements and to start repairing roads.

Mayor Coviello: Looks to lowering the millage to 9.50; not cutting services; lighting around the park; landscaping around the park, at medians and entry signs; added Code Compliance staffing.

Commissioner Jonas: Irrational to lower millage. Should go to 10.0 or higher. Many unmet responsibilities.

Manager Siegel: Based on additional feedback, will look to present budget and set the tentative millage rate at 9.70, then work with the Commission to adjust as necessary during the budget workshops.

13 New Business

13.c Commissioner Ross: Discussion on Storm water and Road Repair/Improvements assessment next steps.

Commissioner Ross provided the background.

Mayor Coviello suggests to schedule a workshop to discuss the process for the Storm water Master Plan process and Commissioner Ross looks to have the engineer participate.

Manager Siegel looks for direction on whether the Commission wants to proceed with current engineer (Craig A. Smith & Associates) previously selected by the Village; or go out to bid.

Attorney clarified that going out to bid may be a requirement of the contract from the State and needs to be checked.

Commissioner Ross looks for consensus to give the Manager direction, after verifying the contract, to move forward with current engineer and schedule a workshop with the engineer in attendance, to take place on a Saturday in September.

Manager Siegel recommends that instead of a workshop that it should be a "Project Kick Off Meeting".

13.d Board Appointments - Recreation Advisory Board / Planning & Zoning Board

Clerk Camara: Board member applications were received for:

- Max Dietermann and Mario Rumiano as alternates for the Planning & Zoning Board

- Bridgita Pallango as an alternate for the Recreation Advisory Board

Commissioner Watts makes a motion to approve the selection of board members as presented and it is seconded by Commissioner Ross.

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

Opposed: None

Motion carries: 5/0

14 Request for Placement of Items on Next Meeting Agenda

Commissioner Watts: Solar energy initiative; Florida Humanities Council; Holiday House tours as a fund raising initiative.

Commissioner Watts congratulates Shelecia on Bark of July event and looks to have another dog-friendly event in November. Also looks to schedule a workshop with residents to discuss events and how to utilize the park.

15 Reports

15.a Village Manager:

Announced the resignations of two police officers and hiring of one new officer from Reserves.

Provided status on Community Signage project and working on getting quotes for concrete base.

Working with County to look for solutions for Griffing Blvd issues and the perception of speeding.

Confirms that even though there was a recent article about the FEC and Governor Scott's veto, the funding for all quiet zones in Miami Dade County are secured.

In regards to having a workshop on what residents are looking for at the park, looking to put in funding in the budget for a parks master plan. Will also schedule a roundtable meeting with parents for their input on programming for children as well as discuss the use of the grounds. Will be speaking to the Recreation Advisory Board on this.

Confirms that CITT funding has been approved for and is being utilized for on-going drain cleaning.

Tree-trimming is currently taking place throughout the Village.

Outside water fountain at the Recreation Center was recently repaired, but broke again. Will look to fully replace and will budget accordingly.

On annexation process, waiting for it to be scheduled at the September meeting of the County Commission.

Log cabin restoration continues. Log specialists will be working on it this week and foundation installation to begin at the same time.

Annex building also continues with floor installation and interior painting to begin next week. Looking at end of July for completion.

Men's restroom in the Recreation Center also progressing.

15.b Village Attorney:

From the legislative session, new public record laws introduced. Will work with the Clerk on all new regulations.

Asks for and gets consensus from the Commission to draft an ordinance to allow for a variance on roofing materials, and to bring back for first reading at the August meeting.

15.c Board / Committee Reports:

< None >

16 Announcements

Wednesday, July 8th - Public Art Advisory Board at 6:00pm
Monday, July 13th - Code Compliance Board at 7:00pm
Monday, July 13th - Biscayne Park Foundation at 7:00pm
Wednesday, July 15th - Parks & Parkway Advisory Board at 6:00pm
Monday, July 20th - Planning & Zoning Board at 6:30pm
Monday, July 20th - Ecology Board at 6:30pm
Wednesday, July 22nd - Special Commission Meeting at 6:30pm
Tuesday, July 28th - Recreation Advisory Board at 7:00pm

The next regular commission meeting is Tuesday, August 4, 2015, at 7:00pm.

16 Adjournment

The meeting was adjourned at 10:00pm.

Commission approved on _____.

Attest:

David Coviello, Mayor

Maria Camara, Village Clerk



**MINUTES
SPECIAL COMMISSION MEETING
Ed Burke Recreation Center - 11400 NE 9th Court
Biscayne Park, FL 33161
Wednesday, July 22, 2015 at 6:30pm**

1 Call to Order

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

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 Siegel
Village Clerk Heidi Siegel
Attorney Andrew Dunkiel
Public Services Manager Krishan Manners
Finance Manager Claude Charles
Parks & Recreation Manager Shelecia Bartley
Assistant Public Works Manager Cesar Hernandez

3 Pledge of Allegiance

4 Presentations

5 Public Comments Related to Agenda Items / Good & Welfare

Barbara Kuhl: In support of the 9.70 millage rate, as well as the Parks & Parkway Advisory Board.

Chuck Ross: Also in support of the 9.70 millage rate. Would also support higher for capital expenditures that are needed. Looks for Village to do a Village wide tree assessment.

6 Additions, Deletions or Withdrawals to the Agenda

Vice Mayor Anderson asks for a discussion on opening up the current loan to borrow additional money.

7 Information / Updates

8 Resolutions

8.a Resolution 2015-39

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; **ESTABLISHING A TENTATIVE MILLAGE RATE OF 9.7000 FOR FISCAL YEAR 2015-16**, ESTABLISHING THE CURRENT YEAR ROLLED-BACK RATE TO BE 8.7468 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 and explained the process for setting the tentative millage rate, the roll back rate, and the schedule for the two public hearings.

Manager Siegel provided a summary of the proposed budget set at 9.70 and highlighted the increase in property values over last year, the items/projects included in the budget as well as those items that were not included.

Commissioner Jonas: We are a unique Village with needs that we are not meeting. Why would we not set at 10.0. Will not support anything less than 10.0.

Vice Mayor Anderson: In support of 9.70.

Commissioner Watts: In support of 9.70.

Commissioner Ross: Disappointed in the list of things we cannot do. Mostly not giving raises to all staff, the support needed for the last part of the annexation process. Not ready to go to 10.0, but would like to go to 9.80 in this initial stage as it would be \$15,000 more.

Mayor Coviello: A ground breaking year. Not the year to lower, but do not see need to increase to do all the things that are needed. Not a symbolic direction we want to go in. Would like to keep at 9.70 and during budget workshops, look for way to get merit increases in.

Vice Mayor Anderson makes a motion to approve Resolution 2015-39 as presented setting the tentative millage rate at 9.70. The motion is seconded by Commissioner Watts.

Manager Siegel and Attorney Dunkiel ask for a super majority vote in order to insure we are meeting the requirements set by both the Department of Revenue and Florida State Statutes.

The motion is called to a vote:

Vice Mayor Anderson: Yes

Commissioner Jonas: No

Commissioner Ross: No

Commissioner Watts: Yes

Mayor Coviello: Yes

Motion fails the super majority requirement: 3/2

Commissioner Ross makes a motion to approve Resolution 2015-39 setting the tentative millage rate at 9.80.

The motion fails for lack of a second.

Mayor Coviello calls a recess at 7:10pm

Meeting resumes at 7:23pm

During the recess Manager Siegel, Attorney Dunkiel and Finance Manager Charles reviewed the form used to determine the voting requirement which states that based on a tentative millage rate of 9.70, only a majority vote was required.

Commissioner Ross makes a motion to approve Resolution 2015-39 setting the tentative millage rate at 9.80.

The motion fails for lack of a second.

Commissioner Watts makes a motion to approve Resolution 2015-39 as presented setting the tentative millage rate at 9.70. The motion is seconded by Vice Mayor Anderson.

The motion is called to a vote:

Vice Mayor Anderson: Yes

Commissioner Jonas: No

Commissioner Ross: No

Commissioner Watts: Yes

Mayor Coviello: Yes

Motion carries: 3/2

Commissioner Ross asks the Attorney for his opinion.

Attorney Dunkiel cited Florida Statute 200.065. At the end of the day, the Department of Revenue enforces this section, and the online form used to enter the tentative millage rate indicates that only a majority vote is required, therefore we are in accordance.

9 Old Business

10 New Business

Commission Anderson: Discussion on re-opening the loan to borrow additional money to cover the shortfall for phase 4 of the log cabin restoration project.

There is consensus to have the Manager research further and provide the information during the budget workshops.

11 Reports

12 Announcements

Tuesday, July 28th - Recreation Advisory Board at 7:00pm

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

13 Adjournment

The meeting was adjourned at 7:31pm.

Commission approved on _____.

Attest:

David Coviello, Mayor

Maria Camara, Village Clerk