



## *The Village of Biscayne Park*

640 NE 114<sup>th</sup> St., Biscayne Park, FL 33161  
Telephone: 305-899-8000 Facsimile: 305 891 7241

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# Commission Agenda Report

**Commission Meeting Date:** November 1, 2016  
**Prepared By:** Maria C. Camara, Village Clerk  
**Title / Subject:** Approval of MINUTES

### **Background:**

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

### **Recommendation:**

Approval at Consent.

### **Attachments:**

- October 13, 2016 Regular Commission Meeting



**MINUTES**  
**REGULAR COMMISSION MEETING**  
**Log Cabin - 640 NE 114th Street**  
**Biscayne Park, FL 33161**  
**Thursday, October 13, 2016 at 7:00pm**

**1 Call to Order**

Mayor David Coviello called the meeting to order at 7:01pm.

**2 Roll Call**

Mayor David Coviello - present  
Vice Mayor Roxanna Ross - present  
Commissioner Bob Anderson - present  
Commissioner Fred Jonas - present  
Commissioner Barbara Watts - absent (*Arrived at 7:20pm*)

Present from staff were:

Village Manager Sharon Ragoonan  
Village Clerk Maria C. Camara  
Village Attorney John Hearn  
Captain Hector Pineda  
Finance Manager Claude Charles

**3 Pledge of Allegiance**

**4 Presentations**

4.a Proclamation - October is Breast Cancer Awareness Month

Proclamation - October 23rd to October 31 is Red Ribbon Week - Accepting are

4.b Lisbeth Colon and Gunnery Sgt. Garanda from the Young Marines, an organization that promotes a healthy and drug-free lifestyle.

4.d Kenny Rivera, Waste Pro - Provided monthly reports for May through September; statistics of volume collected for trash, garbage and recycling.

4.e Amy Raymond, Chair of the Public Art Advisory Board - requested and received approval to schedule an Art Show / Farmer's Market in February 2017, and to have an e-mail blast sent out calling artists and artisans in the Village to participate. Requested a waiver of the rental fees for the Log Cabin.

Commissioner Jonas makes a motion to waive the rental fees for the Log Cabin for the Art Show event and it is seconded by Vice Mayor Ross.

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**

Vice Mayor Ross: Asks that Staff identify vendors used for recycling processing in other cities.

Commissioner Jonas: Discussion on tot lot resurfacing - Added as item 12.g

Commissioner Jonas: Discussion on street signs - Added as item 12.h

Manager Ragoonan: Biscayne Park Foundation - fee waiver request - Added immediately after Consent

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

Jorge Marinoni - Reminder regarding Saturday's Oktoberfest on October 15th. Fundraising for a vita course.

Chester Morris: Thanks Commissioner Anderson and Commissioner Watts for their hard work as Commissioners.

Randy Wagoner: On swales, only one spot in front of house. We need to be able to park on swales, and for added cars for visitors or special events.

Janey Anderson: There is a fourth alley area in the Village. Between the property line and the roadway, the property owner must maintain. Regarding outside cats, would like to see an effort of education such as flyer or e-mail. A lot of cat people want cats outside. Need to better educate. There are issues of animal hoarding that needs to be looked into. Please, no more ordinances. Need to better enforce current code. Reminder about Meet the Candidates on October 18th.

Dan Keys: Bob and Barbara, thank you for your service. On cat issue, consider those that are pets. On Waste Pro, have seen improvement after two or three entries in TracEZ. But one that persists is the condition they leave after yard debris is collected. Need to improve. Needs to be raked. Still concerned with the language for using the swale for parking.

Chuck Ross: At last Crimewatch meeting, a representative from Miami Dade County 911 call center provided a presentation. Encourage everyone to come out to next meeting. On Saturday, October 15th, will be having Community Safety Day. Many agencies will be participating. On financials, like the new report format.

Dan Samaria: Wanted to acknowledge that Chuck Ross was selected as Crimewatch chairperson of the Year by Miami Dade County Crime Watch.

Morris Yomtov: On parking on swale, my understanding that you cannot park on the swale. This will reduce property values. Buyers will see this as a negative.

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Mayor Coviello: The property you purchase does not include the swale. Swale is a part of the right-of-way. Confirmed by Attorney Hearn.

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Mac Kennedy: On cats, all other animals there are regulations. There are none for cats. Have dealt with property damage due to cats. Other neighbors have also complained. They are also killing birds. Why re rules different for cats.

Sheroni Colimorio: On garbage, my property was missed the entire month of June. Has since been corrected. On bulk pick up, they have also missed. In regards to cats, have an issue with ruining cars. On tot lot, have twins and want to use it, but do not feel safe. The grounds are not clean enough. Use Miami Shores tot lot instead.

Amy Raymond: On tot lot issue, could not use mulch where I worked previously. You can get rashes from mulch. Kids get filthy from mulch. Need to do fund raising for non-toxic surface.

## **7 Information / Updates**

- 7.a Manager Ragoonan provided recap of FY 2015-16 at month end, August 31, 2016. Also provided a new task list for purchases to show what has been spent to date.

## **8 Consent Agenda**

- 8.a Approval of Minutes

September 13, 2016 Regular Commission Meeting  
September 14, 2016 1st Public Hearing FY 2016-17  
September 27, 2016 2nd Public Hearing FY 2016-17

- 8.b Acceptance of Board Minutes

Biscayne Park Foundation - August 15, 2016  
Planning & Zoning Board - September 6, 2016  
Planning & Zoning Board - September 19, 2016  
Code Compliance Board - September 12, 2016

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

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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*Agenda item added:*

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Jorge Marinoni, President of the Biscayne Park Foundation: A music ensemble group, which includes Village residents, will provide a free concert at the Log Cabin on December 17th. Requests a waiver of the rental fee for the log cabin.

Commissioner Jonas makes a motion to waive the rental fees for the Log Cabin for the Art Show event and it is seconded by Vice Mayor Ross.

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

Opposed: Commissioner Anderson

Motion carries: 4/1

## 9 Ordinances

### 9.a Ordinance 2016-08

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AMENDING VARIOUS PROVISIONS IN CHAPTER 5 OF THE LAND DEVELOPMENT CODE ENTITLED "TRANSPORTATION" TO PROVIDE REGULATIONS PERTAINING TO DRIVEWAYS, RIGHTS-OF-WAY, DEFINITIONS AND THE CREATION OF A SPECIAL EXCEPTION PROCESS**; 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:

Chuck Ross: 5.3.2 - Does this provision allows for temporary parking. Suggests that it is also clarified in 5.6.1.a.4. Should be delineated.

Grant Rawson: On landscaping, not clear what is allowed. Need to add certain limitations to allow someone to be able to walk off the street.

Gary Kuhl: Two years ago had a workshop with boards, commission and residents. Main concern was not to allow parking on lawn. Since then, Commission has made changes and created major flaws. Idea to allow temporary parking - what is definition of temporary? Who will enforce? Creating an administrative nightmare. Issue with inequity. All have different sized yards. Idea all will develop swale is ridiculous. I will be prohibited from improvements of my currently asphalted swale. Manager should be doing this.

Rolf Kretschmer: On swales, have friends stay for a month. What do I do? Keep going back and forth - ridiculous. Walkers and bikers use road, not swales.

Barbara Kuhl: Where is this coming from? No outcry from residents on swales. Commission did this. You just need to enforce current codes. Not create these ridiculous codes. No one wanted to prohibit parking on swales.

Mac Kennedy: You got it right. Could probably be even stricter. You look at worst case and determine goal and write an ordinance. All parking should be on the property. Not on swale. Using the term pervious or permeable can create confusion. On temporary parking, can do all sorts of things to allow temporary parking such as on certain holidays. Give parking permits. Swales are important. We are losing sight of what is special about this Village. Swales are important. One less tree to plant if there are no swales. Leave public green spaces alone. Don't want to create parking lots. Do your job you were elected to do. Walk to North Miami where there are no rules.

Dan Samaria: Do not rush. Pass off to the new Commission. If elected, and if this passes, I will want to change it.

Dan Keys: Original ordinance passed in 2015 after a pertinent change was made between 1st and 2nd reading. Want to preserve a right as a property owner; object to eliminate the right to park on the swale; will not allow visitors to park on my swale; this will hinder and encumber celebrations; there are no definitions for temporary parking; prohibition of future development is most troubling; what about growing families that will have greater parking needs; can you guarantee approaches will be more attractive than parking on swales; this is a solution looking for a problem. Ask that you go back to a workshop for further discussion. Current language difficult to interpret and understand. You will do damage to this community. Put language in to clearly state temporary parking is allowed.

Art Pyle: More worried about cars than people. People can no longer walk off the street. Also, problem with plantings in the swale right up to the road. This is not a car park. This is a people park. If you allow parking in the swale, then give us sidewalks.

Dan Schneiger: Confirms that temporary parking is not prohibited.

Brad Piper: Main purpose of swale is for safety. Preserve swales for walkers and bikers. Was approached by a couple who had to jump to swale to avoid a speeding car. Yes, families grow and you need to make the accommodation on your property. If it does not, you need to get a bigger house to allow for more parking. Swale belongs to the city. We are tree city and a bird sanctuary. Protect our aesthetics and property values and provide safety for our pedestrians.

Morris Yomtov: For those concerned with safety for pedestrians, there is plenty of room even if cars are parked on the swale.

Tracy Truppmann: Manager has greatest expertise. Have heard so many sides. There are parking issues. Needs more vetting. You are rushing this.

Robert Chandler: Chose to move here and where there are no associations. Now we have rules for everything. Have two kids. Walk to park and never worry about needing to move over to a swale area. Had to park on the swale for this meeting. So many rules now - don't appreciate it.

Charlie Easton: Have not had these rules for over 80 years, and we have not become North Miami. These rules fit for some, but not for all. Need to allow flexibility. Do it right with some sort of flexibility so as not to burden some.

Linda Dillon: Do not understand why such a major thing to do. Not a cookie cutter community and you are making it so. Do not understand the code. You have always allowed parking on the swale. Original intent was not to park on the lawn. Have created so much more unnecessarily.

After discussion, there is consensus from the Commission to have the Manager review the current language and report back.

Vice Mayor Ross: Add the word "Code" after "Miami-Dade County" in sections 5.1.3 and 5.3.2. Consensus to make the correction.

Vice Mayor Ross makes a motion to approve with these changes and it is seconded by Commissioner Jonas.

Roll call vote:

Commissioner Jonas: Yes

Vice Mayor Ross: Yes

Commissioner Watts: No

Commissioner Anderson: No

Mayor Coviello: Yes

Motion carries: 3/2

Dan Keys: How do you interpret the chart for required parking? Need clarification of the asterisks.

Attorney Hearn to review with the building official.

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*Mayor calls for a recess at 9:54pm.*

*Meeting resumes at 10:03pm*

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**10 Resolutions**

< None >

**11 Old Business**

11.a Landscaping requirements for new builds, major renovations / related Miami-Dade County Code

Language from the Miami Dade County code is limited in regards to Village properties.

Mayor Coviello: The Code Review Board spent a lot of time and the Commission did not properly consider their proposed language. Recommends to go back and review the Board's proposed language.

After discussion, there is consensus to bring back the Code Review Board language for the November 1st meeting.

**12 New Business**

12.a Discussion on passing an ordinance / resolution providing for the prohibition of balloon usage and balloon releases - As requested by Commissioner Watts

Commissioner Watts provided the background.

After discussion there is consensus to start off with providing educational information through Village newsletter and website; and for party rentals at the recreation center.

12.b Discussion on alleys and their maintenance - As requested by Mayor Coviello

After discussion, consensus for:

- Manager to look at ability to use CITT funds for road repair in the alleys.
- Manager and Attorney to look at plats and determine alley road and swale lines and possibility of private/public partnership.

12.c Discussion on feral cat issue - As requested by Mayor Coviello

After discussion, consensus to enforce current code, and to direct Attorney Hearn to draft an ordinance for first reading at the next meeting to add open feeding violation as part of the administrative citation process.

12.d Discussion of fiscal situation and exploring improved systems of checks and balances - As requested by Commissioner Watts

Deferred to November 1st meeting.

12.e Discussion of a ground plaque at the Log Cabin, recognizing all the partners that contributed to the restoration project - As requested by Vice Mayor Ross

After discussion, consensus to direct Staff to look at cost for different options, and to include the idea of personalized pavers to raise funds.

12.f Facility rental fee waiver for Relay for Life on April 8, 2017.

Motion made by Commissioner Watts to waive the rental fees and it is seconded by Commissioner Jonas.

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

Opposed: None

Motion carries: 5/0

12.g Discussion on tot lot resurfacing - Requested by Commissioner Jonas

After discussion, consensus to have Staff identify the proper surface and to do an RFP to get quotes; and to contact Miami-Dade County and the City of North Miami for information on what they have used in their parks.

12.h Discussion on street signage - Requested by Commissioner Jonas

After discussion, consensus to have Commissioner Jonas bring back with more information.

At 10:57pm, motion made by Vice Mayor Ross to extend the meeting 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

**13 Request for placement of items on next meeting agenda.**

Vice Mayor Ross: Discussion on septic systems.

Vice Mayor Ross: Discussion on orientation/reorganization meeting after the election.

Commissioner Watts: Discussion on use and disposal of plastic bags.

Commissioner Watts - discussion on residency requirements for Commissioners

**14 Reports**

14.a Village Manager:

- Provided information in the agenda on the FEMA audit results; and the start of a monthly police publication.
- Provided status of the audit for the period ending September 30, 2015.
- Hector Pineda promoted to Captain.

14.b Village Attorney:

Provided update that the legislation on workforce housing will exclude municipalities with population under 10,000.

**15 Announcements**

Saturday, October 15th - Celebrating Safe Communities / Community Safety Day at 10:00am

Saturday, October 15th - Okto"beer"fest Celebration at 6:30pm

Monday, October 17th - Planning & Zoning Board at 6:30pm

Tuesday, October 18th - Meet the Candidates at 7:00pm

Wednesday, October 19th - Parks & Parkway Advisory Board at 7:00pm

Saturday, October 22nd - Stormwater Master Plan Presentation / Workshop originally scheduled for October 22nd has been canceled and will be rescheduled in November.

Saturday, October 29th - Halloween Fun House from 4:00pm to 7:00pm

Our next regular Commission meeting is Tuesday, November 1, 2016, at 7:00pm

**16 Adjournment**

The meeting was adjourned at 11:04pm.

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

Attest:

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David Coviello, Mayor

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Maria Camara, Village Clerk