



MINUTES
REGULAR COMMISSION MEETING
Ed Burke Recreation Center - 11400 NE 9th Court
Biscayne Park, FL 33161
Tuesday, December 2, 2014 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 Roxanna Ross - present
Commissioner Bob Anderson - present
Commissioner Fred Jonas - present
Commissioner Barbara Watts - absent (*Arrived at 7:04pm*)

Present from staff were:

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

3 Pledge of Allegiance

Mayor Coviello acknowledged Commissioner Fred Jonas would be Vice Mayor for the next six months and thanked Commissioner Ross for her service in that position.

4 Presentations

4.a Reserve Police Officer Jorge Perez was sworn in by Village Clerk Maria Camara.

4.b David Caserta provided a summary of the 2015 Florida legislative agenda. The Village Commission provided their priorities as follows:

Mayor Coviello: Drainage master plan.
Commissioner Ross: Law Enforcement Assessment
Vice Mayor Jonas: Infrastructure needs (roads and drainage. FEC barrier wall.
Commissioner Anderson: FEC barrier wall.

4.c Certificate of Completion - 2014 Advanced Institute for Elected Municipal Officials was presented to Vice Mayor Fred Jonas

5 Additions, Deletions or Withdrawals to the Agenda

At the request of the Chair of the Code Review Board, Manager Shafran pulls item 12.a, discussion of Chapter 5 proposed changes, and defers it to the January meeting.

Mayor Coviello urges staff to set up a joint meeting with Code Review Board and Parks & Parkway Advisory Board to discuss the proposed changes.

Manager Shafran will schedule the joint meeting in January after the holidays, and bring back a draft ordinance for the February 2015 meeting.

Manager Shafran pulls item 8.f, Resolution 2014-84, with a change to the title, and it becomes item 11.c.

Manager Shafran pulls from item 8.b, the minutes for the November 3rd meeting of the Planning & Zoning Board due to a scrivener's error and will resubmit in January.

6 Public Comments Related to Agenda Items / Good & Welfare

Harvey Bilt: In regards to ordinance for Chapter 5 changes, there are many items being changed that residents don't realize are being made. Changes to driveway don't make any sense. Changes will require residents to pull out their driveway. There are issues with the language with parking on the swale and requirements for resident and visitor parking issues. Why can't there be red mulch in the swale. This is not written in plain English. Address some items in multiple places and in different ways. On trees in the swale, not fair if you buy a home with a "defect" meaning a tree on the swale that may be diseased. Notice must be given to each property so they know. Two different classes of home owners in regards to the type of trees on the swales, Australian pines vs. oaks. As a Code Enforcement Board member, it will be hard to enforce. A lot of what is being proposed does not make sense.

Chuck Ross: In regards to Crime Watch, had a very good meeting on November 18th. Great attendance. Will have a second meeting on December 8th. Want to address statements made by Commissioner Watts at the November meeting in regards to annexation. She stated we would lose money for several years. Have not seen the data to support this. Encourages her to sit with the Finance Director to review the data. Stated Manny Espinosa stated the same, but in fact he did not. She also mentioned that residential properties were part of the proposed annexation area and they are not. Statements like this are misleading. Need to consult with professionals and confirm your facts before making statements.

Shelecia Bartley, Parks & Recreation Manager: Winter Fest is coming up on December 20th and invites all to attend. Many new items will be added. Also a reminder of Walk a Hound Lose a Pound this Saturday at 9:00am.

< Mayor Coviello takes agenda out of order to do the Consent Agenda.>

8 Consent Agenda

Commissioner Anderson pulls item 8.j, Resolution 2014-92.

Commissioner Ross pulls item 8.g, Resolution 2014-85, and item 8.h, Resolution 2014-86.

Left on the consent agenda:

8.a Approval of Minutes

- ◆ October 7, 2014 Regular Commission Meeting
- ◆ November 6, 2014 Joint Special Meeting Village Commission and Biscayne Park Foundation
- ◆ November 6, 2014 Regular Commission Meeting
- ◆ November 18, 2014 Special Commission Meeting

8.b Acceptance of Board Minutes

- ◆ Ecology Board Meeting - September 15, 2014
- ◆ Parks & Parkway Advisory Board Meeting - October 29, 2014
- ◆ Planning & Zoning Board - November 17, 2014
- ◆ Code Review Board - November 19, 2014
- ◆ Code Compliance Board - November 12, 2014

8.c Resolution 2014-47

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; **SUPPORTING FLORIDA EAST COAST INDUSTRIES' CONSTRUCTION OF A 235 MILE PASSENGER RAILROAD FROM MIAMI TO ORLANDO**; PROVIDING FOR AN EFFECTIVE DATE

8.d Resolution 2014-82

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **ESTABLISHING THE REGULAR COMMISSION MEETING SCHEDULE FOR 2015**; PROVIDING FOR AN EFFECTIVE DATE.

8.e Resolution 2014-83

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE VILLAGE OF BISCAYNE PARK, AUTHORIZING THE CITY TO SELL AND DISPENSE DIESEL AND UNLEADED FUEL** FOR SERVICE VEHICLES OWNED BY THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE

8.i Resolution 2014-87

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; **AUTHORIZING THE MAYOR TO EXECUTE ADDENDUM TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN R.J. HEISENBOTTLE ARCHITECTS P.A. AND THE VILLAGE OF BISCAYNE PARK** FOR PROFESSIONAL SERVICES RELATING TO A COMPREHENSIVE ASSESSMENT FOR THE RENOVATION AND RESTORATION OF THE HISTORICAL VILLAGE HALL LOG CABIN; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Jonas makes a motion to approve the Consent Agenda and it is seconded by Commissioner Ross.

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

Opposed: None

Motion carries: 5/0

8.g **Resolution 2014-85**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **APPROVING THE EXPENDITURE OF POLICE STATE FORFEITURE FUNDS OF NOT MORE THAN \$6,990.00 FOR THE RENTAL OF VEHICLES** FOR USE BY THE POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE

Manager Shafran provided the background. Chief McKenna explained current available vehicles have excessive repair costs, provides for the change of vehicles used for surveillance, and the ability to participate in asset forfeiture programs.

Attorney Hearn explained this is for a new task force and allowable to use state forfeiture funds.

Vice Mayor Jonas makes a motion to approve Resolution 2014-85 and it is seconded by Commissioner Anderson.

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

Opposed: None

Motion carries: 5/0

8.h **Resolution 2014-86**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE LEASE AGREEMENT FOR TWO (2) 2015 FORD INTERCEPTOR AWD SEDAN POLICE VEHICLES FOR THE POLICE DEPARTMENT**; PROVIDING FOR AN EFFECTIVE DATE

Manager Shafran provided the background.

Mayor Coviello concerned with the number of vehicles in the fleet.

Commissioner Ross requests a replacement plan is put in place for all vehicles.

Manager Shafran would present a complete replacement plan during the next budget cycle.

Commissioner Anderson makes a motion to approve Resolution 2014-86 and it is seconded by Vice Mayor Jonas.

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

Opposed: Mayor Coviello

Motion carries: 4/1

8.j **Resolution 2014-92**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCANE PARK AUTHORIZING THE VILLAGE MANAGER TO REPRESENT AND SPEAK ON BEHALF OF THE VILLAGE OF BISCAYNE PARK AT ALL MIAMI-DADE COUNTY MEETINGS RELATING TO THE VILLAGE'S BOUNDARY CHANGE APPLICATION; PROVIDING FOR AN EFFECTIVE DATE

Commissioner Anderson confirms that the Mayor is also authorized and should be included.

Vice Mayor Jonas makes a motion to approve with the addition of the Mayor as also being authorized, and it is seconded by Commissioner Anderson.

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

Opposed: None

Motion carries: 5/0

9 **Public Hearing**

- 9.a Variance Request: Mariana Ferro & Amalivis Alonso
825 NE 113th Street, Biscayne Park FL, to allow an accessory structure (pool) to be located 20' into side front setback.

Attorney Hearn provided the background and an explanation of the four criterias that need to be met to grant the variance.

Manager Shafran and Krishan Manners, representing the Staff, and the petitioners were sworn in by Attorney Hearn.

Public Services Manager Krishan Manners spoke on behalf of the Planning & Zoning Board and provided their approval for the variance.

The meeting was opened for public comment and there were none.

Vice Mayor Jonas makes a motion to approve the variance and it was seconded by Commissioner Ross.

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

Opposed: Mayor Coviello and Commissioner Watts

Motion carries: 5/0

< Resume order of agenda. >

7 Information / Updates

- 7.a Sanitation transition update from Public Services Manager Krishan Manners: Great improvement in the month of November. In the first month, October, a total of 192 requests submitted through TracEz. In November, there were 36 requests submitted. Still striving for improvement.

Confirms that for the process of oversized trash piles, Waste Pro is responsible for measuring and making the determination, then it is communicated to our Public Works Staff for the Village to invoice.

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

10 Ordinances

< None >

11 Resolutions

11.a.1 Resolution 2014-88

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **SETTING FORTH THE VILLAGE'S INTENT TO USE THE UNIFORM METHOD FOR THE LEVY AND COLLECTION OF A NON-AD VALOREM SPECIAL ASSESSMENT** TO BE LEVIED UPON RESIDENTIAL REAL PROPERTIES LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE VILLAGE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "B", ATTACHED HERETO, TO FUND THE PROVISION OF **ROAD REPAIR/IMPROVEMENTS** WITHIN THE VILLAGE; STATING A NEED FOR SUCH LEVY; PROVIDING THAT A COPY OF THIS RESOLUTION SHALL BE FORWARDED TO THE PROPERTY APPRAISER, TAX COLLECTOR AND THE FLORIDA DEPARTMENT OF REVENUE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

11.a.2 Resolution 2014-89

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **SETTING FORTH THE VILLAGE'S INTENT TO USE THE UNIFORM METHOD FOR THE LEVY AND COLLECTION OF A NON-AD VALOREM SPECIAL ASSESSMENT** TO BE LEVIED UPON RESIDENTIAL REAL PROPERTIES LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE VILLAGE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "B", ATTACHED HERETO, TO FUND THE PROVISION OF **STORM WATER REPAIR/IMPROVEMENTS** WITHIN THE VILLAGE; STATING A NEED FOR SUCH LEVY; PROVIDING THAT A COPY OF THIS RESOLUTION SHALL BE FORWARDED TO THE PROPERTY APPRAISER, TAX COLLECTOR AND THE FLORIDA DEPARTMENT OF REVENUE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

11.a.3 **Resolution 2014-93**

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO **EXECUTE AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE MIAMI-DADE COUNTY OFFICE OF THE PROPERTY APPRAISER** ON BEHALF OF THE MIAMI-DADE COUNTY TAX COLLECTOR TO FACILITATE THE COLLECTION OF **NON-AD VALOREM ASSESSMENTS FOR THE PROVISION OF ROAD REPAIR/IMPROVEMENTS** WITHIN THE VILLAGE; PROVIDING FOR AN EFFECTIVE DATE

11.a.4 **Resolution 2014-94**

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO **EXECUTE AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE MIAMI-DADE COUNTY OFFICE OF THE PROPERTY APPRAISER** ON BEHALF OF THE MIAMI-DADE COUNTY TAX COLLECTOR TO FACILITATE THE COLLECTION OF **NON-AD VALOREM ASSESSMENTS FOR THE PROVISION OF STORM WATER REPAIR/IMPROVEMENTS** WITHIN THE VILLAGE; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title of all four resolutions and explained that the public can speak on any or all of these resolutions.

Mayor Coviello opened the meeting for public comment:

Linda Dillon: Understands what this is for, but how much will it be?

Manager Shafran explained that this is the first required step in the process. Will not know the costs until the Spring.

Barbara Kuhl: Previous approximate cost of a master plan was about \$150,000. Don't want to pay that much. It was an overdone proposal. Who will decide what level of a master plan we will need. There are sewer drains that need to be fixed. We do not have to reinvent the wheel on this.

Harvey Bilt: Did we not already do a master plan?

Manager Shafran explained that what is required are technical engineering plans.

Commissioner Ross makes a motion to approve Resolution 2014-88 and it is seconded by Commissioner Anderson.

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

Opposed: None

Motion carries: 5/0

Commissioner Ross makes a motion to approve Resolution 2014-89 and it is seconded by Commissioner Anderson.

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

Opposed: None
Motion carries: 5/0

Commissioner Anderson makes a motion to approve Resolution 2014-93 and it is seconded by Vice Mayor Jonas.

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

Opposed: None
Motion carries: 5/0

Commissioner Ross makes a motion to approve Resolution 2014-94 and it is seconded by Commissioner Anderson.

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

Opposed: None
Motion carries: 5/0

11.b Resolution 2014-90

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; ESTABLISHING RULES AND PROCEDURES FOR THE VILLAGE OF BISCAYNE PARK PARKS & RECREATION DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE.

Manager Shafran provided the background.

Commission consensus to make these changes:

Commissioner Watts: Tighten the language of section 11.d.

Commissioner Ross: Add full court play language; add hours of operation.

Commissioner Watts: Item (b), page 3 of 6, remove "private property"; on rule 8.a, correct the language.

Commissioner Anderson: Item (e), page 3 of 6, add "without authorization of the Village".

Chuck Ross: A concern is the unattended/unsupervised minors in the park. They should have to register, or set an age limit that they cannot be in the park if unsupervised.

Vice Mayor Jonas makes a motion to approve as adjusted and it is seconded by Commissioner Anderson.

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

Opposed: None
Motion carries: 5/0

12 Old Business

< None >

13 New Business

13.a MLK Day of Service

Commissioner Ross provided the background and suggested work to be done on the median on 10th Avenue starting at 121st Street and one block in. Commission consensus to move forward with scheduling the event on Saturday, January 31, 2015. Direction to check with Parks & Parkway Advisory Board on planting suggestions. In addition a proclamation will be executed.

< Completion of section 11 Resolutions >

11.c **Resolution 2014-84**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **APPROVING THE EXPENDITURE OF POLICE FEDERAL FORFEITURE FUNDS OF NOT MORE THAN \$2,000 FOR THE PURCHASE OF A COMPUTER, COLOR PRINTER AND REQUIRED PERIPHERALS; PROVIDING FOR AN EFFECTIVE DATE**

Attorney Hearn read the title.

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

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

Opposed: None

Motion carries: 5/0

14 Request for placement of items on next meeting agenda

Commissioner Ross confirms the summary of the Manager's evaluation will be included.

Commissioner Watts: Resolution to oppose the development of pine rockland with added information.

Commissioner Watts: Support of a sea level rise and climate change congress.

Commissioner Watts: Discussion of the cat population in the Village.

Mayor Coviello: Discussion of park use by non-residents.

Vice Mayor Jonas: Discussion of a public art fund.

15 Reports

15.a Village Manager:

- Annexation: Consultants have met with the County on petition language; have met with members of North Miami staff and their elected officials on conflicting application. North Miami application goes before the County Planning Board on December 15th.

- Administration annex building: Manager Shafran provided updated on the six (6) bids received. Review committee met and heard from four out of the six bidders and ranked the four bidders on pricing and qualifications. Will present the bid with the highest ranking to the Commission at the December 9th Special Commission meeting with contract for approval. Ceremonial groundbreaking is scheduled for Thursday, December 18th. Goal is for construction to start in January.

- Log cabin restoration: Will include a presentation at the December 9th Special Commission meeting with Mr. Heisenbottle with Commission discussion and resident input.

- Recreation Center bathroom renovation updated provided by Krishan Manners: Demolition to begin for women's bathroom and tile to be delivered. Will move slower to insure quality.

15.b Village Attorney:

- Charter Review Advisory Board set to have its first meeting on December 11th. Will attend to give direction and Sunshine Law review. Suggests that the Commission attend future meetings to get input and direction.

- North Miami agreement on water utilities: A slow process due to changes in their administration and with elected officials, but will continue to communicate.

15.c Village Boards:

Dan Samaria, Chair for the Recreation Advisory Board: Thanks the commission for the new board member appointments. Had good discussions at last meeting. Assured that new members will be participating in events. Will be providing a report at each commission meeting. Will work closely with the Village on activities.

16 Announcements

Wednesday, December 3rd - Code Review Board at 7:00pm

Saturday, December 6th - Walk a Hound Lose a Pound at 9:00am

Tuesday, December 9th - Special Commission Meeting at 6:30pm

Wednesday, December 10th - Public Art Advisory Board Meeting at 6:00pm

Thursday, December 11th - Charter Review Advisory Board Meeting at 7:00pm

Friday, December 12th - Village Hall will close at 1:00pm for staff holiday party.

Monday, December 15th - Planning & Zoning Board at 6:30pm

Monday, December 15th - Ecology Board at 6:30pm

Tuesday, December 16th - Code Compliance Board at 7:00pm
Tuesday, December 16th - Recreation Advisory Board at 7:00pm
Wednesday, December 17th - Code Review Board at 7:00pm
Thursday, December 18th - Groundbreaking ceremony at 5:30pm
Saturday, December 20th - Winterfest at 11:00am
Wednesday, December 24th - Village Hall will close at 12:Noon.
Thursday, December 25th - All Village Departments are closed.
Wednesday, December 31st - Village Hall will close at 2:00pm.
Thursday, January 1st - All Village Departments are closed.

The next regular commission meeting is Tuesday, January 6, 2015, at 7:00pm.

Adjournment

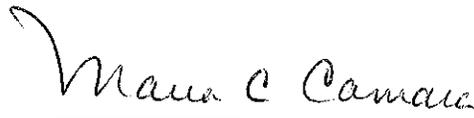
The meeting was adjourned at 9:42pm.

Commission approved on January 6, 2015.

Attest:



David Coviello, Mayor



Maria Camara, Village Clerk