



**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**

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  
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.

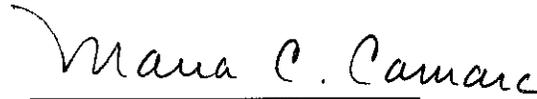
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Commission approved on June 7, 2016.

Attest:



David Coviello, Mayor



Maria Camara, Village Clerk