



MINUTES
REGULAR COMMISSION MEETING
Ed Burke Recreation Center - 11400 NE 9th Court
Biscayne Park, FL 33161
Tuesday, September 1, 2015 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 Anderson - present
Commissioner 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
Assistant Public Works Manager Cesar Hernandez

3 Pledge of Allegiance

4 Presentations

4.a Proclamation - Marie O'Quinn Day

4.e Gavin McKenzie, President of McKenzie Construction - presentation of alternate design for the dais.

At the September 10th 1st Budget Hearing, quotes to be provided on the proposed changes that were discussed.

4.b Proclamation - September 2015 is Childhood Cancer Awareness Month

4.c Proclamation - September is Hunger Action Month. Presented to Ted Hutchinson, Government Affairs & Advocacy Manager for Feeding South Florida

- 4.d Damien Morgan from the American Cancer Society - Relay for Life event taking place in the Village in April 2016.

Commission consensus to waive the park rental fees for the event and to provide in kind contribution of staff participation.

- 4.f Recreation Advisory Board members presented certificates of appreciation to the Commission and Staff that participated in the Children's Safety Day/Bike Race event.

5 Additions, Deletions or Withdrawals to the Agenda

Commissioner Ross - Add an update on Ygrene program as item 12.d

Mayor Coviello - Allow for responses from the Commission and Staff to comments made immediately following Public Comments.

6 Public Comments Related to Agenda Items / Good & Welfare

Gary Kuhl: In regards to the discussion of the dais, criticism and questions are a part of the process. Yes, some of the e-mails you received were over the top. But not about agreeing or disagreeing with the Manager and Commission. Did not hear were anyone on the Commission reached out to the residents and what they thought. Where was your engagement? Process is compromised. It is not what you want, but what we want. This will be an imposing structure. Not about the money. Money that is poorly mis-spent, people will complain. Should be sectionalized. Not a huge expense. On damage to floor, if there are more pieces, less heavy. Historically the original dais did not take up a whole lot. It was a community center. Not what you want but what the residents want.

Art Pyle: On track pick up, it is supposed to be on Tuesday. Lately they come on Mondays also. That is good, but it causes people to put out on Sunday. Went down my street three times on Monday because they have become wise to it and keep putting piles out. People are abusing this and putting piles out on Sunday.

Aurelio Mendoza, Department Director from SAVE, largest LGBT organization in South Florida. Please support resolution under item 8.f. Miami Dade County Board of Commissioners unanimously supported a similar resolution.

Jeanne Bergeron: Live across new Village Hall. Great job so far on the log cabin. Back in 2009, Biscayne Park created a mini trailer park for Public Works. Only supposed to be there for one year. Then the Police moved in for one more year. It is now six years later and the trailer is still there. Was told that trailer would be removed on August 31st, but that the areca palms would remain. Was told by Commissioner Anderson that when the palms were originally planted, it would be just to screen the trailer. Now am being told that Mr. Milton Hunter asked for 20' of the areca palms to remain. All the other neighbors have been waiting patiently to have the trailer and palms removed. Areca palms are not favorable. We want them gone. Suggest that the palms removed are given to Mr. Hunter.

Barbara Kuhl: Sent out short questionnaire on the dais to residents. Upsetting when Commission says we are being divisive. Gary is right. You are just five people. You should have reached out to residents. Most said to make it portable. Happy you are looking to make it moveable. But you need to wait to purchase. Many other things to spend on. Wait five years. The cabin is a special place. Anything added permanently will ruin it. The proposed design with logs and chinking sounds horrible. Has anyone seen it? Should have a cleaner, lighter look. Could make portability easier. May cost more to do it right. But you need to listen to the people.

Janey Anderson: Thanks to Mayor for bringing Miami Shores Chamber to the Village. New building is amazing. Very classy that Manager Siegel acknowledged former Manager Garcia at the grand opening. Thanks the Recreation Advisory Board for their efforts at the Bike Race event.

Chuck Ross: Rumor going around that project is \$350,000 over budget. That is a lie. Need to put a stop to this. Thanks Janey for positive comments. Thanks the Recreation Advisory Board. The Commission and Staff are listening and will go back to McKenzie and audio expert to work on it further.

Tracy Truppman: Love living here. There is a lot of involvement here. A special place. In the end we all do come together. We have different style of government than we did in 1936. We have gotten more from this Administration and Commission than ever before. We are finally moving ahead. Getting things done. Be more civil when sending emails and making remarks. Thanks the Manager and the Commission for being available to talk with. Thanks Krishan, Cesar and the Chief. Thanks everyone.

Nancy Dawson: As a realtor, people are flocking to Biscayne Park. Only community left where neighbors talk to each other. This is a real Village. Do not lose sight and caution all that new buyers are paying the high millage. Watch carefully. Village is on top in reputation.

Ed Chisholm: On trailer, if you leave the trees, police cannot see down 114th Street. Compliments on the new building and renovation so far of the log cabin. Considerable consideration needs to be given on the cost of the dais.

Marie Smith: Lived here forty years. Seen a great change. Commend staff on new building. On the log cabin restoration, very much against a permanent dais. Will take away from using it for events. Make it where you can break down and put away and to generate revenues.

Commissioner Watts asks for an e-mail from a resident be read. There is consensus from a majority of the Commission to not have particular e-mails read.

Mayor Coviello: The dais is a subjective issue. There isn't a right or wrong answer. The Commission hears both sides and makes decision based on resident input and staff input. Tonight's discussion was a good discussion, as well as the input provided by the resident survey. Good suggestions came from it and solved many of the items that people had an issue with.

Commissioner Ross: Have seen e-mails that gave very little information to make a decision on and were written in a way to solicit a certain kind of response. Regarding the resident survey, have no idea how many people received the e-mail. How do you account for those that did not respond who may be in agreement. It was incorrect to state that the project was \$350,000 over budget. In regards to the comment made on the Public Works truck, look forward to working with the Manager to include that purchase in the budget discussions.

Commissioner Jonas: Many people went to bat for us to get the funding from the State. How likely would we have been able to get that funding if we had told them to fund the total amount because we did not want to fund any portion of it ourselves.

Commissioner Watts: The fact is we did pass an ordinance to get a loan for \$350,000 and we are in debt for that. We are taking money out of the reserves and not putting money in the reserves in order to pay for Phase IV. The economy is volatile. We need to save money for a rainy day. Not right to spend \$24,000 on a dais when we are not putting money into reserves. Better to be fiscally cautious.

Commissioner Ross: Need to correct the statement made by Commissioner Watts. We are not taking money from reserves for the \$24,000.

Commissioner Anderson: Asks Manager Siegel how much money will be used from the reserves for this project and any other item discussed during the budget workshops.

Manager Siegel: The budget is still being worked on for presentation at the 1st budget hearing on September 10th. Not yet finalized.

7 Information / Updates

- 7.a Month end financials for fiscal year 2014-15 as of July 31, 2015, provided by Finance Manager Charles.

Mayor Coviello moves up item 12.c

- 12.c Board Application - Public Art Advisory Board

Vice Mayor Anderson makes a motion to accept the board appointment of Melanie Oliva to the Public Art Advisory Board 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

8 Consent Agenda

- 8.a Approval of Minutes
August 4, 2015 Regular Commission Meeting
August 11, 2015 1st Budget Workshop FY 2015-16
August 18, 2015 2nd Budget Workshop FY 2015-16

- 8.b Acceptance of Board Minutes
Biscayne Park Foundation - June 15, 2015
Recreation Advisory Board - July 28, 2015
Planning & Zoning Board - August 3, 2015
Planning & Zoning Board - August 17, 2015
Code Compliance Board - August 10, 2015
Public Art Advisory Board - August 12, 2015

- 8.c **Resolution 2015-43**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **RATIFYING THE DONATION OF \$2,500 FOR FISCAL YEAR 2014-15 TO THE NORTH MIAMI FOUNDATION FOR SENIOR CITIZENS' SERVICES, INC.;** PROVIDING FOR AN EFFECTIVE DATE

- 8.d **Resolution 2015-44**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO EXECUTE THE AMENDMENT TO THE AGREEMENT BETWEEN THE VILLAGE OF BISCAYNE PARK AND WASTE PRO OF FLORIDA, INC. FOR SOLID WASTE AND RECYCLING COLLECTION SERVICES TO ALLOW WASTE PRO TO BE RESPONSIBLE FOR TRASH AND GARBAGE DISPOSAL;** PROVIDING FOR AN EFFECTIVE DATE

8.e **Resolution 2015-45**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE LEASE AGREEMENT FOR ONE (1) 2016 FORD INTERCEPTOR AWD SEDAN POLICE VEHICLE FOR THE POLICE DEPARTMENT TO REPLACE A POLICE VEHICLE DETERMINED TO BE A LOSS; PROVIDING FOR AN EFFECTIVE DATE**

8.f **Resolution 2015-46**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK **SUPPORTING FLORIDA LEGISLATURE SB 120 AND HB 45, ENTITLED THE "FLORIDA COMPETITIVE WORKFORCE ACT," OR SIMILAR LEGISLATION THAT WOULD PROHIBIT DISCRIMINATION IN FLORIDA ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION; 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 **Ordinances - Second Reading**

9.a **Ordinance 2015-04**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AMENDING SECTION 5.3.4 OF THE LAND DEVELOPMENT CODE ENTITLED "OBJECTS IN THE RIGHT-OF-WAY" TO PROVIDE REGULATIONS PERTAINING TO THE SWALE AREA; AMENDING SECTION 5.6 OF THE LAND DEVELOPMENT CODE ENTITLED "OFF-STREET PARKING" TO PROVIDE REGULATIONS PERTAINING TO OFF-STREET PARKING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE**

Attorney Hearn read the title and provided the background.

Mayor Coviello opened the meeting for public comment and there were none.

After discussion, there is consensus to amend the language in section 5.6.1 (a) 1, to add "residential"; to correct the table in 5.6.3 to "public assembly".

Vice Mayor Anderson makes a motion to approve Ordinance 2015-04 as amended and it is seconded by Commissioner Ross.

Commissioner Ross: Yes

Commissioner Jonas: Yes

Vice Mayor Anderson: Yes

Commissioner Watts: No

Mayor Coviello: Yes

Motion carries: 4/1

9.b Ordinance 2015-05

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AMENDING SECTION 10.4 OF THE LAND DEVELOPMENT CODE ENTITLED "BUILDING CONSTRUCTION" TO PROVIDE FOR VARIANCES FOR ROOFS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE

Attorney read the title and provided the background.

Mayor Coviello opened it to public comment and there were none.

After discussion, there is consensus to amend the language in section 10.4.6 (g) to take out "fully"; add "and approved by staff".

Vice Mayor Anderson makes a motion to approve Ordinance 2015-05 as amended and it is seconded by Commissioner Jonas.

Commissioner Watts: Yes

Vice Mayor Anderson: Yes

Commissioner Jonas: Yes

Commissioner Ross: Yes

Mayor Coviello: Yes

Motion carries: 5/0

Mayor Coviello moves up item 12a

12.a Open House signage allowances

Manager Siegel provided background and seeks direction on providing allowances for open house signage. Recommends realtor registration, fee, limits of time and locations.

Attorney Hearn provided information on a Supreme Court case that addresses signage and that you cannot be selective on one type of sign over another.

After discussion by the Commission, including input from two realtors, the Commission directs Attorney Hearn to continue to look at the impact of the Supreme Court case and bring back for further discussion.

11 Old Business

11.a Discussion of 2016 legislative goals.

Manager Siegel seeks input from the Commission on the legislative priorities for the 2016 Legislative Session.

After discussion, primary priorities are the law enforcement assessment, sea level rise issue; and clean water/stormwater projects.

12 New Business

12.b Recap of Florida League of Cities Annual Conference

Mayor Coviello provide a brief recap. Directed the Clerk to forward to the Commission a video from the conference on "building civic infrastructure in local government".

12.d Update on Ygrene program

Commissioner Ross provided an update on the number of home improvement projects in Biscayne Park where residents utilized the Ygrene program.

13 Request for Placement of Items on Next Meeting Agenda

Mayor Coviello - Revisit board appointments, residents vs property owners.

Mayor Coviello - Code Compliance Board - how they operate; attorney being present; or consider switching to a special magistrate.

Vice Mayor Anderson - Resume discussion of changes to code in Chapter 8, main items being shutters and holiday lighting.

Commissioner Watts - Discuss joint projects with Miami Shores, El Portal and North Miami

Commissioner Ross - Discuss the roles of the Mayor, Commission and Village Manager.

Manager Siegel - Review board attendance.

14 Reports

14.a Village Manager

- On stormwater master plan, waiting on finalizing agreement with the State. When done will bring forward amendment to the agreement with Craig A Smith & Associates. Will proceed with the community workshop on this subject scheduled for September 19th.

- Log cabin restoration: currently focusing on roof, both inside and outside. Also working on floor layout and saving original wood where possible.

- Annexation: waiting on scheduling for the County Board of Commissioners.

14.a Village Attorney

< None >

14.b Boards

< None >

15 Announcements

Monday, September 7th - All Village departments are closed in observance of Labor Day
Tuesday, September 8th - Planning & Zoning Board at 6:30pm
Thursday, September 10th - 1st Public Hearing FY 2015-16 Budget at 6:30pm
Saturday, September 12th - Quarterly Saturday Trash Pick up
Wednesday, September 16th - Code Compliance Board at 7:00pm
Wednesday, September 16th - Parks & Parkway Advisory Board at 7:00pm
Saturday, September 19th - Storm Water Master Plan Project Kick Off Meeting at 9:00am
Saturday, September 19th - Village Manager Parks & Recreation Roundtable at 10:30am
Monday, September 21st - Planning & Zoning Board at 6:30pm
Monday, September 21st - Ecology Board at 6:30pm
Tuesday, September 22nd - Recreation Advisory Board at 7:00pm
Thursday, September 24th - 2nd Public Hearing FY 2015-16 Budget at 6:30pm
Monday, October 5th - Planning & Zoning Board at 6:30pm

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

Adjournment

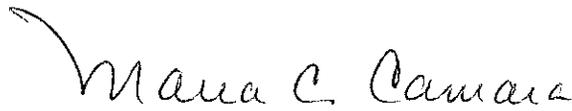
The meeting was adjourned at 10:37pm.

Commission approved on October 6, 2015.

Attest:



David Coviello, Mayor



Maria Camara, Village Clerk