



Village of Biscayne Park Commission Agenda Report

Village Commission Meeting Date: March 1, 2016

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

- February 2, 2016 Regular Commission Meeting
- February 6, 2016 Commission in the Community



MINUTES
REGULAR COMMISSION MEETING
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Tuesday, February 2, 2016 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 Bob Anderson - present
Commissioner Fred Jonas - present
Commissioner Roxanna Ross - present
Commissioner Barbara Watts - absent (*Arrived at 7:34pm*)

Present from staff were:

Village Manager Heidi Siegel
Village Clerk Maria C. Camara
Village Attorney John Hearn
Finance Manager Claude Charles

3 Pledge of Allegiance

4 Presentations

4.a Proclamation - in recognition of Commander Roy Camara's service to Miami-Dade County Corrections & Rehabilitation Department

4.b Certificate of Appreciation and acknowledgement of service on the Biscayne Park Foundation - Supreme Dorvil and Joe Chao

4.c Introduction of Building Permit Coordinator, Irwina Peterson

4.d Recognition of President City's Attendance Award to the Village from the Miami Dade County League of Cities

5 Additions, Deletions or Withdrawals to the Agenda

Manager Siegel asks that item 13.k be moved up to before Consent.

Commissioner Ross asks that during the Attorney report there is an update with the water issue with the City of North Miami.

6 Public Comments Related to Agenda Items / Good & Welfare

Melanie Oliva: Environmental artist and proud to live here. Thanks Mayor for sponsoring resolution on protecting bears, and the Commission's consideration. A good step to help protect bears in Florida. Welcomes anyone to encourage other cities to do the same.

Marie Smith: A BP Foundation member. Accolades on reconstruction of the log cabin. But as a Foundation member, wished you had not done the dais. So much more to do in the Village. Wish we could use cabin for rental for events. A source of fund raising. On the new signage, you need to paint the birds. They look dull. The back of the signs look ugly. Recommend that you investigate this and make it prettier.

Guerlin Escar (Waste Pro representative): Introduced new route supervisor - Tom Lassiter. Excellent customer service skills. Recognizes the needs of the Village. You will see improvements.

Sebastian Acosta: Regarding the Resolution on the bears, thank you for moving it forward. Provided the background on the issue. The support of the Village means a lot.

Gary Kuhl: On item 13.i, landscaping for new homes, supports it, but there are many houses where work has been done and the lawns never restored. Need to consider 50% covering on fences added to corner lots. Not being enforced. Very few have been completed. Those who added driveways, the debris still sits there with the lawn overgrown. You need to add it to the list of what needs to be enforced.

Janey Anderson: Good stuff on the agenda. Bear issue is a moral issue. Won't truly know the whole story behind it. Appreciates this on the agenda. Also the issue on the landlord permit. Sends message to business people and it must continue year after year. On the change to solid waste code, like the idea of tightening up the time frame. In a nice community, you don't see trash cans out. On community signage, you will need to go into general fund to get money to finish the landscaping. Better to get the funding and instead install the other four signs. Then find more money or in the next budget to do the landscaping. This is brand awareness.

Linda Dillon: Against the resolution to oppose bear hunting. Have done a lot of research in the last few weeks. Many have studied this and the authorities of this think that the Fish & Wildlife Commission have embarked on a smart management system. I agree with the professionals.

Erica Pettis: Have submitted an application to be a Biscayne Park Foundation board member. Joe Chao and Supreme Dorvil did a great job, and Jorge Marinoni and Marie Smith continue to do a great job as well.

Barbara Kuhl: The place looks great. Language on trash container very confusing. Suggest that it reads you can put garbage and recycling out on noon the day before, and put back in by noon the following day. And for trash, the entire day before. On community signage want to see the project finished. Delays will cause it to go into limbo. Commissioner Anderson asked the Manager for the total cost to finish. Would be good to have that. It would be fair for the whole neighborhood to get the signs. There has also been discussion for a plan to camouflage the back. Kuhl family supports protecting the bears. This is an issue that the community would support.

Chuck Ross: Crime Watch meeting in the log cabin scheduled for February 18th at 7:00pm. Grand opening for the log cabin was wonderful. Many compliments received. Strong support for Erica Pettis to join the Foundation. Congratulations to Roy Camara on his retirement.

6.a Response to prior public comments and inquires

Mayor Coviello: On the dais, it is moveable. There is the ability to rent out the cabin for events.

Manager Siegel: Doing a study on what other similar facilities charge for rental. Will bring to the Commission for approval at the March meeting.

7 Information / Updates

7.a Finance Manager Claude Charles provided the financials for current fiscal year 2015-16 for the quarter ending 12/31/2016.

New Business Item 13.k is moved up.

13.k Biscayne Park Foundation Member Applications

Commissioner Anderson makes a motion to approve the selection of Erica Pettis and Peter Trupia as Biscayne Park Foundation board members. It is seconded by Commissioner Jonas.

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

Opposed: None

Motion carries: 4/0

8 Consent Agenda

8.a Approval of Minutes

November 23, 2015 Special Commission Meeting

December 1, 2015 Village Commission Workshop Log Cabin Restoration

December 1, 2015 Regular Commission Meeting

January 24, 2016 Regular Commission Meeting

8.b Acceptance of Board Minutes

Biscayne Park Foundation - November 9, 2015
Planning & Zoning Board - December 7, 2015
Planning & Zoning Board - December 21, 2015
Code Compliance Board - December 14, 2015
Public Art Advisory Board - December 8, 2015
Recreation Advisory Board - December 15, 2015
Planning & Zoning Board - January 4, 2016
Planning & Zoning Board - January 19, 2016
Code Compliance Board - January 11, 2016
Public Art Advisory Board - January 13, 2016

8.c Resolution 2016-01

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE INTERLOCAL AGREEMENT BETWEEN THE VILLAGE OF BISCAYNE PARK AND MIAMI-DADE COUNTY, FLORIDA** FOR THE ENFORCEMENT OF SECTION 8CC OF THE MIAMI-DADE COUNTY CODE AS IT RELATES TO SECTION 21-81 OF THE MIAMI-DADE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE

8.d Resolution 2016-02

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **OPPOSING THE FLORIDA FISH AND WILDLIFE COMMISSION'S ACTION TO PERMIT BEAR HUNTING**, AND REQUESTING THE INTERVENTION OF THE GOVERNOR AND THE STATE LEGISLATURE, PROVIDING FOR AN EFFECTIVE DATE

8.e Resolution 2016-03

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, **AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDA OF UNDERSTANDING TO THE COLLECTIVE BARGAINING AGREEMENT** BETWEEN THE VILLAGE OF BISCAYNE PARK, FLORIDA AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION, INC.; PROVIDING FOR AN EFFECTIVE DATE

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

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

Opposed: None

Motion carries: 4/0

9 Public Hearing

- 9.a Variance Request - Lawrence & Chandra Peña, 831 NE 109th Street
Installation of an accessory structure (shed 20' x 10') (*Deferred from December 2015.*)

Attorney Hearn explained that the property owners rescinded their request for the variance.

10 Ordinances

< First Reading >

10.a Ordinance 2016-01

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **AMENDING CHAPTER 8 OF THE LAND DEVELOPMENT CODE ENTITLED "ENVIRONMENTAL MANAGEMENT"** WHICH INCLUDE AMENDMENTS TO SECTIONS 8.2, 8.3 AND 8.4; TEMPORARY EXTERIOR HOLIDAY DECORATIONS, STORM SHUTTER/PROTECTIVE WINDOW COVER REPLACEMENTS AND HOUSE NUMBERS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title.

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

Commissioner Ross: On item 8.2.1, update the name to Florida Department of Environmental Protection.

Mayor Coviello: Proposed language on storm shutters came from Code Review Board. Attorney Hearn tweaked it to make it more consistent. Asks Attorney Hearn to look at again to clarify it will allow us to enforce it.

Commissioner Anderson makes a motion to approve Ordinance 2016-01 and it is seconded by Commissioner Jonas.

The motion was called to a vote:

Commissioner Ross: Yes

Vice Mayor Watts: Yes

Commissioner Anderson: Yes

Commissioner Jonas: Yes

Mayor Coviello: Yes

Motion carries: 5/0

11 Resolutions

< None >

12 Old Business

< None >

13 New Business

13.a Revisit landlord permit requirements - As requested by Commissioner Ross

Commissioner Ross: Proposes to remove the exemption after three years, and to require the landlord permit be obtained on a yearly basis.

After discussion, there was consensus to move forward. Manager Siegel will work with Attorney Hearn on clarifying the language on section 16.15.3, as well as add language on what proof is required to support request to waive the fee if unit is not being rented.

- 13.b Setting policy for when a Board does not meet quorum to allow for a workshop - As requested by Commissioner Ross

Commissioner Ross: Proposes to create an official policy that if a Board does not have a quorum, to allow for a workshop, yet still following provisions of the Sunshine Law.

After discussion, there was consensus to move forward and have the Attorney draft a policy.

- 13.c Discussion regarding changes to Section 6.3 of the Code of Ordinances relating to Solid Waste - As requested by Manager Siegel

Manager Siegel: Current code has conflicting language on what the allowable time frame is to have garbage, trash and recycling set out, as well as time to be brought back in. Also to consider increasing the size of the garbage and trash container to 65 gallons, the same as the recycling container.

After discussion, there was consensus to draft language to update the language that for garbage, trash and recycling, containers and/or piles can be placed out for pick up no earlier than 5:00pm the day before the pick up day, and must be brought back in no later than 5:00am the day after pick up. The language will also include allowing landscapers to set out yard trimmings as long as it is contained and within the size and time regulations.

Waste Pro representative Guerlin Escar will consult with their operations staff if there are any issues with larger container size.

- 13.d Discussion on establishing a Civil Citation process for repeat code violations - Attorney John Hearn

Attorney Hearn provided background with examples of what is used in other cities.

After discussion, there was consensus to move forward and have Attorney Hearn draft language, and will work with Staff to draft a list of violations covered under this process.

- 13.e Discussion of Special Magistrate vs. Code Compliance Board - Attorney John Hearn

Attorney Hearn provided the background.

After discussion, no action taken at this time. Commission will continue to consider.

13.f Discussion of storm water removal system - As requested by Commissioner Jonas

Commissioner Jonas: Aware of recent water removal repairs, example manhole at 121st. Has been repaired multiple times. Several similar locations. The approach that you find an area with inadequate drainage and fixing it in that manner. Need to appreciate that there is a systematic Village wide problem and appreciate the current survey being done. Look beyond the band aid approach.

Manager Siegel: Current survey is in progress. Look to have a draft of the report in July.

13.g Landscaping proposals for Community Signage - As requested by Manager Siegel

Manager Siegel: Landscaping design for the community signage provided by Savino Miller as part of their proposal for the signs. Subsequently, the Parks & Parkway Advisory Board provided an alternate plan. Looking for Commission direction and consensus to move forward with Board's design.

Parks & Parkway Board member Dan Keys provided the Commission with an overview of each design.

Commissioner Anderson: Would prefer to see available funding go towards installing all 8 signs, instead of completing the 4 signs currently installed with landscaping and lighting. Looking for the overall cost to complete.

Manager Siegel: Need Commission's direction on which proposal to move forward with to get complete pricing.

After discussion, there is consensus to move forward with completing the 4 signs currently installed with landscaping and lighting, and to follow the proposal submitted by Parks & Parkway. The proposal includes the use of gravel, with plant material used at the base and back of sign.

13.h Discussion of legislative goals - As requested by Mayor Coviello

Mayor Coviello takes the opportunity to affirm the legislative goals and that our message is clear.

Commissioner Ross will be attending Dade Days and will be meeting with David Caserta.

13.i Landscaping for new homes and existing homes with substantial renovation - As requested by Mayor Coviello

Mayor Coviello: In other cities, a landscape plan is required to be submitted along with plans for a major renovation or new build. Looks to have the same for the Village.

After discussion, there is consensus to direct the Code Review Board to review and propose language to include this in our code, and to bring back to the commission within three (3) months.

13.j Miami Dade County League of Cities 62nd Annual Gala attendance

Mayor Coviello: Anyone who will attend on behalf of the Village will contact the Village Clerk.

Item 13.k discussed earlier in the meeting.

13.l Highway signage discussion - As requested by Mayor Coviello

Mayor Coviello: In an effort to continue our branding initiative, look to have highway signage added.

After discussion, there is consensus to direct the Manager to reach out to FDOT, as well as Miami Dade County Transit.

14 Request for Placement of Items on Next Meeting Agenda

Mayor Coviello: Fence permitting and required landscaping.

- Fence permitting and required landscaping.
- Discussion on extending the deadline for driveway compliance.
- Revisit the discussion on "McMansions"
- Continue discussion on water agreement with North Miami

Commissioner Ross:

- Adding the override compliance for Code Compliance Board members, the same as with Planning & Zoning Board.
- Utilizing CITT funds for bus shelters at 114th Street

Vice Mayor Watts:

- Art requirements for new buildings/public spaces and use of County funding.

15 Reports

15.a Village Manager

- Annexation: County Commission has requested a workshop specific to Annexation Report at future date. Consensus from the County Commission to go forward with current applications. Expect to be on their agenda soon.

- Board applications will be considered at the March commission meeting.
- Funds allocated for code sweeps have been utilized. Concentrating on garbage/trash on wrong day. Being done on Wednesdays and Sundays. Code Officer issuing citations for parking on grass when there is an available parking surface.
- 6th Avenue Median project: Working with FDOT on how to proceed since the initial bids came in higher than projected and what is available through the grant.
- Recreation center lighting: Still waiting on all quotes to be received. Confirms that direction was given to get cost proposals on just the entrance and also the entire facility before proceeding.
- On the Log Cabin roof, architect has confirmed it is structurally sound and it is final and best that will be achieved.
- Working on finalizing the trash receptacle enclosures for Village Hall as well as the Recreation Center.
- Church of the Resurrection will be doing landscaping for their property as required by Miami Dade County code. Looking to see what they do first and then continue with the plans for future landscaping for Village Hall on the south side.

15.b Village Attorney

- Have drafted an interlocal agreement with North Miami per prior direction which articulates our/their rights, their duties, and the rights of our residents regarding water survey. Many changes continuing to occur at North Miami with staffing, including the position of City Attorney. Will continue to reach out to North Miami, as well as Manager Siegel. Will do a public records request on the testing they do on their water quality.

15.c Village Commission

Commissioner Jonas: Spectacular building and room!

Commissioner Ross: February 16th is the last day to vote for primaries.

Mayor Coviello confirms that the next newsletter is scheduled late in March. Include information on all the code changes being proposed and common code issues.

15 Announcements

Saturday, February 6th - Commission in the Community at 10:00am

Monday, February 8th - Code Compliance Board at 7:00pm

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

Monday, February 15th - All Village Departments are Closed in observance of

Tuesday, February 16th - Planning & Zoning Board at 6:30pm

Wednesday, February 17th - Parks & Parkway Advisory Board at 6:30pm

Saturday, February 20th - Movie Night in the Park at 6:30pm

Tuesday, February 23rd, Recreation Advisory Board at 7:00pm

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

Adjournment

The meeting was adjourned at 9:57pm.

Commission approved on _____.

Attest:

David Coviello, Mayor

Maria Camara, Village Clerk



MINUTES
COMMISSION IN THE COMMUNITY
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Saturday, February 6, 2016 at 10:30am

At 10:34am, Mayor Coviello welcomed everyone in attendance.

In attendance were Mayor David Coviello, Commissioner Bob Anderson, Commissioner Fred Jonas, Commissioner Roxanna Ross, Village Manager Heidi Siegel and Village Clerk Maria Camara.

Tracy Truppman: Congratulates everyone on the new building.

Jorge Marinoni: Incredible all the things that have been done. Please focus on the roads. A lot of deterioration. Instead of a study, get quotes from companies for a plan to repair. Would not mind an assessment to pay for repairs.

Commissioner Ross: Certain criteria to follow to contract or purchase. City has to put out a bid request for such a large amount and a plan is required to be included. As in the study being done for storm water, this will identify roads that need repair. It will give us a more global view of what needs to be done.

Dan Keys: Instead drive around and make a list, then ask for a proposal. For many years the roads have not been addressed. 1994 was last time a repair was done.

Tracy Truppman: As the community what the issues are and then prioritize as opposed to letting the few that attend here make a list, or the commission to make a list.

Gary Kuhl: Most recently roads were in good shape. The Waste Pro trucks are impacting the roads more now. They are driving on swales and destroying medians. Roads failing more because of these heavy trucks. No attempt from Waste Pro to respect medians or swales on private property.

Commissioner Jonas: Same would have happened if we did not outsource as the Village would have had to purchase bigger trucks.

Tracy Truppman: Have seen other vehicles make poor turns. Roads were not originally designed for modern technology. Our roads are narrow. If you tear up roads, you have to deal with water pipe issues. There are serious infrastructure issues with water. It is our biggest challenge. Suggest looking at the County for water service. North Miami has increased their rates, but has done nothing for basic services, water pressure, etc.

Manager Siegel: County (WASA) has no interest in servicing us. Their main priority is to modernize their water treatment plant. Prior City of North Miami Manager committed that if the Village did road repairs, they would utilize that opportunity to improve/replace the water pipes.

Mayor Coviello: Need to finalize a contract with City of North Miami.

Dan Keys: Current agreement that has been drafted sounds very basic. Need to add more in it such as replacement of pipes and road repair.

Dan Keys: On storm water drainage plan, it may identify bad spots and will be a lot of work to be done. Concerned it will put Village in a position that it cannot afford down the line.

Barbara Kuhl: People I speak with do not see a flooding issue. Why spend money on that. Why did we do this plan to begin with. Roads do need repair. But we don't need a study when any idiot can tell if a road needs to be repaired. Take the top 10 worst roads and get a quote for that. Massive studies to do common sense repairs? We don't have money for erroneous studies. I want every dollar spent well.

Janey Anderson: Storm water is not anyone's fixation. Should not just accept what the study will report. Residents are talking about code issues. Tackle what people are talking about.

Tracy Truppman: If there is a benefit from the plans that will tackle the problems of the roads and water pipes, then does not object.

Manager Siegel: Just returned from a gathering of professionals where there was a discussion on "regionalism". Many cities struggle with this where we only focus on our own city or Village. Need to work with our neighbors collectively.

Harvey Bilt: On code enforcement, about time to hire a professional attorney for new ordinances written. Our code on portable storage units is not enforceable. Language needs to be tightened. Code must be easily understandable. Clear on how to enforce.

Gary Kuhl: There are contradictions on our code. If a professional were hired, they can put it in a correct format. We don't have the expertise. Last commission meeting very positive. A real interest in code enforcement. However Reggie is still overwhelmed. If we are serious about code enforcement, then Village needs to look at itself. Screen the trash cans at Village Hall. Public Works is a mess. It is an embarrassment. Hedges not maintained. If Village does not show pride, then the community does not show pride.

Barbara Kuhl: Our code is difficult to understand. Information out to residents is lacking. On the newsletter, less ads and instead more important information such as not driving over medians, garbage cans out. Many throw out the newsletter, they don't care about events. Why doesn't the Commission inspire to have beautiful lawns. Have a landscaping expo. Have a driveway expo.

Tracy Truppman: Expo idea is great. Have a different focus each month on issues.

Dan Keys: Biscayne Park pride program should be attempted. Look at your home. Point out successes and failures. Many people don't care what their home looks like. On survey idea, focus on specific items. Home improvement expo a good idea. Get Home Depot, tile companies, etc. to participate. Need more events to show our pride. Make the quarterly trash pick up more beneficial for residents.

Janey Anderson: Any time code changes, make better effort to communicate it out such as website, e-mail, flyers, etc. The more the better.

Commissioner Ross: Get Waste Pro to help educate. Consider magnets. Include information from the Chief on Crime Watch. Focus on a campaign to inform and educate.

Carl Bickell: Concrete poles added, but wood poles remain. Street lights that have been out over 6 months. Where there is new construction, medians are being destroyed by trucks. School buses, garbage trucks are destroying swales on corners.

Manager Siegel: A bond is requested from the property owner during construction. If repairs are not made to median, bond is kept.

Chuck Ross: Can vendors advertise to the Village on their services. Utilize their resources.

Janey Anderson: If you consider extending the deadline for compliance, many will wait until the last minute to comply. Problem will persist. Deal with residents on an individual basis. This will provide significant improvements to the Village.

Barbara Kuhl: North Miami Senior Foundation gives seniors a list of vendors that provide services to the elderly/handicapped. What process did they use to qualify those vendors. Doing the same will give comfort to our residents.

Harvey Bilt: On the narrower streets, consider making them one-way.

Tracy Truppman: Or consider lower the speeds on those narrower streets.

Jenny Johnson-Sardella: On our code, difficult to read. Contradictions not enforceable.

Mayor Coviello: Thanks everyone again for their attendance and participation.

Meeting was concluded at 12:20pm.

Commission approved on _____.

Attest:

David Coviello, Mayor

Maria Camara, Village Clerk