



VILLAGE OF BISCAYNE PARK
Regular Commission Meeting
Log Cabin – 640 NE 114th Street
Biscayne Park, FL 33161
Tuesday, December 5, 2017
7:00 PM

Mayor Tracy Truppmann
Vice Mayor Roxanna Ross
Commissioner Harvey Bilt
Commissioner Jenny Johnson-Sardella
Commissioner William Tudor

Village Manager Krishan Manners
Village Attorney John Hearn
Village Clerk Marlen D. Martell
Chief Nicholas Wollschlager

AMENDED REGULAR COMMISSION MEETING MINUTES

ROLL CALL OF THE CITY OFFICIALS:

The meeting was called to order at 7:05pm by Mayor Tracy Truppmann. Present at the meeting were Mayor Tracy Truppmann, Vice Mayor Roxanna Ross, Commissioner Harvey Bilt (telephone conference), Commissioner Jenny Johnson-Sardella (telephone conference) and Commissioner William Tudor. Additional, staff in attendance were: Village Manager Krishan Manners; Village Attorney Andrew Dunkiel; Village Clerk Marlen D. Martell and Police Chief Nicholas Wollschlager.

PLEDGE OF ALLEGIANCE: led by Mayor and Commissioners.

Mayor Truppmann thanked Senator Daphne Campbell, her staff and volunteers for providing turkeys and food items to the village. Also, thanking to our staff at the Parks and Recreation center. In addition, Miami Dade League of Cities also provided turkeys to the village.

4. ADDITIONS, DELETIONS OR WITHDRAWALS TO THE AGENDA:

Mayor Truppmann motioned to table item #11.a – Driveway Ordinance until the next meeting or calling for a special meeting. Commissioner Johnson-Sardella seconded the motion. **Motion passes 3-2.** Vice Mayor Ross and Commissioner Tudor opposed.

5. PRESENTATIONS:

5.a FPL presentation on LED Lighting Plan – was requested by Commissioner Bilt. It was also on the agenda for discussion as item 12a. The Commission decided to discuss after the representation from FPL. Alex Acosta from FPL provided a PowerPoint presentation to inform residents and the Commission providing the advantages and options to install LED Lighting in

the Village. Commissioner Bilt - this is a win/win situation for the Village reducing carbon footprint and encouraging green initiatives. Commissioner Johnson-Sardella agreed as long as the Village would not incur any out of pocket expenses. Vice Mayor Ross - was concerned about construction cost and would like to see those figures prior to executing a contract. The Commission agreed the Manager should work with FPL and return with a written proposed contract for their review.

5.b Village Manager Report – The Manager requested to increase the monitoring company contract by \$100,000.00. Since FEMA requires municipalities to contract a monitoring company in order for the municipality to be reimbursed, the initial amount was an artificial cap to get them working. The commissioners were in agreement to increase the contract for BC Peabody. By completing the debris removal by December 19th the Village receives 80% reimbursement from FEMA.

Attorney Dunkiel recommended adding this item to the agenda and motion a draft and adopt at that time. Since the original amount was approved by resolution. The item was added to the agenda under New Business #12.e.

Grubbs was having difficulty picking up the debris with their current trucks and were asking for additional cost per cubic yard to complete the job. Commissioner Bilt was in support of raising the cap. The Manager stated FEMA would honor the existing contract with Grubbs, but the additional amount would not be reimbursable by FEMA. Grubbs is charging the additional fee because in order to complete the job they would need to use smaller trucks. If they could use the bigger trucks the cost would remain the same. The large trucks are not able to enter and exit the staging area without damaging surrounding properties/medians.

Officer Valiente respectfully provided an alternative plan, the police department could assist the trucks by blocking traffic allowing the trucks to enter load and exit through 7th Avenue. This option could be tested the following day.

Spoke with Deborah White of the joint legislative auditing committee last week and after hearing from GMS regarding the 2016 and 2017 CAFR she recommended to submit an Annual Financial Report (AFR). This item was added to the agenda as 12.f for further discussion.

The Finance contractor GMS has been assisting with the audits from FRS, FMIT and CITT. In code we have hired Christina a part-time code inspector working on the back end to catch up the system and update the Code section of the BS&A system.

A number of events are taking place in December. The Amazonia concert, Food Share sponsored by Daphne Campbell and WinterFest.

Park & Parkways met to bring forth a plan to enhance the median on 114 Avenue. This item was added for further discussion as agenda item 12g.

Vice Mayor Ross, was concerned about a legislative decision requesting additional funding for roads and road repairs without the consensus of the entire commission.

Manager Manners explained the process was requested by the lobbyist and he had a short time to respond and provide information. Otherwise, the Village would lose the opportunity to receive funding.

Commissioner Bilt left the phone conference at 7:57PM.

6. PUBLIC COMMENT

Mayor Truppmann opened the meeting for **Public Comment**.

The following person(s) made comments on the record:

Jorge Marinoni– invited residents to attend the Amazonia Concert on Sunday December 10th.

Nicole Susi– would like to know how to fundraise for events or group for the village.

Marie Smith – invited residents to attend Amazonia concert. Also, North Miami should be held accountable for damages they created to the medians. Signs should be added to Griffing to discourage speeders.

Dan Keys – the Parks and Parkway Advisory Board would appreciate the Commission’s support on creating a gathering park on NE 114 Street. Would rather see LED pilot areas.

Chuck Ross – an emergency meeting should have been called when making funding decisions.

At that time the declaration of state of emergency was not in effect. The Mayor is not authorized to remove residents from a public meeting.

Barbara Kuhl – supporting median project, was disturbed that a special emergency meeting was not called to collectively decide on the funding request.

Dan Samaria– FPL has not changed out the wood poles that have caused outages in the past, they should be held accountable.

MacDonald Kennedy – not in favor of having the commissioners attend the meeting by conference call. Decorum rules have not been followed in the past. Supports the Ordinance prohibiting conversion therapy on minors. Would like to know how FPL benefits from installing LED lighting. Code is falling apart, are they given direction to not cite. Who is directing code to reduce issuing citations.

Ernesto Oliver - speeding around the Village is not being addressed.

Barbara Watts - supports the improvement of the median on 114 Street. Expect the commission to be the ones working on the village mission since they were elected. No need to spend money on an Ordinance prohibiting conversion therapy since the village does not have commercial areas.

PUBLIC COMMENT CLOSED

6.a Response to prior public comments and inquiries

Commissioner Johnson-Sardella could not hear.

7. INFORMATION UPDATES/FINANCIALS: NONE

8. CONSENT AGENDA:

8.a Approval of Minutes

- Regular Commission Meeting of November 7, 2017
- Special Commission Meeting of November 14, 2017

8.b Acceptance of Board Minutes

- Park & Parkways, July 20, 2017
- Biscayne Park Foundation, October 2, 2017
- Code Compliance Board, October 23, 2017
- Park & Parkways, October 19, 2017
- Planning & Zoning, November 6, 2017
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8.c Resolution 2017-55

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE BILL OF SALE BETWEEN THE VILLAGE OF BISCAYNE PARK AND ESTEBAN GARCIA FOR THE DONATION OF A FORD CROWN VICTORIA TO BE USED IN THE POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE

8.d Resolution 2017-56

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO EXECUTE THE BILLS OF SALE BETWEEN THE VILLAGE OF BISCAYNE PARK AND VILLAGE OF KEY BISCAYNE FOR THE PURCHASE OF TWO VEHICLES; PROVIDING FOR AN EFFECTIVE DATE.

8.e Resolution 2017-59

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA ESTABLISHING THE REGULAR COMMISSION MEETING SCHEDULE FOR 2018; PROVIDING FOR AN EFFECTIVE DATE.

8.f Resolution 2017-60

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO EXECUTE AN AGREEMENT FOR THE PROVISION OF POWER MOMMAS MOMMY AND ME PROGRAM BETWEEN THE VILLAGE OF BISCAYNE PARK AND NATHALIE PERDOMO; PROVIDING FOR AN EFFECTIVE DATE

Vice Mayor Ross motioned to approve the consent agenda, seconded by Commissioner Tudor. **MOTION PASSED 3-0.** *Commissioner Bilt had left the conference call and*

Commissioner Johnson-Sardella was having difficulties hearing and was unable to participate in voting.

ORDINANCES – NONE

RESOLUTIONS - NONE

OLD BUSINESS:

These items are generally discussion items that have been previously discussed by the Commission and new information or updates are available by either a member of the Commission or the Administration.

Continued discussion on Driveway Ordinance – At the November 7th Regular Commission meeting the Commission, through consensus, gave direction to the Village Attorney to draft additional approved language and submit at the next Commission meeting. *During Item #4 Additions, Deletions or Withdrawals to the Agenda – This item was tabled until next month's meeting.*

NEW BUSINESS - These items are generally discussion items that have been requested by members of the Commission or the Administration.

12.a Presentation and discussion on Florida Power & Light Co. - LED Lighting by Commissioner Bilt – *This item was previously discussed during presentations. The consensus was for the Village Manager to work with FPL on a draft contract to be reviewed by the Commission.*

12.b Discussion on Revision of Floodplain Ordinance – Village Manager and Village Clerk – were contacted by FEMA stating the current ordinance needs to be amended in order to be in compliance with the Florida Building Code 6th Edition 2017, effective January 1, 2018.

Vice Mayor Ross recalled that the adoption of the Floodplain Ordinance in 2012 was extensive and professional services were obtained. The company used was Bell & Davis, but they are no longer in service. A possible alternative would be Greg Smith Engineering firm.

Village Clerk which is a Certified Floodplain Manager (CFM) explained FEMA would be providing the necessary provisions. The conversations with FEMA representative Leigh Chapman and John Kinley would serve as the overseeing body providing guidance on the revisions needed to comply with the Florida Building Code.

Vice Mayor recommended that because of limited staff and not having staff with sufficient background in Floodplain Ordinances. The Commission should consider hiring a professional to usher them through the process. Vice Mayor asked the Attorney how other cities handled this issue. Attorney Dunkiel explained he had drafted one Floodplain Ordinance and he was guided by an engineer. If the Village has the funding he suggested hiring an engineer.

Vice Mayor recalled the adoption of the ordinance in 2012, appointed the Building Official as the Floodplain Manager, but resources were not dedicated supporting the functions of a Floodplain Manager. Therefore, by the Floodplain Manager not attending FEMA meetings, conferences and reporting requirements, the Village fell out of compliance.

Mayor Truppman suggested utilizing the expertise of our in house CFM as much as possible and proceeding from there.

12.c Proposed Ordinance for Discussion Prohibiting the use of Conversion Therapy for Minors - Vice Mayor Ross would like the support of the commission in approving this Ordinance. The Village has home businesses, ALF and churches that could offer therapy.

The consensus of the commission was to approve a resolution because the Village does not have commercial areas; it would not be enforceable and would require attorney expense and advertising cost. In addition, it was not an enforceable ordinance but would incur a cost to the Village.

Vice Mayor Ross made a motion proposing to move the Ordinance for 1st reading. **Motion died for lack of a second.**

Mayor Truppman made a motion to draft and adopt a resolution Prohibiting the use of Conversion Therapy for Minors and forwarding the resolution to Florida League of Cities, Miami Dade League of Cities, State Representatives, Governor's Office and County Commissioners, seconded by Commissioner Johnson-Sardella. **Motion passed 4-0.**

12.d Proposed Resolutions in support of Florida League of Cities 2018 Legislative Priorities - Vice Mayor Ross reported on the six (6) resolutions submitted supporting the Florida League of Cities 2018 Legislative priorities.

Vice Mayor Ross motioned to support all resolutions, seconded by Commissioner Tudor. **Motion passed 4-0.**

12.e Village Manager requested an additional \$100,000.00 be added to the BC Peabody Monitoring Contract.

Commissioner Johnson-Sardella motioned to draft and adopt a resolution approving an additional \$100,000.00 be added to the contract, seconded by Mayor Truppman. **Motion passed 4-0.**

12.f Requesting to expedite the auditing process by submitting to the State an Annual Financial Report (AFR) rather than a CAFR – Vice Mayor Ross would rather have a completed CAFR with the historic background. The general consensus was to expedite the process and follow the State's recommendation. Paul Winkle John from General Management Services (GMS) recommended following the State's recommendation because the CAFR has historical information, but the State is looking for the analytical information and the AFR would meet the criteria. This would allow the finance company to have solid numbers moving forward.

Commissioner Tudor recommended approval, seconded by Commissioner Johnson-Sardella.
Motion passed 3-1. Vice Mayor Ross opposed.

12.g Support for gathering park requested by the Parks & Parkway Advisory Board – Dan Keys was present to explain the vision of the board. It would be located on 114th Avenue creating a meeting place for neighbors to congregate, benches, pathways, fruit and butterfly plants. Mr. Keys would be discussing with the Manager the logistics, funding and opportunity to fundraise.

The consensus of the Commission was to support the Park & Parkways Advisory Board project.

REQUEST FOR PLACEMENT OF ITEMS ON NEXT MEETING AGENDA

Through general consensus a member of the Commission may request an item be placed on the next agenda for discussion (New Business) or as a Resolution/Ordinance.

REPORTS: NONE

ANNOUNCEMENTS:

Sunday, December 10th - Amazonia Vocal Ensemble
Monday, December 11th - Code Compliance Board Meeting
Wednesday, December 13th - Public Art Advisory Board
Thursday, December 14th - Parks & Parkway Advisory Board Meeting
Saturday, December 16th - Winter Fest
Monday, December 18th - Planning & Zoning Board Meeting
Monday, December 25th and Monday January 1st - Village Depts. Closed for Christmas and New Year's Day
Tuesday, January 2nd – Planning & Zoning Board Meeting
Monday, January 8th – Code Compliance Board Meeting
Monday, January 8th – Biscayne Park Foundation

NEXT REGULAR VILLAGE COMMISSION MEETING is scheduled for Tuesday, January 9th, 2018.

ADJOURNMENT

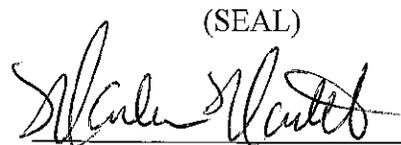
With no further items for discussion, meeting adjourned at 9:37PM.

Commission approved on: 1/9/18

ATTEST:



Tracy Truppman, Mayor

(SEAL)


Marlen D. Martell, Village Clerk