



## North Bay Village

Administrative Offices

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### **OFFICIAL MINUTES**

#### **REGULAR VILLAGE COMMISSION MEETING**

**NORTH BAY VILLAGE  
1666 KENNEDY CAUSEWAY, #101  
NORTH BAY VILLAGE, FL 33141**

**DECEMBER 8, 2015 - 7:30 P.M.**

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#### 1. **CALL TO ORDER**

The meeting was called to order by Mayor Connie Leon-Kreps at 7:35 p.m.

#### **PLEDGE OF ALLEGIANCE**

Marie Paredes led the Pledge of Allegiance.

#### **ROLL CALL**

Present were the following:

Commissioner Richard Chervony  
Commissioner Eddie Lim  
Mayor Connie Leon-Kreps  
Vice Mayor Jorge Gonzalez

Also Present:

Frank K. Rollason, Village Manager  
Jenice Rosado, Deputy Village Manager/HR Director  
Brian Collins, Acting Police Chief  
Sandra Zamacona, Acting Finance Director  
Rodney Carrero-Santana, Public Works Director  
Yvonne P. Hamilton, Village Clerk  
Jenorgen Guillen, Deputy Village Clerk

The Finance Director, Bert Wrains, was absent due to medical reasons.

2. **A. PROCLAMATIONS AND AWARDS**

1. **RECOGNITION - REBECCA BRATTNER AND MARIE PAREDES (VIGIL FOR PARIS) – *MAYOR CONNIE LEON KREPS***

The Mayor recognized Ms. Brattner and Ms. Paredes for holding a candlelight vigil on November 15, 2015 at 5:30 p.m. at Dr. Paul Vogel Park for those who perished in the November 13<sup>th</sup> Paris attacks.

A moment of silence was observed regarding the Paris attacks and the December 2 San Bernardino Shooting.

**B. SPECIAL PRESENTATIONS**

1. **MICHAEL HYMAN – BAYSHORE, YACHT & TENNIS CLUB**

Mr. Hyman addressed the Commission regarding the parking situation at Bayshore. He requested a 30-60 day extension citing that notice was received from counsel for Al Coletta that Bayshore will no longer be able to use the leased parking area after December 18, 2015.

The Village Attorney offered to attend the meeting with Mr. Hyman, Bayshore Owners, and Mr. Coletta regarding a parking resolution.

Britt Reeves, Vice President of Bayshore Yacht & Tennis Club Condominium Association, addressed the Commission about being proactive in trying to find a solution to their parking issues.

Al Coletta addressed the Commission and stated that he will agree to the 30-day extension to the Bayshore parking lease, if his attorney also agrees.

**C. ADDITIONS AND DELETIONS**

Commissioner Richard Chervony requested that Item 10A be removed from the Consent Agenda to be discussed separately.

3. **GOOD & WELFARE**

Noah Nite, of 7937 West Drive, Fane Lozman, of Rivera Beach, Tania Soberon, of 7904 West Drive, Raul Dominguez, of 7904 West Drive, and Al Coletta of 7904 West Drive addressed the Commission.

**4. BOARD REPORTS**

**A. COMMUNITY ENHANCEMENT BOARD**

The Chair, Mercedes Aguilar, reported on the November 19, 2015 Board Meeting and the December 5, 2015 joint meeting with the Youth & Education Services Board.

**B. PLANNING & ZONING BOARD**

A report was not provided.

**C. YOUTH & EDUCATION SERVICES BOARD**

A report was not provided.

**5. PUBLIC SAFETY DISCUSSION**

The Acting Chief Brian Collins reported on public safety issues.

**6. COMMISSIONERS' REPORTS**

Mayor Connie Leon-Kreps, Commissioner Richard Chervony, Vice Mayor Jorge Gonzalez, and Commissioner Eddie Lim all provided verbal reports.

**7. VILLAGE ATTORNEY'S REPORT**

The Village Attorney gave a verbal report.

**8. VILLAGE MANAGER'S REPORT**

The Village Manager discussed his report, which was included in the agenda package. He requested direction from the Commission regarding the scheduled December 3, 2015 Solid Waste Workshop that was cancelled.

Commissioner Richard Chervony made a motion to hold a Solid Waste Workshop on January 23, 2016 at 10:00 a.m. to 12:00 Noon at Village Hall. Commissioner Eddie Lim seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

It was later discussed that the workshop will be scheduled to allow everyone to participate.

**A. Grant Writer's Report**

Village Grant Writer Lakeesha Morris, of BellTower Consulting Group, LLC, discussed her report, which was included in the agenda package and responded to questions of the Commission.

The Public Works Director Rodney Carrero Santana made a brief presentation on the broken Miami Beach Force Main.

**9. FINANCE REPORT**

The Acting Finance Director Sandra Zamacona presented the financial report.

**10. CONSENT AGENDA: (Matters on the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be enacted by one motion. If discussion is desired by any member of the Commission, that item must be removed from the Consent Agenda and will be considered separately.)**

**B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE PURCHASE OF THREE (3) NEW POLICE VEHICLES FROM DON REID FORD, INC. UNDER THE FLORIDA SHERIFF'S ASSOCIATION CONTRACT; PURSUANT TO THE PIGGY BACK PROVISION, AS PER SECTION 36.25 (K) OF THE VILLAGE'S PURCHASING ORDINANCE; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

**C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATION AND DISBURSEMENT OF \$36,000 FROM THE STATE FORFEITURE ACCOUNT (FUND 05) FOR THE PURCHASE OF A POLICE VEHICLE; INCLUDING AN AMOUNT NOT TO EXCEED \$5,000 FOR EQUIPMENT; AND SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

Vice Mayor Jorge Gonzalez made a motion to approve the Consent Agenda items 10B and 10C. Commissioner Richard Chervony seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Commissioner Eddie Lim, Commissioner Richard Chervony and Vice Mayor Jorge Gonzalez all voting Yes.

Item 10A was discussed separately from the Consent Agenda.

- A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING AND DIRECTING THE VILLAGE MANAGER TO ENTER INTO AN ADMINISTRATIVE CONSENT AGREEMENT IN THE FORM ATTACHED HERETO AS “EXHIBIT 1” BETWEEN NORTH BAY VILLAGE AND THE MIAMI-DADE COUNTY DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES, DIVISION OF ENVIRONMENTAL RESOURCES MANAGEMENT (HEREINAFTER REFERRED TO AS DERM) TO FACILITATE COMPLIANCE WITH SANITARY SEWER SYSTEM REGULATIONS, (PERMIT NO. DWO-32); SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Public Works Director Rodney Carrero-Santana explained the purpose of the Resolution for a settlement with DERM regarding the Village’s failure to implement a Sanitary Sewer Evaluation Survey and submit a Phase III report.

Commissioner Richard Chervony made a motion to approve Item10A. Commissioner Eddie Lim seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

**11. PLANNING & ZONING CONSENT AGENDA**

**NO ITEMS.**

**12. ORDINANCES FOR FIRST READING AND RESOLUTIONS**

- A. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 97 ENTITLED “PARKS AND RECREATION” BY REVISING SECTION 97.02 PERTAINING TO HOURS OF OPERATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

The Village Clerk read the Ordinance by title.

The Village Manager made a brief presentation on the item.

Commissioner Richard Chervony made a motion to approve the Ordinance on first reading, as amended, for Dr. Paul Vogel Community Park hours to be from Sunrise to 9:00 p.m. and Schonberger Park from Sunrise to Sunset. Mayor Connie Leon-Kreps seconded the motion.

The Mayor opened the floor to public comments. There being no speakers, she closed the floor to public comments.

The vote on the motion to approve the Ordinance, as amended, was adopted by 4-0 on a roll call vote. The vote was as follows: Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

**B. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 32, DEPARTMENTS AND BOARDS, BY ADDING SUBSECTIONS 32.92 THROUGH 32.99 CREATING AN “ANIMAL CONTROL ADVISORY BOARD”; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The Village Clerk read the Ordinance by title.

The Mayor made a brief presentation on the item.

Mayor Connie Leon-Kreps made a motion to approve the Ordinance on first reading, and Commissioner Richard Chervony seconded the motion.

The Mayor opened the floor to public comments. There being no speakers, she closed the floor to public comments.

The vote on the motion to approve the Ordinance on first reading was adopted by a 4-0 roll call vote. The vote was as follows: Commissioner Eddie Lim, Commissioner Richard Chervony, Vice Mayor Jorge Gonzalez, and Mayor Connie Leon-Kreps all voting Yes.

**C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, SUPPORTING ADEQUATE FUNDING OF THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP); SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The Village Clerk read the Resolution by title.

Vice Mayor Jorge Gonzalez made a motion to approve the Resolution, and Mayor Connie Leon-Kreps seconded the motion.

The Mayor opened the floor to public comments. There being no speakers, she closed the floor to public comments.

The vote on the motion was adopted by a 3-1 roll call vote. The vote was as follows: Commissioner Eddie Lim, Mayor Connie Leon-Kreps, and Vice Mayor Jorge Gonzalez all voting Yes. Commissioner Richard Chervony voted No.

**13. ORDINANCES FOR SECOND READING AND PUBLIC HEARING ITEMS:**

- A. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING SECTION 111.01 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES PROVIDING FOR SIGNS IN BUSINESS ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES FOR CONSUMPTION ON OR OFF THE PREMISES; PROVIDING FOR CONTENT OF SIGN TO INCLUDE PROHIBITION ON THE SALE TO MINORS; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE. (INTRODUCED BY VICE MAYOR JORGE GONZALEZ) – SECOND READING**

The Village Clerk read the Ordinance by title.

Vice Mayor Jorge Gonzalez made a motion to approve the Ordinance, and Mayor Connie Leon-Kreps seconded the motion.

The Mayor opened the Public Hearing. There being no speakers, she closed the Public Hearing.

The vote on the motion to approve the Ordinance was adopted by a 4-0 roll call vote. The vote was as follows: Mayor Connie Leon-Kreps, Commissioner Eddie Lim, Commissioner Richard Chervony, and Vice Mayor Jorge Gonzalez all voting Yes.

- B. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 155, SECTION 155.03 ENTITLED “BUILDING AND SITE DESIGN RELATIONSHIPS SHALL CONFORM TO THE FOLLOWING STANDARDS” AND CHAPTER 152, SECTION 152.055 ENTITLED “FENCES, WALLS, AND HEDGES” TO REQUIRE A TEMPORARY FENCE AROUND THE ENTIRE PERIMETER OF CONSTRUCTION SITES AND FENCING AROUND THE PERIMETER OF VACANT COMMERCIAL AND MULTIFAMILY PROPERTIES IN THE VILLAGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)**

The Village Clerk read the Ordinance by title.

The Ordinance was tabled for revision to remove the provision for the Community Enhancement Board to have the final decision on the fencing decoration and to address language allowing wooden fences on the causeway.

- C. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING REVISIONS TO A DEVELOPMENT AGREEMENT BETWEEN ISLE OF DREAMS, LLC AND NORTH BAY VILLAGE; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE MAYOR AND VILLAGE MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON) – SECOND READING**

The Village Clerk read the Ordinance by title.

The Village Manager Frank K. Rollason made a brief presentation on the Ordinance.

Commissioner Richard Chervony made a motion to approve the Ordinance and Vice Mayor Jorge Gonzalez seconded the motion.

The Mayor opened the Public Hearing.

Graham Penn, of Bercow & Radell Fernandez, P.A., 200 S. Biscayne Boulevard, Suite 850, Miami, Florida 33131, counsel for the Isle of Dreams, LLC, was present on behalf of the item.

The Mayor opened the floor to public. There being no speakers, she closed the floor to public comments.

Commissioner Richard Chervony disclosed having communication with the developer of the project since the last Commission Meeting.

The vote on the motion to approve the Ordinance on second reading was adopted by a 4-0 roll call vote. The vote was as follows: Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

**14. UNFINISHED BUSINESS**

**A. PARKING PROGRAM DECAL**

A Special Commission Meeting is to be scheduled before December 18th to address Harbor Island Parking Program, if a 30-day extension to use Coletta's parking area is not granted to Bayshore.

**15. NEW BUSINESS**

**DOGGIE PARK**

Discussion took place regarding Developer Scott Greenwald's offer for use of his property at 1415 Kennedy Causeway as a Doggie Park.

**PROFESSIONAL PHOTOGRAPHER TO PROVIDE WEBSITE PHOTOS**

The Village Manager Frank K. Rollason explained to the Board that he had received a proposal for professional photographs for the Village Website, but there was no funding for the project.

The Chair of the Community Enhancement Board, Mercedes Aguilar, addressed the Commission.

The Mayor opened the floor to public comments.

Amy Garcia, of 7904 West Drive, offered to take photographs for the Village New Website free of charge, if the parking situation can be resolved.

The Mayor closed the floor to public comments.

Commissioner Richard Chervony made a motion authorizing the Village Manager to expend up to \$2,000 to pay a professional photographer to provide pictures for the Village New Website, and Commissioner Eddie Lim seconded the motion. The motion was adopted by a 4-0 roll call vote. The vote was as follows: Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

**A. APPOINTMENT OF TREASURE ISLAND COMMISSIONER PURSUANT TO SECTION 3.07(D) OF THE VILLAGE CHARTER – TERM TO BE EFFECTIVE UNTIL NOVEMBER 2016.**

The Village Clerk read the item into the record.

The Village Attorney Robert L. Switkes explained the process to fill a Commission vacancy pursuant to Chapter 3.07(D) of the Village Charter.

The candidates, Armand Abecassis, Dr. Joshua Furman, and Andreana Jackson, addressed the Commission regarding their qualifications for the office.

Vice Mayor Jorge Gonzalez stated for the record that all three (3) candidates are qualified to fill the vacancy based on verification of their residency requirement and status as registered voters as was verified by the Village Clerk. He inquired as to whether anybody else was interested in the Commission vacancy, and there was no response.

The Commission voted by ballot and the results were read by the Village Clerk as follows:

Commissioner Richard Chervony voted for Andreana Jackson  
Commissioner Eddie Lim voted for Andreana Jackson  
Mayor Connie Leon-Kreps voted for Dr. Joshua Furman  
Vice Mayor Eddie Lim voted for Andreana Jackson

Commissioner Richard Chervony made a motion to appoint Andreana Jackson to fill the vacancy of Treasure Island Commissioner. Vice Mayor Jorge Gonzalez seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

## **16. APPROVAL OF MINUTES**

- A. Regular Meeting – November 10, 2015**
- B. Regular Meeting – October 13, 2015**

Commissioner Richard Chervony made a motion to approve the Minutes as submitted. Mayor Connie Leon-Kreps seconded the motion, which was adopted by a 4-0 roll call vote. The vote was as follows: Vice Mayor Jorge Gonzalez, Mayor Connie Leon-Kreps, Commissioner Eddie Lim, and Commissioner Richard Chervony all voting Yes.

## **17. ADJOURNMENT**

The meeting adjourned at 10:46 p.m.

Prepared: Yvonne P. Hamilton, CMC

Adopted by North Bay Village on this 12th day of January 2016.

*Connie Leon-Kreps, Mayor*

(Note: The Minutes are not a verbatim record of the meeting. A copy of the audio recording is available at the Village Clerk's Office until the time for disposition in accordance with the Records Disposition and other Public Records Law.)