MINUTES

ZONING MEETING
KEY BISCAYNE, FLORIDA

TUESDAY, FEBRUARY 21, 2006

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 7:00 p.m. Present were Councilmembers Enrique Garcia, Steve Liedman, Jorge E. Mendia, Thomas Thornton, Patricia Weinman, Vice Mayor Robert L. Vernon and Mayor Robert Oldakowski. Also present were Village Manager Jacqueline R. Menendez, Village Clerk Conchita H. Alvarez and Village Attorney Stephen P. Helfman.

2. **PLEDGE OF ALLEGIANCE:** Ms. Stephanie Powell led the Pledge of Allegiance.

3. **AGENDA:** Mayor Oldakowski requested to hear Item 7D1 after the approval of the minutes and to hear Item 7A2 immediately after and the Manager requested the addition of a report on the status of the Crandon Boulevard Master Plan Project as Item 7D2. There was no objection to the agenda changes.

4. **APPROVAL OF MINUTES:** Councilmember Mendia made a motion to approve the minutes of the January 24, 2006 Regular Council Meeting. The motion was seconded by Councilmember Liedman and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

At this time Item 7D1 was heard. Mayor Oldakowski addressed the Council congratulating the Police Department on their accreditation.

Item 7A2 was heard. Mr. Stewart Kaufman presented to the Council a report from Klausner & Kaufman regarding the Village's Police officers and Firefighters Retirement Plan.

Mr. Kaufman addressed the Council stating that the Plan is a defined benefit retirement program and that this type of plan is the standard in the public sector.

5. **ORDINANCES:** There were no ordinances considered by Council.

6. **RESOLUTIONS:** The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING VILLAGE OF KEY BISCAYNE EMPLOYMENT AGREEMENT WITH VILLAGE MANAGER, JACQUELINE R. MENENDEZ; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Thornton made a motion to approve the resolution. The motion was seconded by Councilmember Mendia.

Michael Davey, 425 Glenridge Road; John Festa, 695 Harbor Lane; Michael Kahn, 881 Ocean Drive; Kathy King, 745 Fernwood Road; Dr. Steve Simon, 335 Harbor Lane; Mortimer Fried, 291 Harbor Court and Alan Fein, 525 Allendale Road addressed the Council.

Vice Mayor Vernon made an amending motion to eliminate Section 2.2. of the contract. The motion was seconded by Councilmember Liedman and failed by a 1-6 voice vote. The vote was as follows: Vice Mayor Vernon voting Yes. Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman and Mayor Oldakowski voting No.

Mayor Oldakowski made an amending motion to decrease the severance pay from 12 months to 6 months during the first two years and to 3 months during the third year. The motion was seconded by Vice Mayor Vernon and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

The Council voted 4-3 to require mandatory residency within the Village of Key Biscayne for the Manager. The vote was as follows: Councilmembers Mendia, Thornton, Weinman and Mayor Oldakowski voting Yes. Councilmembers Garcia, Liedman and Vice Mayor Vernon voting No.

Councilmember Thornton made a motion to approve the $2,000 a month housing allowance. The motion was seconded by Councilmember Weinman and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

Vice Mayor Vernon made a motion to approve the base salary of $178,509.00. The motion was seconded by Councilmember Thornton and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

Vice Mayor Vernon made an amending motion to remove Section 10. Tuition. The motion was seconded by Councilmember Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

The resolution, as amended, was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

The Clerk read the following resolution by title:

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, CONCERNING THE ACQUISITION OF PLAYGROUND EQUIPMENT FOR THE VILLAGE GREEN PARK; AUTHORIZING AND PROVIDING FOR THE VILLAGE TO PURCHASE THE EQUIPMENT; AUTHORIZING EXPENDITURE OF FUNDS; AUTHORIZING AND APPROVING TRANSACTION; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Vernon made a motion to approve the resolution. The motion was seconded by Councilmember Garcia and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman and Vice Mayor Vernon voting Yes. Mayor Oldakowski was out of the Chamber at the time the vote was taken.

The Clerk read the following resolution by title:

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING ACCEPTANCE OF GRANT AND AUTHORIZING THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS ($15,000.00), FROM THE LAW ENFORCEMENT TRUST FUND FOR THE PURCHASE OF DNA LIFEPRINT MANAGEMENT KITS.

Councilmember Liedman made a motion to approve the resolution. The motion was seconded by Councilmember Garcia and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman and Vice Mayor Vernon voting Yes. Mayor Oldakowski was out of the Chamber at the time the vote was taken.

7. **REPORTS AND RECOMMENDATIONS:** The following items were discussed:

Mayor and Councilmembers. Councilmember Weinman gave an update on the status of the location search for a skate park.

Todd Hofferberth, Parks and Recreation Director addressed the Council regarding this issue.

It was the consensus of Council to direct staff to bring a motion or resolution regarding the skate park.

Mayor Oldakowski requested a progress report regarding compliance with the Beach Management Plan.

The Manager and Public Works Director Armando Nunez addressed the Council regarding the Beach Management Plan.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk submitted to the Council the plan schedule for the Special Mail Ballot Election on April 11, 2006.

The Office of the Mayor issued the following proclamation during the month of February: proclaiming February 15, 2006 as Sonnabend Family Day..

Village Manager. The Manager and Paul Abbott, Construction Manager for the project addressed the Council regarding the construction on Crandon Boulevard.

8. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.

9. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.

10. **ADJOURNMENT:** The meeting was adjourned at 9:55 p.m.

February 21, 2006

Respectfully submitted:

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Conchita H. Alvarez, CMC
Village Clerk

Approved this ___ day of __March__, 2006:

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Robert Oldakowski
Mayor

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.