MINUTES

VILLAGE COUNCIL MEETING
KEY BISCAYNE, FLORIDA

TUESDAY, OCTOBER 24, 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:** Former Councilmember Martha F. Broucek led the Pledge of Allegiance.

3. **SPECIAL PRESENTATIONS:** Councilmember Weinman introduced the new members of the Youth Council/Youth Congress. The Mayor, on behalf of the Village Council, presented Certificates of Elections to the members.

4. **AGENDA:** At Mayor Oldakowski's request the Clerk requested the addition of a motion to increase the Village Attorney's fees as Item 8A1 and Councilmember Liedman requested the addition of a report regarding street lights on Crandon Boulevard south of The Ocean Club as Item 8D1. There was no objection to the agenda changes.

5. **APPROVAL OF MINUTES:** Councilmember Garcia made a motion to approve the minutes of the October 10, 2006 Regular Council Meeting. The motion was seconded by Councilmember Weinman and approved by a 7-0 vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

6. **ORDINANCES:** The Clerk read the following ordinance on first reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA AUTHORIZING THE ISSUANCE OF NOT EXCEEDING $4,000,000 OF ROAD IMPROVEMENT REVENUE BONDS OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; PROVIDING FOR A SUPPLEMENTAL RESOLUTION SETTING FORTH THE DETAILS OF SAID BONDS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Liedman made a motion to adopt the ordinance on first reading. The motion was seconded by Councilmember Mendia.

The Manager and the Attorney addressed the Council recommending approval of this ordinance. Paul Abbott with Skyline Management also addressed the Council.

The Mayor opened the public hearing. Cecile Sanchez, 260 Cypress Drive addressed the Council. The Mayor closed the public hearing.

The ordinance was adopted on first reading, by a 7-0 roll call vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

The second reading of this ordinance will be on November 14, 2006.

The Clerk read the following ordinance on first reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER 30 "ZONING" OF THE CODE OF KEY BISCAYNE, FLORIDA BY AMENDING DEVELOPMENT REGULATIONS FOR SINGLE FAMILY AND TWO-FAMILY DISTRICTS, LIMITING MAXIMUM FLOOR AREA RATIO REQUIREMENTS FOR DEVELOPMENT ON TWO OR MORE LOTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Liedman made a motion to adopt the ordinance on first reading. The motion was seconded by Councilmember Garcia.

The Mayor opened the public hearing. Michael Kahn, 881 Ocean Drive addressed the Council. The Mayor closed the public hearing.

The Manager and Building, Zoning and Planning Director Jud Kurlancheek addressed the Council recommending approval of this ordinance.

The ordinance was adopted on first reading, by 7-0 roll call vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

The second reading of this ordinance will be on November 14, 2006.

The Clerk read the following ordinance on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA CREATING AN ADVISORY BOARD TO BE KNOWN AS THE PUBLIC SAFETY COMMITTEE; PROVIDING, AMONG OTHER THINGS, THE NUMBER AND QUALIFICATIONS OF BOARD MEMBERS, RULES OF PROCEDURE AND THE DUTIES AND RESPONSIBILITIES OF THE BOARD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Vernon made a motion to adopt the ordinance on second reading. The motion was seconded by Councilmember Liedman.

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

The Attorney addressed the Council regarding this ordinance recommending the amendment of **Section 2-206. Creation, composition, qualifications and term.** subsection (b)(i) by deleting the residency requirement for the Chief of Police, Fire Chief and Parks and Recreation Director. There was no objection to the recommendation.

The ordinance, as amended, was adopted on second reading, by 7-0 roll call vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

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

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN THE VILLAGE AND HENNY GROSCHEL-BECKER FOR COMMUNICATION CONSULTING SERVICES; AUTHORIZING VILLAGE MANAGER TO EXECUTE AND IMPLEMENT THE AGREEMENT; PROVIDING FOR EFFECTIVE DATE.

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

The Manager addressed the Council recommending approval of the agreement with Dr. Becker for Communication Consulting Services.

Ed Meyer, 798 Crandon Boulevard and Ed Sanchez, 260 Cypress Drive addressed the Council.

The resolution 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 RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE FURTHER PROCUREMENT OF ENGINEERING SERVICES INCLUDING DESIGN, PERMITTING, BIDDING AND CONSTRUCTION ADMINISTRATION ENGINEERING SERVICES FOR THE CONVERSION OF OVERHEAD POWER-TELEPHONE-CABLE UTILITIES TO UNDERGROUND FACILITIES FOR THE VILLAGE OF KEY BISCAYNE, FROM THE FIRM OF CORZO CASTELLA CARBALLO THOMPSON SALMAN, P.A. ("C3TS"); PROVIDING FOR APPROVAL OF WORK AUTHORIZATION PURSUANT TO CONTINUING CONTRACT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR EFFECTIVE DATE.

Councilmember Garcia made a motion to approve the resolution. The motion was seconded by Councilmember Weinman.

The Manager addressed the Council recommending approval of professional services agreement with C3TS for the purpose of performing all necessary engineering services for the conversion of overhead power, telephone and cable utilities to underground utilities.

Ramon Castella with C3TS addressed the Council.

There was extensive discussion from Council regarding underground utilities.

The resolution 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 PURCHASE OF TREES AND LANDSCAPING MATERIAL FOR CRANDON BOULEVARD PROJECT OF THE VILLAGE OF KEY BISCAYNE; AUTHORIZING VILLAGE MANAGER TO COMPLETE PURCHASE TRANSACTION; PROVIDING FOR EFFECTIVE DATE.

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

The Manager addressed the Council recommending approval of the award to Calusa Creek Tree Farm for the purchase of 180 live oak trees to be planted by others for Phase III of Crandon Boulevard Improvement.

The resolution 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.

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

Mayor and Councilmembers. Mayor Oldakowski addressed the Council regarding the Attorney's fees.

Mortimer Fried, 291 Harbor Court addressed the Council.

Councilmember Garcia made a motion to increase the Attorney's fees from $175 per hour to $200 per hour. 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.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk announced that early voting started Monday, October 23 and will continue until Sunday, November 5. The closest voting places are Miami City Hall, 3500 Pan American Drive, Miami; Miami-Dade Elections, 111 W. Flagler Street and the Coral Gables Library, 3443 Segovia Street, Coral Gables. The Clerk also announced that results on election night, November

7, 2006, will be available at the Miami-Dade County Elections website: www.miamidade.gov/elections and/or on Channel 34.

Village Manager. The Manager and Public Works Director Armando Nunez addressed the Council regarding the lights on Crandon Boulevard south of Ocean Club.

Chief of Police Charles Press announced that the Police Department will be conducting a Town Hall Meeting regarding public safety tomorrow evening at 7:00 p.m. in the Council Chamber.

9. **OTHER BUSINESS/GENERAL DISCUSSION:** Julie Alvarez addressed the Council thanking Mayor Oldakowski and the Councilmembers for their dedication to the Village of Key Biscayne during the last two years.

Mayor Oldakowski expressed gratitute to the public and fellow councilmembers for their support during the last eight years.

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

11. **ADJOURNMENT:** The meeting was adjourned at 8:20 p.m.

Respectfully submitted:

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Conchita H. Alvarez, CMC
Village Clerk

Approved this 14th day of November, 2006:

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Robert L. Vernon
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.