

MINUTES

VILLAGE COUNCIL MEETING  
KEY BISCAKYNE, FLORIDA

TUESDAY, SEPTEMBER 1, 2009

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, Robert Gusman, Jorge E. Mendia, Thomas Thornton, Vice Mayor Michael W. Davey and Mayor Robert L. Vernon. Councilmember Michael E. Kelly was absent. Also present were Village Manager Genaro "Chip" Iglesias, Village Clerk Conchita H. Alvarez and Village Attorney Stephen J. Helfman.
2. **INVOCATION:** Reverend Bob Schroeder, Key Biscayne Community Church gave an invocation.
3. **PLEDGE OF ALLEGIANCE:** Mayor Vernon led the Pledge of Allegiance.
4. **SPECIAL PRESENTATIONS:**Mr. Michael Futterman, CPA, Audit Partner with Marcum Rachlin Accountants-Advisors presented to the Council the 2008 Comprehensive Annual Financial Report.
5. **PUBLIC COMMENTS:** The following resident addressed the Council: Max Puyanic, 480 S. Mashta Drive.
6. **AGENDA:** The Manager requested the deferral of Items 9A and 10D1 to the October 13, 2009 Regular Council Meeting and Vice Mayor Davey requested a discussion of the future of the

September 1, 2009

ZORC as Item 10A3.

7. **APPROVAL OF MINUTES:** Vice Mayor Davey made a motion to approve the minutes of the August 25, 2009 Regular Council Meeting. The motion was seconded by Councilmember Garcia and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

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

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

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, ADOPTING THE GOLF CART/PEDESTRIAN/BICYCLE FERNWOOD ROAD AND COMMERCIAL PROPERTY SAFETY AND ACCESS PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

The Manager addressed the Council recommending approval of the Golf Cart, Pedestrian, and Bicycle Safety and Access Plan. The Golf Cart Safety Board recommended that the Council approve the Plan. Should the Council wish to approve funding to implement the recommended capital improvements, the appropriation should appear in the Capital Improvement Plan (CIP)

Mortimer Fried, 291 Harbor Court addressed the Council.

Director of Building, Zoning and Planning Jud Kurlancheek addressed the Council regarding this resolution.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

The Clerk read the following resolution by title:

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, APPROVING AN AMENDMENT TO THE AGREEMENT FOR USE OF ST. AGNES CATHOLIC CHURCH ATHLETIC FIELD BETWEEN THE VILLAGE OF KEY BISCAIYNE AND THE ARCHDIOCESE OF MIAMI; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Garcia made a motion to approve the resolution. The motion was seconded by Vice Mayor Davey.

September 1, 2009

The Manager addressed the Council recommending the adoption of this resolution which approves an extension and amended agreement between the Village of Key Biscayne and the Archdiocese of Miami for the use of the St. Agnes athletic fields.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

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

Mayor and Councilmembers. The Mayor addressed the Council regarding the appointment of members to the K-8 Education Advisory Board.

The Mayor with consensus of Council appointed the following residents to a two year term: Betty Sime Conroy, Charles Viscito, Brett Graf and Cassia Silva and the following residents to a one year term: Margie Meagher, Amy Erwin and Allison Eng Perez.

The Mayor also addressed the Council regarding the appointment of a new member to the Youth Athletics Advisory Board due to the resignation of Mr. Robert Bailey.

The Mayor requested that Councilmembers submit names to the Clerk.

Vice Mayor Davey addressed the Council regarding the future of the ZORC.

Chairman of the ZORC Committee Frank Caplan, Vice Chairman Arturo Aballi and Member Barry Goldmeir addressed the Council regarding the Committee proposals submitted to Council.

The Attorney also addressed the Council regarding the rules and regulations of the ZORC.

Max Puyanic, 480 S. Mashta Drive addressed the Council.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

Village Manager. The Manager did not submit a report.

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

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

September 1, 2009

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

*Respectfully submitted:*

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*Conchita H. Alvarez, MMC  
Village Clerk*

*Approved this \_\_ day of \_\_\_\_, 2009:*

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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.*