MINUTES

VILLAGE COUNCIL MEETING
KEY BISCAYNE, FLORIDA

TUESDAY, NOVEMBER 10, 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, Michael E. Kelly, Jorge E. Mendia, Thomas Thornton, Vice Mayor Michael Davey and Mayor Robert L. Vernon. Also present were Village Manager Genaro "Chip" Iglesias, Village Clerk Conchita H. Alvarez and Village Attorney Stephen J. Helfman.

2. **INVOCATION:** Reverend Bud Schroeder with the Key Biscayne Community Church gave an invocation.

3. **PLEDGE OF ALLEGIANCE:** Mayor Vernon led the Pledge of Allegiance.

4. **SPECIAL PRESENTATIONS:** Michele Estevez, Chairperson of the Key Biscayne Chamber of Commerce made a special presentation to the Council regarding their activities within the community.

5. **PUBLIC COMMENTS:** The following residents addressed the Council: Ed Meyer, 798 Crandon Boulevard and Camille Guething, 260 Seaview Drive.

6. **AGENDA:** Councilmember Kelly requested the addition of a brief update on the proposed Business Summit as Item 11A5 and also requested the addition of a brief discussion regarding Crandon Boulevard Landscaping as Item 11A6. There was no objection to the agenda changes.

7. **APPROVAL OF MINUTES:** Vice Mayor Davey made a motion to approve the minutes of the October 27, 2009 Zoning Meeting. The motion was seconded by Councilmember Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

Vice Mayor Davey made a motion to approve the minutes of the October 27, 2009 CIP Workshop. The motion was seconded by Councilmember Gusman and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

8. **BUILDING, ZONING AND PLANNING:** All witnesses giving testimony in the hearing were sworn by the Village Clerk.

Public Hearing. The Village Manager, the applicant, 530 Crandon Boulevard is requesting to consider a public park as the main permitted use on the property.

Building, Zoning and Planning Director Jud Kurlancheek addressed the Council recommending that the Council establish a permanent use for 530 Crandon Boulevard subject to compliance with the permitted uses listed in the Master Plan and Land Development Regulations (Zoning Ordinance).

Vice Mayor Davey made a motion to establish the main permitted use of this property as a public park. The motion was seconded by Councilmember Garcia.

> The Mayor opened the public hearing. Michael Kahn, 881 Ocean Drive; Camille Guething, 260 Seaview Drive; Daniela Galofre, 250 Galen Drive; Michele Estevez, 798 Crandon Boulevard and Pat Woodson Weinman, 940 Mariner Drive addressed the Council. The Mayor closed the public hearing.

The Attorney addressed the Council regarding this hearing.

Councilmember Mendia made an amending motion to amend the following whereas clause in the zoning resolution, as follows: WHEREAS, the Village Council desires to establish ~~that~~ a public park ~~be a permitted use~~ on the Property and also amend **Section 2. Establishment of Use** as follows: That the Village Council hereby establishes ~~that~~ a public park use ~~shall be permitted on~~ for 530 Crandon Boulevard, as further described on Exhibit "A". The motion was seconded by Councilmember Thornton and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon

voting Yes.

The motion to establish the main permitted use of this property as a public park was approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

It was the consensus of Council to direct staff to bring back before Council at the November 24th Council Meeting a process to develop a permanent design for 530 Crandon Boulevard as a public park.

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

10. **RESOLUTIONS:** There were no resolutions considered by Council.

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

Mayor and Councilmembers. Mayor Vernon addressed the Council regarding Calusa Park improvements.

> Camille Guething 260 Seaview Drive; Michael Kahn, 881 Ocean Drive; Michele Estevez, 798 Crandon Boulevard and Patricia Woodson Weinman, 940 Mariner Drive addressed the Council regarding Calusa Park improvements.

Mayor Vernon made a motion to authorize a resolution to formally present these improvements to the Board of County Commissioners for approval. The motion was seconded by Vice Mayor Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

The Mayor addressed the Council regarding the re-appointments to the Art in Public Places Board.

The Mayor, with consensus of Council, re-appointed Rosa de la Cruz, Joan Matheson, Veronica Scharf Garcia and Gloria Kahn to a two year term which will terminate in November 2011.

Vice Mayor Davey addressed the Council regarding the need for a dog park within the Village.

> Andrew Lemke, 150 Ocean Lane Drive; Ron Drucker, 170 Buttonwood Drive and Dr. Steve Eastman, 180 Crandon Boulevard addressed the Council regarding a dog park.

Councilmember Davey requested that an item be placed on the December 8, 2009 Council Agenda regarding different options for a dog park. There was no objection to the request.

Vice Mayor Davey also addressed the Council regarding the cat issue on the Key.

Councilmember Kelly addressed the Council regarding the expenditures of funds for the proposed Business Summit on the Key on January 21, 2010. Councilmember Kelly requested that a formal motion authorizing the expenditures of these funds be placed on the next Council Agenda for a vote.

Councilmember Kelly also addressed the Council regarding the landscaping on the medians on Crandon Boulevard which pose a safety issue due to the height of the plants.

Public Works Director Armando Nunez addressed the Council regarding this issue.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk presented to the Council the proposed 2010 Council Meeting Schedule.

Mayor Vernon made a motion to adopt the proposed 2010 Council Meeting Schedule, as presented. The motion was seconded by Vice Mayor Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

Village Manager. The Manager addressed the Council regarding temporary uses for 530 Crandon Boulevard.

Michael Kahn, 881 Ocean Drive addressed the Council.

It was the consensus of Council to sod the portion of the property that faces Crandon Boulevard.

The Manager and the Attorney addressed the Council giving an update on the solid waste billing. It was the consensus of Council to keep the system we currently have in place for solid waste billing.

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

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

14. **ADJOURNMENT:** The meeting was adjourned at 9:50 p.m.

October 27, 2009

Respectfully submitted:

_____

Conchita H. Alvarez, MMC
Village Clerk

Approved this 24th day of November, 2009:

_____

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.