

MINUTES

ZONING MEETING
KEY BISCAVNE, FLORIDA

TUESDAY, JANUARY 24, 2012

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 Michael W. Davey, Enrique Garcia, Robert Gusman, James S. Taintor, Vice Mayor Michael E. Kelly and Mayor Franklin H. Caplan. Councilmember Mayra P. Lindsay was absent. Also present were Village Manager John C. Gilbert, Village Clerk Conchita H. Alvarez and Village Attorney Chad Friedman.

2. **PLEDGE OF ALLEGIANCE:** Mayor Caplan led the Pledge of Allegiance.

Mayor Caplan addressed the Council about the passing of Dr. Robert "Bob" Maggs and his contributions to the Community.

3. **SPECIAL PRESENTATIONS:** Mr. Donald Worth, Co-Founder of Friends of Miami Marine Stadium and Mr. Jorge Hernandez addressed the Council regarding the City of Miami Marine Stadium renovation.

4. **AGENDA:** The Mayor requested the addition of an appointment to the Special Magistrates as Item 8A6; the Manager requested the addition of an update regarding a weekly legislative conference call with Fausto Gomez, the Village's Lobbyist as Item 8D3 and Councilmember Taintor requested the addition of discussion regarding Council support for the renovation of the Marine Stadium as Item 8D4. There was no objection to the agenda changes.

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5. **APPROVAL OF MINUTES:** Councilmember Davey made a motion to approve the minutes of the September 6, 2011 Regular Council Meeting. The motion was seconded by Councilmember Garcia and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

Councilmember Davey made a motion to approve the minutes of the September 13, 2011 First Budget Hearing. The motion was seconded by Councilmember Garcia and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

Councilmember Davey made a motion to approve the minutes of the September 27, 2011 Second Budget Hearing. The motion was seconded by Vice Mayor Kelly and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

Councilmember Davey made a motion to approve the minutes of the October 4, 2011 Continuation Meeting of the Second Budget Hearing. The motion was seconded by Councilmember Garcia and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

Councilmember Davey made a motion to approve the minutes of the January 10, 2012 Regular Council Meeting. The motion was seconded by Councilmember Garcia.

The Mayor made an amendment to page 1 of 6, fourth paragraph by striking "Miami-Dade County" and inserting "the Florida Legislature" and also amended page 5 of 6, fourth paragraph by striking "Miami-Dade County" and inserting "the Florida Legislature" and also striking "staff" and inserting "Mayor Caplan".

The minutes, as amended, were approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

6. **ORDINANCES:** There were no ordinances considered by Council on first reading.

The Attorney addressed the Council recommending the deferral of the second reading of the HR Ordinance.

Councilmember Davey made a motion to defer the second reading of the HR Ordinance to the February 28, 2012 Zoning Meeting. The motion was seconded by Councilmember Garcia and

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approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Taintor, Vice Mayor Kelly and Mayor Caplan 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, APPOINTING JOHN C. GILBERT AS VILLAGE MANAGER AND APPROVING THE EMPLOYMENT AGREEMENT ATTACHED TO THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Davey 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 Davey, Garcia, Gusman, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

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

Mayor and Councilmembers. Vice Mayor Kelly addressed the Council regarding a KBCS field trip. The Council directed the Clerk to contact the Principal at the school in order to coordinate a field trip by Councilmembers to the School.

Vice Mayor Kelly also addressed the Council regarding street signs. The Manager addressed the Council regarding street signs. The Manager was directed to bring some design options of street signs before the Council at a later date.

Vice Mayor Kelly addressed the Council regarding the Beach Renourishment Project. The Manager addressed the Council giving an update on this project.

Vice Mayor Kelly also addressed the Council regarding land acquisition. The Manager reported on the proposal to use the Key Biscayne Presbyterian Church for playing fields and also reported on the possible use of MAST Academy for playing fields.

Vice Mayor Kelly made a presentation to Council regarding Code violations and Safety Hazards at L'Esplanade Shopping Center.

Interim Fire Chief Eric Lang addressed the Council regarding the safety hazards and Building, Zoning and Planning Director Jud Kurlancheek addressed the Council regarding the code violations in this building.

It was the consensus of Council to direct staff to draft legislation that will allow the enforcement

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of maintenance standards in commercial and office buildings.

Patricia Romano, 361 Beechwood addressed the Council.

Mayor Caplan addressed the Council regarding an appointment to the Special Magistrates due to a resignation. The Mayor, with consensus of Council, appointed Mark Fried as Special Magistrate.

Councilmember Taintor addressed the Council regarding support to the Marine Stadium renovation. It was the consensus of Council to wait until more information was provided regarding this project.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk submitted to the Council a report highlighting the activities of the Office of the Village Clerk throughout calendar year 2011.

Village Manager. The Manager addressed the Council requesting a motion to accept the Traffic Calming Master Plan.

Councilmember Davey made a motion to accept the Traffic Calming Master Plan. The motion was seconded by Councilmember Garcia.

Ramon Castella with C3TS made a presentation to Council regarding the Traffic Calming Master Plan.

The motion was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Garcia, Gusman, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.

The Manager presented a draft Job Description and Advertisement for the Finance Director.

The Manager also addressed the Council reporting on the legislative conference call with our lobbyist Fausto Gomez.

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

10. **PENDING BUSINESS/PENDING LITIGATION:** A list of pending business/pending litigation was presented to the Council.

11. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and

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events was presented to the Council.

12. **ADJOURNMENT:** The meeting was adjourned at 10:00 p.m.

Respectfully submitted:

Conchita H. Alvarez, MMC
Village Clerk

Approved this 7th day of February, 2012:

Franklin H. Caplan
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.