

MINUTES
VILLAGE COUNCIL MEETING
VILLAGE OF KEY BISCAYNE, FLORIDA

TUESDAY, JANUARY 28, 2003

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. CALL TO ORDER/ROLL CALL OF MEMBERS: The meeting was called to order by the Mayor at 7:27 p.m. Present were Councilmembers Carol Diaz-Castro, Mortimer Fried, James L. Peters, Robert L. Vernon, Vice Mayor Jorge Mendia and Mayor Robert Oldakowski. Councilmember Martha F. Broucek was absent. Also present were Village Manager Jacqueline R. Menendez, Village Clerk Conchita H. Alvarez and Village Attorney Stephen J. Helfman.

2. AGENDA: Mayor Oldakowski requested the addition of appointment of Committees as Item 7A1. There was no objection to the agenda change.

3. APPROVAL OF MINUTES: Councilmember Fried made a motion to approve the minutes of the January 14, 2003 Regular Council Meeting and the minutes of the January 21, 2003 Goals and Objectives Workshop. The motion was seconded by Councilmember Vernon and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, REZONING THE PROPERTIES LOCATED AT 701, 714, 725, 726, 735, 738, 745, 750, 759, 762, 775, 774, 785, 786, 795 AND 798 FERNWOOD ROAD, FURTHER DESCRIBED IN EXHIBIT A, FROM PS (PARKSIDE RESIDENTIAL) TO VR (VILLAGE RESIDENTIAL); PROVIDING FOR DESIGNATION ON THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Fried made a motion to adopt the ordinance on first reading. The motion was seconded by Councilmember Diaz-Castro.

The Attorney and the Director of Building, Zoning and Planning, Jud Kurlancheek addressed the Council regarding this ordinance.

The Mayor opened the public hearing. Kathy King, 745 Fernwood Road; Leo Brito, 786 Fernwood Road; Gay Donofrio, 798 Fernwood Road; John Rosser, 300 Redwood; Marta Zubillaga, 701 Fernwood Road; Jovita Burgaz, 726 Fernwood Road; Stephen D. Olmore, 750 Fernwood Road; Mary Albanese, 762 Fernwood Road; Rusty James, 705 Myrtlewood Lane; Agnes Kalman, 795 Fernwood Road; Joel M. Kalman, 795 Fernwood Road; Michael Kahn, 881 Ocean Drive; Michael King, 745 Fernwood Road; Carl Runge, 735 Fernwood Road; Don Singer, 100 Sunrise Drive and Pat Weinman, 940 Mariner Drive addressed the Council. The Mayor closed the public hearing.

There was extensive discussion from Council regarding this ordinance.

The ordinance was adopted on first reading by a 6-0 roll call. The vote was as follows: Councilmembers Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

The Clerk announced the second reading on February 25, 2003.

5. RESOLUTIONS: The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; APPROVING A RECOMMENDATION FROM A CITIZENS COMMITTEE RELATING TO THE SELECTION OF A CONSTRUCTION PROGRAM MANAGER (OWNER'S REPRESENTATIVE) TO ASSIST THE VILLAGE IN THE CONSTRUCTION OF THE COMMUNITY CENTER; DIRECTING THE VILLAGE MANAGER TO NEGOTIATE AN AGREEMENT WITH SKYLINE MANAGEMENT GROUP, INC.; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Fried made a motion to approve the resolution. The motion was seconded by Councilmember Vernon.

The Manager addressed the Council regarding this resolution.

Barry Goldmeir, 1000 Mariner Drive, Committee Member, addressed the Council.

The Attorney and Director Kurlancheek addressed the Council regarding this resolution.

Alberto G. Ribas, Agroup, Inc. and Paul Abbott, Skyline Management Group, Inc. addressed the Council.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia 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; ESTABLISHING A CRANDON BOULEVARD STREETScape ADVISORY COMMITTEE FOR PURPOSES OF ASSISTING STAFF IN THE PREPARATION OF A NEW ZONING ORDINANCE FOR THE ENTIRE VILLAGE; SUPERCEDING RESOLUTION 2002-50.

Councilmember Fried made a motion to approve the resolution. The motion was seconded by Mayor Oldakowski.

Patricia Romano, 361 Ridgewood Road addressed the Council.

It was the consensus of Council to amend the resolution by striking the words "for purposes of assisting staff in the preparation of a new zoning ordinance for the entire Village", from the resolution title.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

6. REPORTS AND RECOMMENDATIONS: The following items were submitted:

Mayor and Councilmembers. The Mayor addressed the Council regarding the nominations for the Crandon Beautification Committee, the Citizen Advisory Committee to review the Noise Ordinance and the Art in Public Places Committee.

Councilmember Vernon made a motion to accept the nominations as submitted. The motion was seconded by Councilmember Fried and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

Village Attorney. The Attorney addressed the Council requesting an Executive Session dealing with pending litigation from former Mayor Festa regarding the sewer project.

Village Clerk. The Clerk did not submit a report.

Village Manager. The Manager did not submit a report.

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

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

9. ADJOURNMENT: The meeting was adjourned at 9:40 p.m.

Respectfully submitted:

Conchita H. Alvarez, CMC
Village Clerk

Approved this 11th day of February , 2003:

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.

