

MINUTES

ZONING MEETING
KEY BISCAYNE, FLORIDA

TUESDAY, JANUARY 28, 2014

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 7:09 p.m. Present were Councilmembers Theodore Holloway, Michael E. Kelly, Mayra Lindsay, Edward London (arrived at 7:15 p.m.), James S. Taintor, Vice Mayor Michael W. Davey and Mayor Franklin H. Caplan. Also present were Village Manager John C. Gilbert, Deputy Village Clerk Jennifer Duque and Village Attorney Stephen J. Helfman.

2. **AGENDA:** Councilmember Davey requested the addition of a discussion regarding the Beach Club as Item 6A4; Councilmember Lindsay requested the addition of a discussion regarding the Library along with Item 6A1; Attorney requested the addition of a discussion regarding the February 11, 2014 Council Meeting as Item 6B; Mayor Caplan requested the removal of Item 6A2 and the Manager requested the removal of Item 6D2. There was no objection to the agenda changes.

3. **APPROVAL OF MINUTES:** Councilmember Kelly made a motion to approve the minutes of the January 14, 2014 Regular Council Meeting. The motion was seconded by Vice Mayor Davey.

Councilmember Taintor requested the addition of the cost per each quarterly hearing session on page 3 of 8 of the minutes.

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

4. **ORDINANCES:** The Deputy Clerk read the following ordinance on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING SECTION 30-11 "DEFINITIONS" TO PROVIDE A DEFINITION OF "MANUFACTURED HOME;" CREATING SECTION 30-41 "RECREATIONAL VEHICLES AND MANUFACTURED HOMES" OF THE VILLAGE CODE OF ORDINANCES, TO PROHIBIT MANUFACTURED HOMES WITHIN THE VILLAGE, AND TO PROVIDE FOR REGULATIONS OF RECREATIONAL VEHICLES; DELETING SECTION 30-100(F)(14) "MOTOR HOMES AND TRAILERS;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager and Director of Building, Zoning and Planning addressed the Council recommending approval of the Ordinance as it is consistent with the Village's Flood Ordinance 2012-06 that was adopted on May 8, 2012. The adoption of the Ordinance is a requirement of the Federal Emergency Management Agency (FEMA) Community Rating System (CRS) to maintain our compliant status and thus continue to provide savings to our property owners on their flood insurance premiums.

There was extensive discussion from Council regarding this ordinance.

The Mayor opened the public hearing. Ann Taintor, 355 Harbor Drive, addressed the Council. The Mayor closed the public hearing.

The ordinance was adopted on second reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Holloway, Kelly, Lindsay, London, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes.

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

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SUPPORTING EFFORTS OF FIREARMS' RETAILERS TO REDUCE GUN VIOLENCE AND ILLEGAL TRAFFICKING IN FIREARMS THROUGH INDUSTRY SALES AND MARKETING BEST PRACTICES; DIRECTING THE VILLAGE MANAGER TO COORDINATE WITH THE CHIEF OF POLICE AND WITH OTHER MUNICIPALITIES IN SUPPORT OF THIS INITIATIVE AND TO WORK WITH FIREARM SUPPLIERS TO ENCOURAGE SALES AND MARKETING SAFEGUARDS; AND DIRECTING THE VILLAGE CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO OTHER SOUTH FLORIDA MUNICIPALITIES, THE MIAMI-DADE

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AND FLORIDA LEAGUE OF CITIES, INC. AND TO MEMBERS FLORIDA'S CONGRESSIONAL DELEGATION.

Councilmember Lindsay made a motion to approve the resolution. The motion was seconded by Councilmember Kelly.

Mayor Caplan addressed the Council regarding this resolution.

There was discussion from Council regarding this resolution.

Councilmember Davey requested to amend the second paragraph of this resolution by replacing the word "often" to "may". There were no objections to the change.

The resolution was approved as amended by a 7-0 voice vote. The vote was as follows: Councilmembers Holloway, Kelly, Lindsay, London, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes.

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

Mayor and Councilmembers. Councilmember Kelly addressed the Council regarding the future use of the Police parking lot.

Councilmember Lindsay addressed the Council regarding the future use of the Key Biscayne Library property.

It was the consensus of Council to direct the Manager to meet with Miami-Dade County officials regarding the purchase of the Police parking lot and the future use of the Key Biscayne Library property and report back to Council at the February 25, 2013 meeting.

Mayor Caplan addressed the Council regarding changing the name of Sonesta Drive to Nassau Road.

There was extensive discussion from Council regarding renaming Sonesta Drive.

The Village Attorney addressed the Council regarding the process of renaming Sonesta Drive.

Councilmember London addressed the Council proposing the appointment of a new member to the Space Utilization Committee.

The Manager addressed the Council regarding the findings of the 2012-2013 Space Utilization Committee.

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The Mayor, with consensus of Council, will appoint a new member to the Space Utilization Committee at the February 11, 2014 meeting.

Councilmember Davey addressed the Council regarding the Beach Club property.

Village Attorney. The Attorney addressed the Council regarding the February 11, 2014 meeting recommending to hear 12-22-24 Crandon Boulevard first followed by the 530 Crandon Boulevard public hearing.

There was extensive discussion from Council regarding this issue.

David Puyanic, 30 West Mashta Drive; Ann Taintor, 355 Harbor Drive and Clifford Brody, 180 Harbor Drive addressed the Council.

It was the consensus of Council to vote on the sequence of items for the February 11, 2014 meeting agenda. The sequence voted upon was to hear 12-22-24 Crandon Boulevard first followed by the 530 Crandon Boulevard public hearing.

The motion failed by a 3-4 roll call vote. The vote was as follows: Councilmembers Lindsay, Taintor and Mayor Caplan voting Yes. Councilmembers Kelly, London, Holloway and Vice Mayor Davey voting No.

Village Clerk. The Deputy Clerk did not submit a report.

Village Manager. The Manager addressed the Council reporting on the pending compact between the Village of Key Biscayne and the Miami-Dade County School Board.

There was extensive discussion from Council regarding the pending compact between the Village of Key Biscayne and the Miami-Dade County School Board.

Kristen Guess, 425 Grapetree Drive and Louisa Conway, 151 Crandon Boulevard addressed the Council.

It was the consensus of Council to recreate the School Board Advisory Board Committee. The Council was requested to submit names to the Clerk.

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

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

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9. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.
10. **ADJOURNMENT:** The meeting was adjourned at 8:27 p.m.

Respectfully submitted:



Jennifer Duque
Chief of Staff/Deputy Village Clerk

Approved this 11th day of February 2014:



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.