

MINUTES

VILLAGE COUNCIL MEETING
KEY BISCAAYNE, FLORIDA

TUESDAY, FEBRUARY 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 W. 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.

Reverend Jose Luis Hernando, Saint Agnes Catholic Church gave an invocation.

Mayor Vernon led the Pledge of Allegiance.

The Attorney read the title of the ordinance related to docks requesting that this item, LPA as well as Item 6A1 of the Regular agenda, be continued to the Regular Council Meeting scheduled for March 24, 2009.

Councilmember Mendia made a motion to continue LPA Item 5A1 and Regular agenda Item 6A1 to the Zoning Meeting scheduled for March 24, 2009. The motion was seconded by Councilmember Kelly 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.

2. **SPECIAL PRESENTATIONS:** The Manager, Chief of Police Charles Press and the Mayor, on behalf of the Council, recognized Village Employee Richard Schweickart for earning the distinction of Florida Department of Transportation 2008 Crossing Guard of the Year.

3. **PUBLIC COMMENTS:** The following residents addressed the Council: Ana Maria Arriaga, 465 Warren Lane and Mark Fried, 525 Warren Lane.

4. **AGENDA:** Councilmember Davey requested the addition of a brief comment regarding Public Safety Day as Item 8A3 and also requested the addition of a discussion regarding zoning changes as they relate to the recent charter amendment as Item 8A4; Councilmember Thornton requested the addition of a discussion regarding the toddler lot on the Village Green as Item 8A5 and also requested the addition of a discussion regarding Community Center maintenance as Item 8A6; Councilmember Kelly requested the addition of a discussion regarding budgetary concerns as Item 8A7 and Councilmember Garcia requested the addition of a discussion regarding the possibility of providing public transportation into the City of Miami for cultural events as Item 8A8. There was no objection to the agenda changes.

5. **APPROVAL OF MINUTES:** Councilmember Garcia made a motion to approve the minutes of the January 13, 2009 Regular Council Meeting. 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.

Vice Mayor Davey made a motion to approve the minutes of the January 20, 2009 Landscape Committee Workshop. 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.

6. **ORDINANCES:** The second reading of the following ordinance will be continued to the March 24, 2009 Zoning Meeting.

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING SECTION 30-100 "SINGLE FAMILY AND TWO-FAMILY DISTRICTS" RELATING TO DOCKS AND MOORING PILES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The Clerk read the following ordinance on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA AMENDING THE VILLAGE CODE BY AMENDING ARTICLE VII, "WORKS OF ART IN PUBLIC PLACES" OF CHAPTER 2 "ADMINISTRATION," BY AMENDING SECTION 2-142 "ART-IN-PUBLIC-PLACES BOARD"; BY AMENDING PARAGRAPH B (1), "MEMBERSHIP; QUALIFICATIONS"; BY ADDING AN ADDITIONAL BOARD

MEMBER AND RETAINING STAGGERED TERMS FOR MEMBERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR EFFECTIVE DATE.

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

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

The Attorney addressed the Council regarding this ordinance.

The ordinance was adopted on second reading by a 7-0 roll call vote. The vote was as follows: Councilmembers Garcia, Gusman, Kelly, Mendia, Thornton, Vice Mayor Davey and Mayor Vernon voting Yes.

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

A CAPITAL PROJECT RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AWARDED CONSTRUCTION CONTRACT FOR GALEN DRIVE AND SUNRISE DRIVE LIGHTING IMPROVEMENTS TO UNDER POWER CORP. (THE "CONTRACTOR"); AUTHORIZING THE PROJECT AND EXPENDITURE OF FUNDS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR EFFECTIVE DATE.

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

The Manager addressed the Council regarding this resolution recommending that the Village Council award the construction contract for Galen Drive and Sunrise Drive lighting improvements to Under Power Corporation.

The resolution 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.

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

Mayor and Councilmembers. Councilmember Kelly addressed the Council proposing the establishment of a joint citizen/staff committee on golf cart safety.

It was the consensus of Council to direct staff to draft legislation that will create a citizen/staff committee on golf cart safety and present it to Council at the February 24, 2009 Zoning Meeting.

Councilmember Garcia addressed the Council regarding the red light cameras project. The Manager addressed the Council giving an update on this project.

Vice Mayor Davey addressed the Council commending the Police and Fire Departments for the Public Safety Day event which took place last Saturday on McIntyre Street/Village Green Way.

Vice Mayor Davey also addressed the Council regarding zoning changes as they relate to the recent Charter Amendment on Land Development Regulations.

The Attorney also addressed the Council regarding this issue.

Councilmember Thornton addressed the Council regarding concerns with the Toddler Lot on the Village Green.

Todd Hofferberth, Parks and Recreation Director and Armando Nunez, Public Works Director addressed the Council regarding this issue.

Councilmember Thornton also addressed the Council regarding the exhaust fans in the underground parking garage of the Community Center.

Director Hofferberth addressed the Council stating that he will look into this issue.

Councilmember Kelly addressed the Council regarding budgetary concerns.

Councilmember Garcia addressed the Council regarding the possibility of providing public transportation into the City of Miami for cultural events.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

Village Manager. The Manager addressed the Council requesting authorization to proceed with a request for proposals (RFP) for the installation of a security system for the Beach Park.

There was extensive discussion from Council regarding this issue.

It was the consensus of Council to authorize the Manager to proceed with the RFP and also directed the Manager to provide the Council with the cost of having a full time employee at the

entrance of the Beach Park.

The Manager presented to the Council a survey of other Step Plans from primarily municipalities within Miami-Dade County. The survey points out that these programs are very diverse and other salary and benefit components would more than likely prove to be the same.

There was extensive discussion from Council regarding this issue. It was the consensus of Council to direct staff to present options to the Council before the Budget Workshop in June 2009.

The Manager also presented to the Council costs related to e-mail newsletters compared to the total cost of mailing and printing the newsletters. It was the consensus of Council to direct staff to send the newsletters to residents via e-mail.

The Manager also gave an update to the Council regarding the environmental cleanup of the property located at 530 Crandon Boulevard.

9. **OTHER BUSINESS/GENERAL DISCUSSION:** The Council reminded everyone of the Charrette regarding the use of 530 Crandon Boulevard, Saturday, February 14, 2009 at 9:00 a.m..

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

11. **ADJOURNMENT:** The meeting was adjourned at 9:45 p.m.

Respectfully submitted:

Conchita H. Alvarez, MMC
Village Clerk

Approved this 24th day of February, 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.