

MINUTES

REGULAR COUNCIL MEETING
KEY BISCAIYNE FLORIDA

TUESDAY JANUARY 23 2018

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 Luis de la Cruz Gary R Gross Allison McCormick Brett G Moss Kathleen Petros and Vice Mayor Franklin H Caplan and Mayor Mayra P Lindsay Also present were Village Manager John C Gilbert Village Clerk Jennifer Medina and Village Attorney Chad Friedman

2 **PLEDGE OF ALLEGIANCE** The Mayor led the Pledge of Allegiance

3 **INVOCATION** Father Juan Carlos Paguaga with Saint Agnes Catholic Church gave an invocation

4 **BRIEF COMMENTS BY COUNCIL** Vice Mayor Caplan addressed the Council regarding the January 22nd 2018 Special Council Meeting and regarding the proposed draft resolution urging concerted local actions to stake steps necessary to retain the NOAA Fisheries Headquarters on Virginia Key

5 **SPECIAL PRESENTATIONS** There were no special presentations

6 **PUBLIC COMMENTS** There were no speakers present

7 **AGENDA** Councilmember McCormick requested to add a discussion item regarding a potential Council liaison for the Village Manager search as Item 10A11 Mayor Lindsay requested to defer Item 9B from the agenda to the regularly scheduled Council meeting on February 13 2018 The Manager requested to remove Item 9A and to add a discussion item regarding the use of Village transportation for seniors as Item 10D1 The Mayor requested to add a discussion item regarding master plan discussions for parks and public places as Item 10A12

Councilmember de la Cruz requested to remove Item 10A1 Lastly Vice Mayor Caplan requested to defer Item 8A to the regularly scheduled Council meeting on February 13 2018 There were no objections to the agenda changes

8 **ORDINANCES** The Clerk read the following ordinance on second reading by title

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER 4, "BOATS, VESSELS AND WATERCRAFT," REGULATING KITEBOARD USE, AMENDING ARTICLE II OF CHAPTER 4 BY THE CREATION OF SECTION 4 33 "KITEBOARDING," PROVIDING FOR CODIFICATION, PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE

Vice Mayor Caplan made a motion to continue the second reading of this ordinance to the February 13 2018 Regular Council meeting The motion was seconded by Councilmember Gross and approved by a 7 0 voice vote The vote was as follows Councilmembers de la Cruz Gross McCormick Moss Petros Vice Mayor Caplan and Mayor Lindsay voting Yes

There was extensive discussion from Council regarding this ordinance

It was the consensus of Council to direct the Manager to begin preparing the registration information necessary to start regulating kiteboarding activity on the beach

Councilmember Moss made a motion to reconsider adopting the ordinance on second reading The motion was seconded by Councilmember McCormick and approved by a 7 0 voice vote The vote was as follows Councilmembers de la Cruz Gross McCormick Moss Petros Vice Mayor Caplan and Mayor Lindsay voting Yes

The Mayor opened the public hearing The follow residents addressed the Council Donald Elisburg 177 Ocean Lane Drive Frank Eagan and Karin Egan 121 Crandon Boulevard Sharon McClatchey 177 Ocean Lane Drive Belle Von der Goltz 177 Ocean Lane Drive Nancy Elisburg 177 Ocean Lane Drive Ignacio Segurola 881 Ocean Drive and Mariela Stochetti 155 Ocean Lane Drive

Councilmember Petros made a motion to adopt the ordinance on second reading to include that kiteboarding registration is required in order to enforce and specifics regarding kiteboarding registration will be brought back to Council to be considered via a resolution and lastly to include a 100 ft wide kiteboarding channel The motion was seconded by Councilmember Moss

Vice Mayor Caplan suggested to remain with the Florida Statute kiteboarding definition to only allow the deployment of kiteboarding kites within the kiteboarding channel to include that no more than ten (10) kiteboarding kites shall be permitted at one (1) time within the kiteboarding channel to include that kiteboarding instructions shall be prohibited within the Village and lastly to require general liability insurance and to identify the erosion control line within the aerial map designating the kiteboarding channel

Councilmember Petros amended the motion to adopt this ordinance on second reading to include that kiteboarding registration is required in order to enforce and specifics regarding kiteboarding registration will be brought back to Council to be considered via a resolution to include a 100 ft wide kiteboarding channel to remain with the Florida Statute kiteboarding definition to only allow the deployment of kiteboarding kites within the kiteboarding channel to include that no more than ten (10) kiteboarding kites shall be permitted at one (1) time within the kiteboarding channel to include that kiteboarding instructions shall be prohibited within the Village and lastly to require general liability insurance and to identify the erosion control line within the aerial map designating the kiteboarding channel Councilmember Moss seconded the motion and it was approved by a 7 0 voice vote The vote was as follows Councilmembers de la Cruz Gross McCormick Moss Petros Vice Mayor Caplan and Mayor Lindsay voting Yes

The ordinance as amended was adopted on second reading by a 7 0 roll call vote The vote was as follows Councilmembers de la Cruz Gross McCormick Moss Petros Vice Mayor Caplan and Mayor Lindsay voting Yes

9 **RESOLUTIONS** The Clerk read the following resolution by title

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING THE INDIVIDUAL PROJECT ORDER FOR PROFESSIONAL ENGINEERING SERVICES PROVIDING FOR AUTHORIZATION OF SERVICES, PROVIDING FOR IMPLEMENTATION, AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Lindsay made a motion to approve the resolution The motion was seconded by Councilmember Moss

Councilmember Moss addressed the Council regarding this resolution

Joshua Horning Project Manager for Kimley Horn addressed the Council regarding the scope of services

There was extensive discussion by Council regarding the Village undergrounding utilities

The Mayor withdrew the motion to adopt the resolution and deferred this resolution to the next regularly scheduled Council Meeting on February 18 2018 The motion was seconded by Councilmember Moss and approved by a 7 0 voice vote The vote was as follows Councilmembers de la Cruz Gross McCormick Moss Petros Vice Mayor Caplan and Mayor Lindsay voting Yes

10 **REPORTS AND RECOMMENDATIONS** The following items were discussed

Mayor and Councilmembers Mayor Lindsay addressed the Council regarding the budget process

The Manager addressed the Council regarding the upcoming budget process

Mayor Lindsay addressed the Council regarding strategic planning by department directors

At this time Fire Chief Eric Lang addressed the Council regarding the Fire Departments strategic planning process

There was extensive discussion by Council regarding the need for a strategic planning process by department directors and Council

It was the consensus of Council to direct the Manger to coordinate and schedule a Strategic Planning session for the Council

Mayor Lindsay addressed the Council regarding the dedication policy on behalf of the Village Manager

At this time Parks and Recreation Director Todd Hofferberth addressed the Council regarding the dedication policy

There was extensive discussion by Council regarding memorializing a formal dedication policy

It was the consensus of Council to direct the Manager to bring back a dedication policy for Council approval

Mayor Lindsay addressed the Council regarding the consequences for arrests for minors and what every parent should know

There was extensive discussion by Council regarding the consequences for arrests for minors

Councilmember Petros addressed the Council regarding an update on permit fees

The Building Zoning and Planning Director Sergio Ascunce addressed the Council providing an update on the proposed permit fee schedule

There was extensive discussion by Council regarding building permit fees

Vice Mayor Caplan addressed the Council regarding the mini zoning ordinance review committee

There was extensive discussion by Council regarding the zoning ordinance review process

Vice Mayor Caplan addressed the Council regarding the evaluation appraisal report

The Attorney addressed the Council regarding the evaluation appraisal report and the comprehensive plan requirements

There was extensive discussion by Council regarding establishing a zorc ordinance review committee

Vice Mayor Caplan addressed the Council regarding the discussion on entry block

There was extensive discussion by Council regarding future development of the entry block

Vice Mayor Caplan addressed the Council regarding the library

There was extensive discussion by Council regarding the library

Councilmember McCormick addressed the Council regarding a potential Council liaison for the Village Manager search

There was extensive discussion by Council regarding the Village Manager recruitment process

Mayor Lindsay addressed the Council regarding the need of a master plan for parks and public places

Village Attorney The Attorney did not submit report

Village Clerk The Clerk did not submit a report

Village Manager The Manager addressed the Council regarding the allowed uses of the newly purchased bus

At this time the Parks and Recreation Director addressed the Council regarding a request from the Youth Athletics Advisory Board to utilize the newly purchased bus

There was extensive discussion by Council regarding the current uses of the Village bus

It was the consensus of Council to only utilize the newly purchased bus for senior and adult programs

11 **OTHER BUSINESS/GENERAL DISCUSSION** There was no further business discussed

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

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 10 15 p m

Respectfully submitted:


Jennifer Medina, CMC
Village Clerk



Approved this 28th day of August 2018:


Mayra R. Lindsay
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.