

MINUTES

VIRTUAL SPECIAL COUNCIL MEETING  
TUESDAY, MAY 5, 2020

(CONTINUATION OF APRIL 28, 2020)

6:00 P.M.

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The Mayor called the meeting to order at 6:00 p.m. Present were Councilmembers Luis Laredo, Edward London, Allison McCormick, Katie Petros, Ignacio J. Seguro, Vice Mayor Brett Moss and Mayor Michael W. Davey. Also present were Village Manager Andrea Agha, Interim Village Clerk Peter J. Kulpa and Village Attorney Chad Friedman.
2. **PLEDGE OF ALLEGIANCE:** Mayor Davey led the Pledge of Allegiance.
3. **BRIEF COMMENTS BY COUNCIL:** Mayor Davey addressed the Council regarding the parks being open for the past week and commended the residents on abiding by the COVID-19 restrictions. The Mayor also addressed the Council on the 2020 census and how the residents need to improve their efforts in being more responsive to the effort. Councilmember Petros addressed the Council regarding the wearing of masks by the residents in the Village. Councilmember Laredo addressed the Council regarding the satisfactory performance of the Interim Village Clerk and the need to move ahead with the selection process of the new Village Clerk. Councilmember Laredo also addressed the Council regarding the disappointment he felt toward T-Mobile and Verizon Wireless with the lack of flexibility in regard to their cell towers and stated that the virtual public comments should be preceded with a request to disclose the speakers' affiliation and whether or not the speaker is a lobbyist.
4. **PUBLIC COMMENTS:** Melissa White, 370 Heather Lane addressed the Council.
5. **RESOLUTIONS:** The Clerk read the following resolution by title.

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, ACCEPTING A GRANT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CRANDON BOULEVARD PEDESTRIAN AND BICYCLE SAFETY PROJECT AND APPROVING AN AGREEMENT RELATED TO THE SAME; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Davey made a motion to approve the resolution. The motion was seconded by Councilmember London.

The Manager addressed the Council recommending approval of the resolution.

Councilmember Segurola made an inquiry on the total cost of the project to the Village. Building Zoning and Planning Director Jake Ozyman addressed the Council on the cost of the project being roughly \$200,000 that was previously budgeted for and that this cost is for the full install of the green bike lanes going down Crandon Boulevard. Councilmember Laredo addressed the Council with the concern of spending taxpayer money to accommodate participants of a sport that mainly are not Village residents. and on how allowing further penetration of outside pelotons into our island, particularly into our single-family residential areas, will fundamentally change the character of our island. Increased traffic, police enforcement burden, and potential exposure to residential crime is not in the interest of Key Biscayners.

Building, Zoning and Planning Director Ozyman addressed the Council regarding the cost of the different components of the project.

Mayor Davey addressed the Council on the potential safety improvements that would stem from the green bike lanes.

The motion to approve the resolution was approved by a 6-1 roll call vote. The vote was as follows: Councilmembers London, McCormick, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes. Councilmember Laredo voting No.

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

Mayor and Councilmembers. Councilmember London addressed the Council regarding a proposed amendment to the Charter, recommending that the Chief Financial Officer should be a Charter employee.

Councilmember Petros addressed the Council regarding the need to schedule and complete the Charter employee evaluations, specifically the Attorney's and the Manager's.

Councilmember Petros also addressed the Council regarding the missing minutes that still need to be completed. Vice Mayor Moss made a motion to have all the missing meeting minutes completed by the Interim Clerk in twelve weeks without overtime pay. The motion was seconded by Councilmember McCormick and was approved by a 7-0 roll call vote. The vote was as follows: Councilmembers McCormick, Laredo, London, Petros, Segurola, Vice Mayor Moss, and Mayor Davey voting Yes.

Mayor Davey addressed the Council on the need to postpone the Fourth of July events and fireworks. There was extensive discussion from Council. Councilmember Petros made a motion to postpone the Fourth of July events and fireworks requesting for a contract through 2022 without penalties and under the same terms and conditions. The motion was seconded by Councilmember Laredo and was approved by a 7-0 roll call vote. The vote was as follows: Councilmembers McCormick, Laredo, London, Petros, Segurola, Vice Mayor Moss, Mayor Davey voting Yes.

Councilmember Segurola addressed the Council on a possible Village Business Support Fund and task force. Executive Director of the Chamber of Commerce, Tatyana Chiochetti gave a brief presentation showing a survey on the effects of the COVID-19 on local businesses and on possible assistance the Village could provide. There was extensive discussion from Council on the best course of action for the Village to take.

Councilmember McCormick made a motion to direct the Manager to look into what money is available at the County and Federal levels and what money and resources are available from the Village to lend to local businesses. The motion was seconded by Councilmember Lauredo and was approved by a 7-0 roll call vote. The vote was as follows: Councilmembers McCormick, Lauredo, London, Petros, Segurola, Vicemayor Moss and Mayor Davey voting Yes.

Councilmember Segurola addressed the Council regarding the Village's quarantine exit plan and timetable avoiding the Council's meeting schedule from preventing or delaying the systematic opening of Village amenities and businesses. The Manager addressed the Council on how she will continue issuing emergency orders keeping pace with Miami-Dade County on opening facilities and lightening restrictions. There was extensive discussion from Council on the topic including the ban of towing and booting of vehicles on private property as per County restriction due to COVID-19.

Mayor Davey addressed the Council regarding communications and the electronic entrance sign. The Mayor gave a brief history of the sign and why it should stay under control of the Clerk's Office allowing for reasonable usage of the sign by the Manager's Office. Also the Mayor referred to an email sent from the communications division on restricting staff contact with elected Officials and even though that is has been retracted we need clear and direct communication between Village staff and the Council when needed.

Vice Mayor Moss addressed the Council regarding the regulation of construction in multifamily buildings within the Village. The Vice Mayor noted that every multifamily building has unique circumstances when it comes to unit renovations and construction and that there should be some form of system in place to allow work to proceed where it is deemed safe for the workers and the residents of the building.

Councilmember London made a motion for there to be a hardship exemption granted for construction in multifamily buildings that is to be submitted by the building association or building manager. This exemption will be at the discretion of the Village Managers office and will require the standard inspections from the Building, Zoning and Planning Department. The motion was seconded by Mayor Davey and approved by a 6-0 roll call vote. The vote was as follows: Councilmembers McCormick, London, Petros, Segurola, Vice Mayor Moss and Mayor Davey voting Yes. Councilmember Lauredo was not available at the time the vote was taken.

Councilmember Petros addressed the Council on the next steps to be taken in the search and hiring of the next Village Clerk. It was decided that the list of nine should be narrowed down to five at the next Council Meeting on May 19, 2020. The five finalists would undergo more extensive interviews to have the final selection made at the June 9, 2020 Council Meeting.

The Manager reported to the Council and the public of a gas leak in the Grand Bay subdivision that was responded to by Miami Dade Hazmat and Key Biscayne Fire Rescue, with the last report stating the situation was under control with no injuries were reported.

Councilmember London addressed Council regarding possible financial advisors that would assist the Village for free.

Council directed the Village Attorney to look into the legality of this opportunity. The Village Manager will look into the licencing needs and the possibility of hiring a firm to do the more tedious tasks that may present themselves.

Village Manager. The Village Manager addressed the Council regarding possible funding opportunities. The Manager spoke on the timeline to bring bond measures and a debt-cap amendment to the Charter to be placed on the ballot in the August Primary Election or the November General Election. There was extensive discussion from Council on the proper election to have these items on the ballot. Further discussion will take place during the Strategic Planning Retreat on Friday, May 8, 2020.

The Manager along with the Building, Zoning and Planning Director addressed the Council regarding ongoing projects within the Village, including the septic tank conversion and beach nourishment project. At this time the Manager introduced Dr. Roland Samimy to the Council as the new Resiliency and Sustainability Officer.

7. **ADJOURNMENT:** The meeting was adjourned at 9:50 P.M.

*Respectfully Submitted*

  
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*Peter J. Kulpa*  
*Interim Village Clerk*



Approved this day 9th day of June 2020:

  
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*Michael W. Davey*  
*Mayor*

**I. 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 (F.S.286.0105).**