

MINUTES

ZONING MEETING
KEY BISCAVNE, FLORIDA

TUESDAY, JUNE 27, 2006

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, Steve Liedman, Jorge E. Mendia, Thomas Thornton, Vice Mayor Robert L. Vernon and Mayor Robert Oldakowski. Councilmember Patricia Weinman was absent. Also present were Village Manager Jacqueline R. Menendez, Village Clerk Conchita H. Alvarez and Village Attorney Stephen P. Helfman.
2. **PLEDGE OF ALLEGIANCE:** Fire Lieutenant Marcos Osorio led the Pledge of Allegiance.
3. **AGENDA:** The Manager requested the addition of a resolution providing for ratification of the Collective Bargaining Agreement between the Village and the Key Biscayne Professional Firefighter-s Association, Local 3638 as Item 6A. There was no objection to the agenda change.
4. **APPROVAL OF MINUTES:** Councilmember Garcia made a motion to approve the minutes of the June 13, 2006 Regular Council Meeting and the minutes of the June 20, 2006 Budget Workshop. The motion was seconded by Councilmember Thornton and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Vice Mayor Vernon and Mayor Oldakowski voting Yes.
5. **ORDINANCES:** There were no ordinances considered by Council on first reading.

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

A CAPITAL PROJECT AUTHORIZING ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA (THE AVILLAGE®), CONCERNING THE CONSTRUCTION OF CRANDON BOULEVARD IMPROVEMENTS B PHASE III OF THE VILLAGE; AUTHORIZING AND PROVIDING FOR THE VILLAGE TO CONSTRUCT IMPROVEMENTS ON CRANDON BOULEVARD AND AT CERTAIN ROADWAYS IN THE VICINITY OF CRANDON BOULEVARD, AS DESCRIBED HEREIN; AUTHORIZING EXPENDITURE OF FUNDS; PROVIDING FOR NOTICE OF ORDINANCE ADOPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager and the Attorney addressed the Council regarding this ordinance.

Ramon Castella with 3CTS, Engineer for the Project, addressed the Council.

The Mayor opened the public hearing. Camille Guething, 260 Seaview Drive addressed the Council. The Mayor closed the public hearing.

The ordinance was adopted on second reading by a 6-0 roll call vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING SECTION 22-31 "WEST MASHTA ROAD BRIDGE" OF CHAPTER 22 APUBLIC PLACES® THE VILLAGE CODE TO PROVIDE RESTRICTIONS ON HOURS OF USE AND TO AMEND REFERENCE TO SPECIAL EVENT PERMIT SECTION IN CONFORMANCE WITH REVISIONS TO CHAPTER 17; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR A PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The Manager addressed the Council regarding this ordinance.

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

The ordinance was adopted on second reading by a 6-0 roll call vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

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

A CAPITAL PROJECT AUTHORIZING ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA (THE AVILLAGE®), CONCERNING THE CONSTRUCTION OF THE SANITARY SEWER AND WATER LINE IMPROVEMENT PROJECT (THE "PROJECT") OF THE VILLAGE; AUTHORIZING AND PROVIDING FOR THE VILLAGE TO CONSTRUCT THE PROJECT AS DESCRIBED HEREIN; AUTHORIZING EXPENDITURE OF FUNDS; PROVIDING FOR NOTICE OF ORDINANCE ADOPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Liedman made a motion to adopt the ordinance on second reading. The motion was seconded by Councilmember Thornton.

The Manager and the Attorney addressed the Council regarding this ordinance.

The Mayor opened the public hearing. John Rosser, 300 Redwood Lane; Kim Newlin, 755 Allendale Road and Mortimer Fried, 291 Harbor Court addressed the Council. The Mayor closed the public hearing.

The ordinance was adopted on second reading by a 6-0 roll call vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

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

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER 21 "PUBLIC RIGHTS-OF- WAY", AT ARTICLE II "LANDSCAPING IN PUBLIC RIGHTS-OF-WAY", BY CREATING SECTION 21-15 "EXEMPTION" TO EXEMPT THE VILLAGE SANITARY SEWER AND WATER LINE IMPROVEMENT PROJECT FROM THE PROVISIONS OF SECTION 21-12 "VILLAGE PROJECTS WITHIN THE PUBLIC RIGHTS-OF-WAY"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

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

The Mayor opened the public hearing. Camille Guething, 260 Seaview Drive and John Rosser, 300 Redwood Lane addressed the Council. The Mayor closed the public hearing.

The ordinance was adopted on second reading by a 6-0 roll call vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

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

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAVNE, FLORIDA (AVILLAGE@), PROVIDING FOR RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE VILLAGE AND THE KEY BISCAVNE PROFESSIONAL FIREFIGHTER-S ASSOCIATION, LOCAL 3638; AUTHORIZING THE VILLAGE MANAGER TO SIGN THE COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF THE VILLAGE; AUTHORIZING THE VILLAGE MANAGER TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE COLLECTIVE BARGAINING AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Liedman made a motion to approve the resolution. The motion was seconded by Councilmember Garcia.

The Attorney and the Manager addressed the Council regarding this agreement.

Lieutenant Osorio, President of the Key Biscayne Professional Firefighter-s Association, Local 3638 addressed the Council.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

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

Mayor and Councilmembers. There were no reports submitted by Council.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

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Village Manager. The Manager addressed the Council indicating the different financing options for the Proposed Sanitary Sewer Project.

Lourdes Abadin with Estrada Hinojosa, Financial Advisor for the Sewer Project, Anthony Clemente and Patricia Carney with PBS&J addressed the Council regarding the Project.

It was the consensus of Council to direct staff to bring to Council the necessary steps to proceed with the Sanitary Sewer Project with the Village absorbing the funding shortfall.

John Rosser, 300 Redwood Lane; Camille Guething, 260 Seaview Drive and Linda Davitian, 720 Myrtlewood Lane addressed the Council.

The Manager addressed the Council regarding a Village wide Landscape master plan/inventory and analysis of existing conditions - progress report.

Representatives with Wallace Roberts and Todd and Lisa Hammer with Sweeney & Associates made a presentation to Council regarding a Village wide Landscape Master Plan.

Cecile Sanchez, 260 Cypress Drive and Ed Meyer, 100 Sunrise Drive addressed the Council.

8. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.
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 9:07 p.m.

Respectfully submitted:

Conchita H. Alvarez, CMC
Village Clerk

Approved this 5th day of July, 2006:

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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.