

BAL HARBOUR VILLAGE COUNCIL MEETING MINUTES
SPECIAL MEETING – APRIL 27, 2006

A Special Meeting of the Bal Harbour Village Council was held on Thursday, April 27, 2006, at Bal Harbour Village Hall (655 – 96th Street, Bal Harbour, Florida).

1. CALL TO ORDER/ROLL CALL: The meeting was called to order at 8:00 a.m. by Mayor Roth. The following were present:

Mayor Seymour "Sy" Roth
 Councilman Jean Rosenfield
 Councilman Jaime M. Sanz

Alfred J. Treppeda, Village Manager
 Andrea Greenblatt, Administrative Assistant
 Andrew W. Mai, Village Attorney

Absent: Assistant Mayor Howard J. Berlin
 Councilman Joel S. Jacobi

As a quorum was determined to be present, the meeting commenced.

2. PLEDGE OF ALLEGIANCE: The Pledge was led by Mrs. Greenblatt.

3. ORDINANCE FIRST READING: Mrs. Greenblatt read the following ordinance, by title:

AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING THE VILLAGE CODE BY AMENDING CHAPTER 11 "NUISANCES" AT ARTICLE II "NOISE" BY ADDING SECTION 11-32 "EXEMPTIONS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Mai explained the ordinance, which will give the Council the ability to grant applicants exemption from the noise ordinance, via resolution.

Mayor Roth opened the public hearing.

Dina Cellini, resident – 211 Bal Cross Drive, suggested that the Village receive assurances that the WCI crews are working any approved extended hours, to ensure that more work is done. She requested that the proposed ordinance not apply to the Residential District.

There being no additional comments, Mayor Roth closed the public hearing.

Councilman Rosenfield wants to be cautious about disturbing neighbors. Councilman Sanz agreed.

Mayor Roth is in favor of a 30-day trial period. He discussed giving WCI the ability to complete the project as soon as possible. He doesn't think this is to create a problem with the Security

District, but is for special projects/issues.

Mr. Mai explained that the Ordinance gives the Council power, to look at specific situations that may occur (construction projects, etc.) and give exemptions. He noted that it allows the Council to put any conditions on the exemptions, deny the exemptions, etc. at a public hearing. Mr. Mai reported that specific conditions would be part of the resolution process (30-day trial, off-duty police officers, etc.).

A motion was offered by Councilman Rosenfield and seconded by Councilman Sanz to amend the Ordinance, by excluding the Security District. The motion carried unanimously, with the role call vote as follows: Mayor Roth yes; Assistant Mayor Berlin absent; Councilman Jacobi absent; Councilman Rosenfield yes; Councilman Sanz yes.

A motion was offered by Councilman Rosenfield and seconded by Councilman Sanz to approve the Ordinance as amended. The motion carried unanimously, with the role call vote as follows: Mayor Roth yes; Assistant Mayor Berlin absent; Councilman Jacobi absent; Councilman Rosenfield yes; Councilman Sanz yes.

4. OTHER BUSINESS:

Mayor Roth discussed the Special Resort Tax Committee Meeting, scheduled for April 27th. He is concerned that no Village Council member or taxpayer will be at the meeting and that only businesses will be represented. Mr. Treppeda explained that the Committee will be discussing advertising, which can be approved without going to the Council, per the Village Code. Mayor Roth thinks the Council should look into changing that procedure. Mayor Roth would like a resident of the community or a Council member at every meeting and at least 72 hours (3 business days) notice, before a meeting. Councilman Sanz questioned the reason for a special meeting. Mr. Treppeda explained that the Director of Tourism needed approval, due to advertising deadlines for the summer drive market, since the Sheraton is staying open. Councilman Rosenfield questioned if there's a limitation on the amount of money the Committee can spend, without coming to the Council. Mr. Treppeda advised that there is no dollar limit, if it's an advertising item that is in the budget. He reported that the items to be discussed at the Special Committee Meeting are in the budget. Mayor Roth would like to investigate that issue. Councilman Rosenfield suggested putting a limit on the dollar amount that can be spent. Mr. Mai questioned if the Council wants the Attorney to prepare an ordinance amending the Committee section, providing that at least one Council member or citizen be present at all Committee meetings, a 72-hour notice be provided, and for a limit to be placed on the amount of spending.

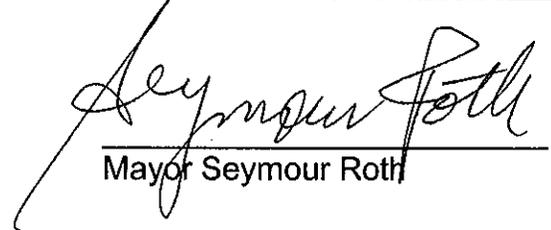
Mayor Roth suggested one Council member be in attendance and one resident/taxpayer be a member, with resort/advertising experience. Councilman Rosenfield agreed that a resident should be on the Committee and should be present at every meeting. Councilman Sanz has no objection, but would like to know more about the Committee before voting to change things (information on how it was built, etc.). Mayor Roth suggested that research be done for information.

Dina Cellini, resident – 211 Bal Cross Drive, questioned if a special meeting has to be called, if the Director of Tourism requests it. Mr. Treppeda thought that it was important for the Committee to address advertising deadlines, for the summer market. Mayor Roth noted that the Village knew two months ago that the Sheraton was not closing. He is concerned

that Assistant Mayor Berlin will not be at the meeting to control the Committee and doesn't think the special meeting should be held. Councilman Rosenfield discussed the advertising budget, which allows the Committee to spend that money. Mayor Roth thinks that the Sheraton should be advertising.

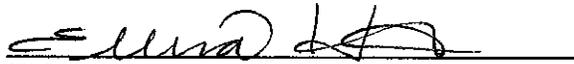
The Council instructed the Village Attorney to investigate that Ordinance, to see if anything can be done.

5. ADJOURN: There being no further business, the meeting adjourned at 8:27 a.m.



Mayor Seymour Roth

Attest:



Ellisa Horvath, CMC
Village Clerk

