

BAL HARBOUR VILLAGE COUNCIL MEETING MINUTES
SPECIAL MEETING – OCTOBER 4, 2006

A Special Meeting of the Bal Harbour Village Council was held on Wednesday, October 4, 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 9:15 a.m. by Assistant Mayor Berlin. The following were present:

Assistant Mayor Howard J. Berlin
 Councilman Joel S. Jacobi
 Councilman Jean Rosenfield

Alfred J. Treppeda, Village Manager
 Ellisa Horvath, CMC, Village Clerk
 Andrea Greenblatt, Admin. Assistant
 Richard J. Weiss, Village Attorney

Absent: Mayor Seymour "Sy" Roth
 Councilman Jaime M. Sanz

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

2. PLEDGE OF ALLEGIANCE: The Pledge was led by the Council.

3. APPROVAL OF MINUTES: *A motion was offered by Councilman Rosenfield and seconded by Councilman Jacobi to approve the minutes from the September 19, 2006, Second Budget Hearing. The motion carried unanimously (3-0).*

4. ORDINANCE FIRST READING: The following ordinance was read, by title, by Mrs. Horvath:

AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING THE VILLAGE CODE CHAPTER 21 "ZONING" BY AMENDING ARTICLE I "IN GENERAL," SECTION 21-1 "DEFINITIONS AND RULES OF CONSTRUCTION" AND BY AMENDING ARTICLE III "DISTRICT REGULATIONS," DIVISIONS 2 THROUGH 11 INCLUDING SECTIONS 21-146.1, 21-170, 21-195, 21-215, 21-240, 21-265, 21-293, AND 21-318 RELATING TO STRUCTURE HEIGHT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Assistant Mayor Berlin opened the public hearing.

Assistant Mayor Berlin doesn't have any problem with the proposed amendment to the ordinance that was provided during comments at the Local Planning Agency Meeting (October 4, 2006). He advised that anyone affected by that proposal should provide comments to the Village Council or Attorney between first and second reading.

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

Mr. Weiss noted that Ms. Cellini's comments from the Local Planning Agency Meeting (October 4, 2006) will be incorporated into the minutes for this meeting.

A motion was offered by Councilman Rosenfield and seconded by Councilman Jacobi to approve. The motion carried unanimously (3-0), with the roll call vote as follows: Assistant Mayor Berlin yes; Councilman Jacobi yes; Councilman Rosenfield yes; Mayor Roth absent; Councilman Sanz absent.

Assistant Mayor Berlin questioned if the proposed amendments can be taken up at second reading without a problem and are not material enough to require a new process. Mr. Weiss noted that they're material, but that since the title is broad, it will cover that. Assistant Mayor Berlin questioned if any other types of curative recommendations can be taken into consideration. Mr. Weiss reported that if they're within the scope of the title.

Mrs. Horvath reported that the second reading of the ordinance will be on October 17, 2006, at 9:00 a.m., at Village Hall.

5. OTHER BUSINESS:

Babak Raheb, resident - 128 Balfour Drive, requested that the Council direct the Village Attorney to give an opinion on Resort Tax Committee members that may have a conflict of interest serving. He discussed Stanley Whitman's Lobbyist Registration and Randy Whitman's involvement with the Shops and the Committee. The Council approved the Attorney to research this. Mr. Weiss will research if a Lobbyist registered with the Village can serve and if there's a voting conflict for members from the Shops and/or Sheraton to serve. Mr. Raheb discussed the County Conflict of interest Code.

Gabriela Webster, resident - 30 Park Drive, requested that the Council initiate looking into a Historic Preservation District. She discussed State guidelines and possible grants. Councilman Jacobi suggested that Ms. Webster start the process. Ms. Webster noted that Village support is needed. Mr. Treppeda noted that if the Council is interested, then the Village Planner could try to get a grant to do a study.

The Council discussed the process in Bay Harbor Islands.

Michael Miller, Village Planner, discussed the State laws. He explained that any structure/property older than 50 years could be considered historical. He reviewed other criteria including age, someone important living there, something important happening there, etc. Mr. Miller noted that information is reported in the Village's Comprehensive Plan. He discussed some of the architecture in the Bal Harbour area, characterized as Mid-Century Modern or Miami Modern (MIMO), (1945-1965). He doesn't think there is any downside to the community seeking a grant to conduct a study. Mr. Miller reported that the Village is under the jurisdiction of the Miami-Dade Historic Preservation Board.

A motion was offered by Councilman Rosenfield and seconded by Councilman Jacobi to approve Mr. Miller looking into a grant to conduct a study. The motion carried unanimously (3-0).

6. ADJOURN: There being no further business, a motion was offered by Councilman Jacobi and seconded by Councilman Rosenfield to adjourn. The motion carried unanimously (3-0), and the meeting was adjourned at 9:30 a.m.



Mayor Seymour Roth

Attest:



Ellisa Horvath, CMC
Village Clerk