

BAL HARBOUR VILLAGE COUNCIL MEETING MINUTES
SPECIAL MEETING – SEPTEMBER 8, 2009

A Special Meeting of the Bal Harbour Village Council was held on Tuesday, September 8, 2009, at the Bal Harbour Village Hall Council Chambers (655 – 96th Street, Bal Harbour, Florida).

1. CALL TO ORDER/ROLL CALL: The meeting was called to order at 7:02 p.m. by Mayor Rosenfield. The following were present:

Mayor Jean Rosenfield
 Assistant Mayor Joni D. Blachar
 Councilwoman Patricia Cohen
 Councilman Jaime M. Sanz

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

Absent: Councilman Martin Packer

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

2. PLEDGE OF ALLEGIANCE: The Pledge was previously done at the First Budget Hearing.

3. AGENDA: REQUEST FOR DELETIONS/ADDITIONS:

Baba Raheb requested that Tab A and Tab E be removed.

Dina Cellini requested that Tab B and Tab D be removed.

4. CONSENT AGENDA: Mr. Treppeda requested approval for the remaining items on the Consent Agenda.

A motion was offered by Assistant Mayor Blachar and seconded by Councilwoman Cohen to approve Tabs C, F, G, and H on the Consent Agenda. The motion carried (4-0).

Tab A – Motion Approving Modification of Sign Permit Approval for One Bal Harbour Resort and Spa: *Babak Raheb, 128 Balfour Drive*, requested information. Mr. Treppeda explained The Regent sign approval and the change of name to ONE Bal Harbour. He reported that the new sign will have the same lighting, color, etc.

Dina Cellini, 211 Bal Cross Drive, suggested review by the Architectural Review Board, since the sign is 30% larger than the previously approved sign. Assistant Mayor Blachar noted that Building Official Dan Nieda is okay with the new sign. Mr. Treppeda agreed.

Mayor Rosenfield suggested discussing the issue when Mr. Nieda arrives.

Tab B – Motion Approving Contribution to Surf-Bal-Bay Recreation

Program: *Dina Cellini, 211 Bal Cross Drive*, voiced disappointed that the Village will not contribute to the program for 2009/2010. Mayor Rosenfield explained that the Police Athletic League has the same program and kids, which will take the place of the current program. Chief Hunker reported that \$10,000 will be donated from the Police forfeiture funds for the PAL program. Ms. Cellini suggested that the Police forfeiture funds be used for the local school, instead of sending it to another community. Mayor Rosenfield suggested seeing what the school comes back with. Assistant Mayor Blachar agreed. Mayor Rosenfield will follow up on the issue.

A motion was offered by Assistant Mayor Blachar and seconded by Councilman Sanz to approve. The motion carried (4-0).

Tab D – Motion Approving Proposal to Replace Date Palm Tree on

96th Street: *Dina Cellini, 21 Bal Cross Drive*, questioned if the funds will come out of the Resort Tax budget. Mr. Treppeda reported that they will.

A motion was offered by Councilman Sanz and seconded by Assistant Mayor Blachar to approve. The motion carried (4-0).

Tab E – Motion Approving Expenditure of Police Forfeiture Funds:

Babak Raheb, 128 Balfour Drive, requested information. Chief Hunker explained that the request is to change companies, for less money, for a previously approved item.

A motion was offered by Assistant Mayor Blachar and seconded by Councilwoman Cohen to approve. The motion carried (4-0).

5. RESOLUTIONS: The following Resolution was read, by title, by the Village Clerk:

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, OPPOSING THE POSSIBLE CLOSURE OF THE SURFSIDE POST OFFICE BY THE UNITED STATES POSTAL SERVICE; PROVIDING AN EFFECTIVE DATE.

Mayor Rosenfield explained that the United States Postal Service wants to close the Surfside Post Office.

Neil Alter, 9801 Collins Avenue, spoke in favor of the resolution. He suggested providing the public with information to contact Congress.

Anamarie Kelly, questioned if the Village Hall post office will be affected and, if not, if it will be publicized for postal services. Mayor Rosenfield doesn't know, but explained that the Village Hall Branch Office has very limited services. Mayor Rosenfield will research the issue.

Babak Raheb, 128 Balfour Drive, suggested that the Village expand its post office for residents, if the one in Surfside closes. Mayor Rosenfield will investigate that possibility. Mr. Raheb questioned if the reason for closing is financial. Councilwoman Cohen reported that she read that the post office is closing many branches nationwide, due to a decreased need for post office services due to technology. Mr. Raheb questioned where the closest post office is. Councilman Sanz reported there is one on 71st Street.

A motion was offered by Assistant Mayor Blachar and seconded by Councilman Sanz to approve the resolution. The motion carried (4-0); thus becoming Resolution No. 2009-712.

Tab A – Motion Approving Modification of Sign Permit Approval for One Bal Harbour Resort and Spa: Dan Nieda, Building Official, reported that the sign has the same placement, font, and lighting, with different wording. He noted that it is 72 inches high, which was previously approved for The Regent format. Mr. Treppeda clarified that the words Resort & Spa underneath ONE make it taller. Mr. Nieda agreed, but noted that the main font is 72 inches and "Resort & Spa" is 14 inches. He explained that from the ground plane ONE is the only word that will be seen. He recommended approval and spoke against the need for review by the Architectural Review Board again.

A motion was offered by Assistant Mayor Blachar and seconded by Councilman Sanz to approve. The motion carried (4-0).

6. VILLAGE ATTORNEY:

Request for Attorney/Client Session - Lynne Bloch-Mullen v. Joel Jacobi, Bal Harbour Village, and the Miami-Dade County Canvassing Board (Case No. 07-12570 CA 08): Mr. Weiss requested an Attorney/Client Session for the listed case, which will be scheduled if needed.

It was the consensus of the Council to approve the request.

7. OTHER BUSINESS:

Anamarie Kelly Stoppa, 77 Camden Drive, reported that Chief Hunker is mentioned in the book "The Sins of South Beach" and noted that Books and Books will have a book signing. Mayor Rosenfield noted that the author of the book served a significant amount of time in prison.

Neil Alter, 9801 Collins Avenue, reported that the Munisport issue falls under DERM for monitoring, and suggested that Village funds may not be required. He questioned the status of the St. Regis project. Mayor Rosenfield reported that it's an ongoing process. Mr. Nieda reported that the project never stopped. Mr. Alter congratulated the Council and Chief on the installation of a camera in front of the Beach Club. He questioned the status of the additional red light cameras. Chief Hunker reported that the cameras should be functional in 30-60 days.

Dan Holder, 24 Bal Bay Drive, questioned if the red light cameras will ticket for a right turn on red at Harbour Way (southbound on Collins Avenue). Chief Hunker explained that a

vehicle can turn on red, but must stop before doing so. He explained the ticketing process, which provides a code violation and doesn't affect driver licenses. Councilwoman Cohen and Assistant Mayor Blachar requested that signs be posted warning drivers. Chief Hunker agreed that would be done.

Dina Cellini, 211 Bal Cross Drive, suggested that the complete agendas, including backup material, be posted on the web site, as well as the budget. Mayor Rosenfield will investigate that.

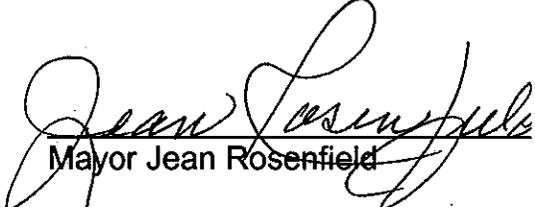
Ms. Cellini requested an update on the community dispatch experiment. Mayor Rosenfield reported that the experiment was cancelled and the issued is dead.

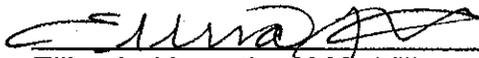
Mayor Rosenfield requested Council approval for Assistant Mayor Blachar to serve as the Village's representative on the Miami-Dade County League of Cities Board.

It was the consensus of the Council to appoint Assistant Mayor Blachar to be the Village's representative on the Miami-Dade County League of Cities Board.

8. ADJOURN: There being no further business, **a motion was offered by Assistant Mayor Blachar and seconded by Councilman Sanz to adjourn. The motion carried (4-0) and the meeting adjourned at 7:35 p.m.**

Attest:


Mayor Jean Rosenfield


Ellisa L. Horvath, CMC, Village Clerk