



Cocoanut Grove Village Council

Gary Hecht - Chair
Martin Zilber - Vice Chair
David Collins
Felice Dubin
Ron Nelson
Michelle Niemeyer
Lottie Person

Mailing Address

2910 Emathla Street
Coconut Grove, FL 33133
Telephone
305-607-8360
Facsimile
305-860-6057

**Cocoanut Grove Village Council
December 05, 2006
Meeting Minutes**

On December 05, 2006, a quorum of duly elected members met to discuss and decide issues relevant to the business of the council. All Council Members were present and voted. The following discussions took place, including the enactment of resolutions as described herein:

1. Call to order and roll call.
2. Comments by newly elected Commissioner Marc Sarnoff. Due to his election, Commissioner Sarnoff must resign from his position as Chair and from the Village Council. Mr. Sarnoff announced Yvonne McDonald will be joining his staff, and we will need to replace her after this meeting as well. Stay in touch on projects. Marc is interested in working with us.
3. Minutes. Gary moved Oct. 17, Felice 2nd, Passed. November minutes deferred to next meeting.
4. Treasurer's report. Pullseye only expense. Gary writing an accomplishment and a goal report to go out by mail before mid-January.
5. City Manager Pete Hernandez was introduced to the Council and Community and discussed his background and goals. Main issue working on right now is four union contracts. Other big issues, capital improvements, parks projects, roadwork, drainage. Should be timely as well as fair and competitive. Skepticism related to issues of a lack of communication. Mr. Hernandez is working to change that. He is willing to work with the Council and all other city groups. Three Master Plans underway. CG Waterfront Master Plan town meeting Monday and presentation Tuesday, December 11 and 12.
6. 27th Avenue Metrorail Committee Report: rally and meeting with County. Felice Dubin learned the County considers each "story" to be 16 feet and is considering allowing 15 stories. Question about the

legality of the lease because it changed from the original proposal to twice the original size. Question about the process. Board was not well prepared. Attorney gave explanation of how it works and county planning dept. gave another explanation, so looking into that. Question of property taxes, no one could answer. Because it is a leased piece of property, the developer says the people who buy there won't have to pay property tax. Next RTDIC meeting is January 24, after 5:00 p.m., and they will be voting. Chair, Alex Munoz, was very fair and gave the public equal time.

7. Website update. We need to subscribe to a service to get database functionality and e-mail. Martin Zilber moved we authorize Michelle Niemeyer up to \$100/month to obtain e-mail service for council, Felice Dubin 2nd. Passed.

Ms. Niemeyer requested all members please send bios and pictures for the website.

8. Gary Hecht asked for permission to serve as VC liason to All Grove Crimewatch. Martin Zilber moved if it is acceptable to All Grove Crimewatch we will make them a subcommittee. Felice Dubin suggested we invite them to our next meeting. Yvonne McDonald will talk with Loupo. Michelle Niemeyer moved we officially invite AGCW to be a subcommittee w/ Gary Hecht as the VC member co-chair and current chair to continue as co-chair of AGCW.

8. David Collins noted the absence of our police representatives. Martin Zilber suggested we get clarity on whether we want the police and NET here. Gary Hecht suggested we do this at the mid-month meeting. Later discussion indicated we had asked that Robert Loupo give regular updates with Commander Whitehead only attending on less frequent occasions.

9. David Collins would note that at any of our meetings someone be given the ability to give us the status of the Home Depot issue.

10. David Collins asked if we have proceeded to the point of taking action on becoming a 501(c)(3). Felice Dubin said she spoke with a CPA, LB Carpenter, who suggested we stay the way we are. 501(c)(3)s have a lot of restrictions on political activity and he thought we could have problems with that. Ron Nelson said when the VC was formed the legal opinion they got was that it did not fit this board. Martin Zilber agrees we should ask the question of our pro bono legal counsel. We should make sure we are the correct kind of entity. In some circumstances you have to be a 501(c)(3) to get governmental funds. Felice Dubin thinks we should invite the attorney and an accountant about the 501(c)(3). Michelle Niemeyer agreed to contact our legal counsel and ask his opinion on the matter.

11. Felice Dubin asked if anyone got the Mercy Hospital mailer. The last page shows options for the development of the property. Ron Nelson said hearing has

been deferred to January 25 on the project. The two items the council was concerned with was to make sure the rest of the Mercy property did not get upzoned R4, and that zoning is not project specific, so how do we guarantee this project is built if the zoning change happens.

12. Ron Nelson brought up Marjory Stoneman Douglas home issue. Some want to move it to Fairchild. Group wants to get the word out that it is happening. Yvonne McDonald suggested it be put to new business.

13. 27th Avenue Improvement Plan. County project has been in the works since before the Ritz Carlton was built. Road has a lot of easements and dedicated setbacks that have not been acquired, lots of problems with the right of ways. Appears County ready to move forward. We suggested a planning charette be put together, the County is officially the sponsor. CG Elementary, Saturday, Dec. 16, 10-1 in the cafeteria. David Collins commended Ron for stepping up and making the charette happen. On December 16, this is a huge matter. Michelle Niemeyer commented on potential traffic and parking impact. Felice Dubin mentioned they did not study how it would affect the other side streets. Michelle Niemeyer indicated she had volunteered to shop for refreshments and requested \$200 allocated for refreshments so she might be reimbursed, Yvonne McDonald second, passed.

14. Marjory Stoneman Douglas house. Ron Nelson introduced Bob Ferreira, who briefed the Council. Whole matter came up last minute. Most people he knows who knew about Marjory and her home were caught by surprise. Issue has been floating around 4 or 5 years.

There is a group of people in neighborhood who don't want this (a museum there) – there is a woman who has a land trust, owns the property next to the property the state owns that was Marjory's home. Had a lot of discussions with her about it. Wanted educational thing. When the house on her property was damaged in Andrew the City tore it down. So, empty lot next door to Marjory's house. Sally had discussions with neighbors, who could not agree on use b/c fear of traffic, school buses, tour buses, etc. They came to loggerheads and there was no greater community involvement, idea came to move the house to Fairchild. State has been reluctant to spend money on the house, grounds not well maintained, etc. Neighborhood has problems with that, too. The state is about to sell it, disassemble the house, move it to Fairchild, and sell the original lot and the land the trust owns. Now the neighbors are concerned about that. Legitimate concerns on all sides. The groups that have been arguing for so long are locked into positions. Some have said the house could be replicated at Fairchild for less money than moving it. Bob hadn't been there until the other day --- the place has an amazing feeling, it's a little old house you could just imagine Marjory Stoneman Douglas in. Village Council is a good place for a discussion to try to reach an agreement about what to do with the house. Gary Hecht asked how imminent the sale is. Bob Ferreira indicated his understanding it is any day now.

Glenn Terry sent e-mail about who to contact at the state. Eve Armstrong is Director of Division of Public Lands and is coming in a few weeks to meet with Fairchild.

Motion – Gary Hecht moved CGVC approve a moratorium regarding the Marjory Stoneman Douglas land and home by contacting the state and asking for a moratorium before any sale take place. Martin Zilber second. Lottie Person would like to know more before expressing her opinion. Ron Nelson doesn't know how much discussion there has been on this. Thinks it should be presented to the public. Thinks we should ask them to do a presentation at our January meeting. Felice Dubin would encourage council to send a letter to county and city commissioners so they support contacting state and asking them to hold off. Martin Zilber not sure who has the authority to do what's being done and who to ask. Assuming we can find out who to contact we should invite them here. Maybe that could prevent action. Bob Ferreira said director of land management, department of ecological resources, Eva Armstrong, is the person to talk to. Michelle Niemeyer indicated we should invite all the sides to this issue, and maybe ask people who can speak to concerns like those of the neighbors. David Collins indicated he doesn't think we have any authority in this at all. He identified two big issues: people's input. We need to define a situation acceptable to neighbors and not a gross insult to the history of Coconut Grove. We need to ask the state to stop driving the bus long enough to hear us. We have a little village that is part of a potentially important City. Marjory Stoneman Douglas wrote not to move things that are natural or to destroy them, and now we're talking about moving her house. We have to find out how to make this a place of meditation and conviction. We have to block the departure of this house from Coconut Grove. Bob Ferreira mentioned example of Merrick House in the Gables. No buses go there, the neighborhood is not disturbed. We need to get this thing put in a perspective we can discuss. Yvonne McDonald said even though this is the eleventh hour we can make a difference. It is up to this community to speak up for what we want. Yvonne thinks we can contact the state for a moratorium and they will listen to us. We need to make the decisions as a community. The final decision should be made by CG.

Gary Hecht amended motion: CG Village Council will ask the State to defer action and invite to Jan meeting all parties interested in the Marjory Stoneman Douglas Home. Martin Zilber second. Passed. David Collins will do the letter.

15. David Collins moved we invite the CGWWC to become a subcommittee. Ron Nelson seconded. Passed.

16. Yvonne McDonald has accepted position on Commissioner Sarnoff's staff. Officially she will have to resign from the Village Council.

Ron Nelson questioned whether Yvonne would have to resign. We are an independent board and are not an official City board. Martin Zilber said legally

he does not think there is a reason Yvonne would have to resign. Lottie Person said she was hoping Yvonne does not resign because there is no reason for it unless she wants to. Yvonne said she's not clear about all her responsibilities but she feels she needs to resign. David Collins – in favor of there being some distance between the Commissioner's office and this body. Encourages Yvonne to withhold her resignation until after this decision and to continue to chair the meeting. David encourages us to make a quick decision and not get hung up on technicality. Gary Hecht – not well versed on by-laws on new members but has a sense he would like to do that at the Glass House and not here. He thinks we need to select leadership today because after tonight we won't have any. Lottie Person thinks we should vote tonight. Ron Nelson – we need to at least select the chair tonight. Felice Dubin feels uncomfortable electing a chair, thinks we should elect a chair pro temps. Martin Zilber – in favor of selecting chair tonight, but he didn't know until tonight we would be electing two new officers. There is the issue there will be two new members.

Michelle Niemeyer, motion that we make nominations and elect a chair and a vice chair this evening. David Collins, second. Passed. Two opposed.

Nominations:

For Chair: Ron Nelson nominated Martin Zilber. Lottie Person nominated Gary Hecht. Felice Dubin nominated Ron Nelson. David Collins nominated Michelle Niemeyer. Nominations closed.

Martin Zilber comment: he really hadn't thought about chairing the council. He might prefer to be vice chair.

Gary Hecht: would be terribly honored to assume the chair. Unlike most of us the whole center of his civic activities is this council.

Ron Nelson didn't seek chairmanship for the reason Gary said. He works 70 hours a week in Broward County. He doesn't want to move to that other county. As chairman of this group there are lots of daytime meetings you need to attend.

Michelle Niemeyer commented she would be pleased to serve but would be just as happy to serve in any other capacity.

Call for vote individually. David moved, Felice second, public vote.

Martin Zilber- 1

Gary Hecht – 4

Michelle Niemeyer – 3

Gary Hecht is chair of the Village Council.

Michelle Niemeyer nominated Martin Zilber as Vice Chair. Unanimous vote.

16. Vacancies. Michelle Niemeyer read the by-law relevant to filling vacancies. Martin Zilber and Felice Dubin indicated they were interested in being on the committee. David Collins concerned about appointment in general.

Sue McConnell chosen to serve as the resident member on committee. Felice Dubin will serve with Gary Hecht, our new Chair. Requested David Smiley publicize in the Herald. Sue can put application on e-mail blast. The application will also be linked to the website.

17. There was a request that we pay for a banner for All-Grove Crimewatch. Martin Zilber moved we pay for the banner, \$180.00. Gary Hecht second. Passed.


December 9, 5 PM on Matilda is Crimewatch block party.

Next meeting after December 16 charette. 1:15 p.m. at Glass House.

Lottie Person commended Yvonne McDonald for a great job.

Motion to adjourn. Done.

Dated: *December 22, 2006*


Michelle M. Niemeyer, Secretary