



Cocoanut Grove Village Council

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Martin Zilber - Vice Chair
David Collins
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Cocoanut Grove Village Council
Tue October 2, 2007
Meeting Minutes

On Tue October 2, 2007, a quorum of duly elected Directors of Firm met to discuss and decide issues relevant to the business of the corporation. All Council Members were present and voted. The following discussions took place, including the enactment of resolutions as described herein:

1. All present.
2. Minutes deferred to next week.
3. Treasurer's report was circulated by e-mail.
4. Police report by Commander Martin. In response to Alyn Pruett's question, crime is up, as are arrests. They are tracking individuals who are arrested. Felice asked what percentage of the people arrested are released. Commander Martin said it is a significant percentage of violent offenders, but he doesn't know the answer to her question. The issue of whether people are released is out of the police department's hands. Once the arrest leaves their hands it goes to the prosecution side and the corrections side. Gary asked Officer Braga about CVS Pharmacy. Mentioned side is littered, unsightly. Various crimes and manager said this happens all the time; why file a report? Robert Loupo and Gary Hecht have each called the regional manager three times. Officer Braga said it is becoming a place of nuisance. It is becoming a crime location for people to be prayed upon. It seems like they don't have any interest in participating in the community, in bettering the community, or in prosecuting the people who prey on them or their customers. Officer Carpenter met with the manager and was referred to the District Manager. This is a budgetary item that will have to be approved by CVS (dealing with the safety issues). Officer Carpenter requested a personal meeting with corporate CVS employees and relevant City personnel. He was never given a return phone call. One of the comments he heard was "in order to be responsible for the property you have to take ownership of the property." He does not see CVS taking the level of ownership. Officer Martin has heard rumors of car break-ins and robberies in the parking lot. Will look for reports of injuries.

Resident comments: Patrick Levy resides on Florida and has a business next door to one of the businesses seeking a 5 a.m. closing. Patrick is here to petition the VC to oppose any further 5 a.m. closings and to support Commissioner Sarnoff's position on 3 a.m. closings. Our zoning is designed to mix commercial and residential uses. To get a 5 a.m. license, the zoning license does not allow a "supper club." Supposed to meet criteria of special exception. Reduce impact of commercial/residential zoning. Patrick would submit when he signed his business lease he knew there was not a 5 a.m. closing next door. Recently he had a client come into the Grove for a Sunday morning meeting and they left and will be opening offices on Brickell. These clubs use vast retail space and leave it empty all day. The space sits dead all day long.

Cathy Cummis (?). 3340 Virginia Street. Filed appeal of 5 a.m. license to Visions and Club Martini. Officer Braga's letter was not entered into the record. Compliance and Code Enforcement is a major issue. We are an NCD-3 Zoning District. Same man who owns visions owned Club Life. Now downtown. Club Life in Grove used off duty officers as security. An officer threatened to arrest her, called her names, told her to "f-off." The off duty officers are working for the clubs and are off duty. She has huge concerns about the clubs' off duty officers. Definition of a night club requires them to serve food for a certain amount of time and percentage of space. She doesn't believe Visions meets the requirements.

Nathan Kurlin. Selling liquor is not a property right. Most residents don't want Coconut Grove to be an entertainment district. Requests that we pass a resolution asking the City Commission pass legislation prohibiting all businesses in Coconut Grove from serving liquor until 5 a.m.

Felice Dubin suggested she thinks there should be a 2 a.m. liquor cutoff with a 3 a.m. closing time to give people time to sober up before they leave. She also suggested they close all the clubs at 3 a.m. to see if there is a difference in crime.

Gary recommended we defer the issue to another meeting. Martin asked we put it on the next agenda and hear Mr. Terminello. Gary will put it on the November agenda.

5. Martin introduced Shelly Spivak and Michael Spring, who are here to update us on the Playhouse. Shelly told us Representative Carlos Lopez-Cantera delivered their check for \$125K to the State for the grant money that was misused. A plan has been laid out to meet the Playhouse's obligations. In the next couple of weeks, employees will be receiving communications outlining their severance and vacation pay; they have already received their back pay. The parking lot is being run by a new company. One of the biggest things was to "keep the asset whole." They prevented the bicycle shop from being taken from the Playhouse. Michael Spring outlined goals: 1) stabilize situation of the Playhouse so there can be plans for the future – make sure utilities are on, building is safe and secure; 2) return great regional theater to the Coconut Grove Playhouse – they have spent time looking at effective models for returning theater to the Grove, looked at regional theaters associated with colleges and universities, which attract faculty and improve programs; 3) come up with plan to address creditors so the Playhouse has a

clean slate moving forward. The next phase of work has by necessity to be very public. They will announce a public planning process involving merchants, residents, historic preservationists, etc. Rick Kalwani of Aries Development Group was introduced. He provided financing to bail out the bicycle shop. They developed Grove Gardens. He feels very strongly the team is great; it is not an easy road but he thinks the pieces are almost there. Community involvement needs to be number 1. Felice Dubin asked about the parking lot. Are they raising the prices? Yes. He will forward the new rates to David Collins. They will charge around what you would pay on the street. The intention of his company is to keep the parking going. There is a lot that needs to be done on the site. David Collins mentioned he is happy to see Aries Development partnering with the Playhouse in an active way. Technically they still owe the money on the bicycle shop. David hopes the university relationship will be a good one; there is no better than Yale, but there are a lot of mediocre university related theater programs. Website is up and running: www.cgplayhouse.com. Shelly said Aries Development has been a great partner and there will be a lot coming down the road. The board has always felt part of its obligation is to the people of the Grove. Their vision for the future of the Grove is important and the Playhouse fits into it. There is not a timeline yet for when the Playhouse will open again. Martin Zilber pointed out what will happen will come from the public process. Michael Spring indicated the public process will be three to six months long and then they will have a better idea of what will happen. Felice asked Shelly what Aries' vision is. Rick Kalwani said the vision is to get the community involved. Grove Garden got the Urban Landscape Award for the best project in 2007. It will take positive energy to get this thing done. David Collins shared advice: what they have right now is a "sodden lump at the edge of town." If you are to activate people in the Grove around theater again, he would consider that theater is part of the community's soul. Consider putting a black box theater in the space now while they are working on the plan. Shelly said that's something they can look into. Through the kindness of the theater community, the Miami Dade department of cultural affairs is again working with the theater community to do a voucher program for CG Playhouse subscribers. Alyn Pruett mentioned he has only heard great things about Aries. Could Rick K. give some info about their background and the arrangement they have with the Playhouse. Currently, they hold the loan on the bicycle shop and they are the vendors on the parking facility. Nothing has been set in stone. Idea is to start things moving forward. The focus of Aries is on the playhouse. Grove Garden has a website. He hasn't come prepared to reveal the other things that Aries does.

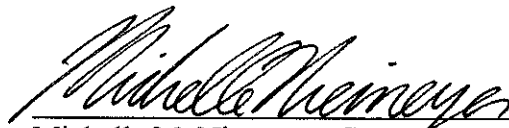
6. Post Office Tree Slaughter. Lili Dones informed the residents about the removal of all trees in the Post Office parking lot. Marlene Castellanos of Code Enforcement fined them \$10,000 for each tree they took down. It may be appealed. Lili hasn't found out whether the building is owned by the Post Office or if someone else owns it and leases it to the Post Office. The Postal Service's project manager, Mr. Behar, was invited but did not attend. Jim McMaster spoke. They broke down the wall on McDonald and removed a "Reforest the Grove" tree as well. It appears they need City approval to make a new entrance, get permits, etc. Jim suggested the Village Council needs to confirm status of other trees and address these issues. Lili suggested we ask the Postal Service to consider us as they make plans. 10 mahoganies and 1 oak were removed, plus the orange Geiger on the side. The plans involved removing 25 trees. Lili received one answer from

Postal Service customer service. The person mentioned not knowing of any exemption for them from local laws. They claim they're exempt, Jim questions that. Martin suggested we write a letter to the City asking them to take action. David Collins mentioned the federal government has a "good neighbors" program. He thinks we should explain to our representatives and the people at the highest level of the post office how we have been offended. Martin thinks we should write a letter to the post office and to the city asking them to take action. Alyn suggested we should ask for the canopy to be replaced. Lili mentioned the thinnest tree was 18". Pierre Sands, president of HOATA and arborist. HOATA sent letter to Ileana Ros Lehtinen, which we have not received. The Post Office's appearance has been a concern in the community. The paint on the walls, the fence, etc. need to be addressed. They would like all of us to take a united stand to address the loss of the trees and make sure improvements are finished. We can't allow the federal government to completely ignore us. We should demand the canopy be replaced, and punitively. Nathan Kurland mentioned he does not know how to get angry at the federal government. We need to put some faces to responsibility for this action. Important the Village Council be on record on this. Jim McMaster pointed out the City of Miami has stepped up to the plate on this. Martin asked what we are asking for. Michelle mentioned we should use this situation to bring the postal service into the community. Lili invited Mr. Behar to try to accomplish that. Felice mentioned that for years we have been wanting a parking lot there. Maybe now they will be willing to cooperate and put a public parking lot there that is so needed. Jim mentioned the trees behind the post office also must be addressed. Tree Watch Committee will draft letter.

7. Lottie person: HOATA meeting will be Oct 22 at Frankie Rolle Center at 7:00. Larcenia Bullard will be there.

8. Great Grove Picnic at Peacock Park October 14.

Dated: 1/18/08


Michelle M. Niemeyer, Secretary