

Cocoonut Grove Village Council

Gary Hecht - Chair
Martin Zilber - Vice Chair
David Collins
Liliana Dones
Felice Dubin
Michelle Niemeyer
Lottie Person
Alyn Pruet
Susan Weintraub

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Cocoonut Grove Village Council
November 6, 2007
Meeting Minutes

On November 6, 2007, a quorum of duly elected Directors of Firm met to discuss and decide issues relevant to the business of the corporation. Council Members Gary Hecht, Martin Zilber, David Collins, Liliana Dones, Lottie Person, Alyn Pruet, Susan Weintraub were present and voted. The following discussions took place, including the enactment of resolutions as described herein:

Robert Loupo (co-chair all Grove Crime Watch) reports that there have been several home and car break-ins in Center Grove. He emphasized that we need to be aware of our surroundings, take valuables out of car, put alarms on cars and home and volunteer to be block captains. There will be Citizens on Patrol (COP) training meeting next Wednesday from 6 to 9 at St. Stephens; next meeting is the 12th of December; any additional info is on website: grovecrimewatch.org

Officer Carpenter confirmed that we are experiencing a spike in car break-ins (global positioning devices are being target); he expressed the need for heightened attention and ask that we try to minimize the opportunity to thieves; he discussed the next COP class and will expect volunteers to give of their time. He explained that there are only two times a year when volunteers are asked to assist: Halloween and after a Hurricane. Gary Hecht was one of two people who volunteered this Thanksgiving and the officer's expressed their gratitude. He went on to explain that empty houses pose a problem because they cut down on the number of people who can see and report things.

Officer Braga thanked the residents of Park Avenue from 37th to city limit because they have re-formed the Crime Watch Committee; these residents are taking a positive roll and getting done what needs to get down; if there are any residents that want to form a block chapter of the All Grove Crime Watch contact officer Braga or the community affairs division of the Miami Police Department

Commander discussed CVS on Grand Ave; he thanked Councilman Hecht for his involvement and believed that Gary

Hecht was the catalyst for change; police met with the district loss prevention manager at CVS and set some things in place for the correction of the exterior of the property as well as the operations within; police are working with them and have seen an immediate change

Martin Zilber suggests shifting the agenda and talking about 5am closings while the officers are here

Gary Hecht agrees to change in agenda

Martin Zilber reviews motions that were passed last meeting

- First motion: allow ('grandfather-in') businesses that are already permitted to serve liquor until 5am to continue to do so, as long as they are complying with and following the law. This will occur as long as the ownership remains the same; the 5am closing is not transferable.
- Not allow any new clubs to stay open and serve liquor past 3am

Officer Carpenter responds that whatever residents and legislature decides is the law and that's what the police will enforce; Because he didn't have a clear answer on who is allowed to stay open and because he had been forced to wait an inordinate amount of time, he compiled a list of who has a liquor license and cross reference it with those who had a certificate of occupancy but he did not have information on details of hours of operations; He has not seen this information presented factually (other than Coyote Ugly and they have many conditions imposed on them); He stated that he needs to see something from the city saying that these establishments can stay in business.

Martin Zilber explains that while he is aware that there may be legislative changes addressing this issue, the Council's opinion reflects the perspective of the Grove's residents as well as impute that the Council has received during meetings and through outside sources; he stated that there is concern about the ability to police these closings either at 3 or 5; he asked if the police needed help; wants Council to ask the city for a list of those establishments that are permitted to serve alcohol until 5am

David Collins believes this issue will be resolved by the commissioners office; there is some concern in the merchant community whether those establishments which are not hot spots of crime should be required to stop serving liquor at 5am; he expressed the need to keep a balance between the merchant community and the residents and focus on what is appealing and not what's bad about keeping the later hours. Reminds that the only reason the Council passed the motion was to context the issues for the Commissioner's office

Martin Zilber recommends a follow up letter be sent to the Commissioner as these were really recommendations and not resolutions. Martin says he will put this together in form of letter including the request for a list of those establishments that are properly licensed to stay open until 5am.

Gary Hecht states that after he spoke to CVS in Rochester, CVS agreed to

- . Have lights in the parking lot
- . Install cameras
- . Have a greeter at the door
- . Consider putting up signs for towing
- . Clean up the area: they have agreed to do this twice a day. (Gary Hecht hasn't seen much improvement in this area)

Commander signs are imminent; they are increasing the number of store detectives; Commander is satisfied; has given them 90 days and will make recommendations from there

Gary Hecht thanks CVS for their response

Marin Zilber thanks Gary Hecht and the officers

Lottie Person comments on 5am. She doesn't see a problem with supper clubs staying open until 5am because they need to make a living for themselves and their families; she recognizes the neighbors complaints that the clubs attract a certain type of people, but she wants to know who these people are; additionally, she recognizes the complaints of too much noise but says that the people complaining knew Cocowalk existed before they moved in, these clubs hire security and the clubs have a dress code; these clubs have offered a lot of things to stay open; she supports that they stay open until 5am

Liliana Dones presents on the post office and tree cutting; states that the 'the best way for the USPS to make amends is to demonstrate a willingness to do the right thing and provide financial mitigation in addition to paying the fine, thus letting us replant throughout the community.' States that she sent a letter to Ileana Ros-Leighten asking her to intercede and help get financial mitigation; in the meantime, met with some officials from the post office and they stated that they were protected by the federal government and that they don't have to do anything but they said they might mitigate and presented a list of trees. This was forwarded to Jim McMaster who suggested some change-out of trees. At this point they are waiting for the post office's reply

Her recommendation: post office should give the money and the community should decide where the trees should be planted; they shouldn't go to the post office because the post office is in transition and there is a strong likelihood that these trees may be torn down in a few years

David Collins: recommends making a motion in support of this

Liliana Dones: makes a motion to support getting financial mitigation so that we are in control of where these trees can go. This would include the 10,000 fine sought by code enforcement in addition to the financial mitigation

David Collins seconds the motion

Vote: passes unanimously

Alyn Pruett reports on NCD3 compliance; there were complaints and reports in the spring of 2007 regarding new construction in the grove (primarily in North Grove) that construction exceeded the zoning provision of the R1 and the overlay of the NCD3 district; identified 13 addresses whose permitting was reviewed to see if these homes were in compliance with R1 zoning and the NCD3 overlay; the cities analysis of the 13 properties was that 11 homes had permit applications that were filed before the NCD3 was adopted on April 24, 2005(some were filed a day or two before this went in effect); they are, however, in compliance with zoning that existed at the time; two of the properties had permits filed after the NCD3 was adopted; the one on Irvington complies completely; the other one that is on 3005 Washington has been in contention for some time. It is in conformance with the set back provision but there is an issue with the height of one of the walls in the front of the property. The city is still deliberating on the course of action they will take

Reminds the Council that last August the Council passed a resolution requesting that the city review the NCD3 regulations and if appropriate adopt changes to better address the issue of construction of McMansions and the construction that people are so unhappy with; it was also requested that the city develop regulations to be included in the NCD3 which would cover the R2 zoning district. He can't report on the progress of the city and believes that this means that there is little or no progress. But now that the election is out of the way, he believes that this will move forward

Gary Hecht addresses new business: drainage problem on Battersea and Douglas and consequently flooding

Felix Rodriquez, Construction Projects Manager for the City of Miami Capital Improvement Projects. There will be a neighbor meeting held at 6:00, Wednesday, November 14th at the Glass House to discuss storm drainage improvement project in the area of Battersea and Douglas road

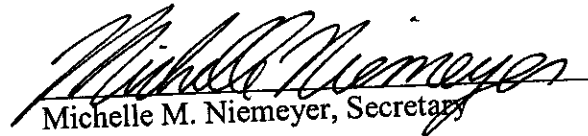
Frank Cabreja speaks about the Quality of Life Committee, now called the Coalition which is incorporated; gives history and now wants to revive it; wants to integrate many of the committees in the Grove

Gary Hecht apologizes for the late start and promises to make an effort to find a new time

David Collins appreciates Gary's apology; additionally states that he would like the next election of new officers to take place during a televised meeting

Gary Hecht next meeting will be to discuss rules for election new officers and change of by-laws

Dated: 1/18/08


Michelle M. Niemeyer, Secretary