

**TOWN OF BAY HARBOR ISLANDS
MINUTES OF A REGULAR MEETING**

A Regular Meeting of the Town Council was held on Monday September 9th, 2019 7:06 p.m. in the Council Chambers. Upon roll call the following members responded:

Mayor Stephanie Bruder	
Vice Mayor Joshua Fuller	Council Member Jordan Leonard
Council Member Kelly Reid	Council Member Isaac Salver
Council Member Elizabeth Tricoche	Council Member Robert Yaffe

Item 1. City of North Miami Beach presentation of Proclamation to Council Member Isaac Salver.

City of North Miami Beach Mayor Anthony DeFillipo and City Commissioner Phyllis Smith presented Council Member Isaac Salver with a Proclamation from the City of North Miami Beach.

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

TOWN MANAGER'S REPORT:

- Thanked the Town Police Department, Public Works, Code Compliance, Parking Department for their efforts during the storm coverage.
- Miami Dade County Public School has increase their contributions to fund the School Resource Officer (SRO). The agreement previously made with Surfside to help cover the cost for the officer will no longer be needed.
- The Annual Report was presented to the Town Council and available to the public at Town Hall.

Item 2. Report of the Town investment performance for period ending June 30, 2019. Presentation will be provided by Gerardo Rodriguez of BNY Mellon.

Mr. Rodriguez of BNY Mellon came forward and provided a brief report of the Town Investments performance.

Council Member Leonard requested a list of all securities and ratings be incorporated as part of the quarterly report.

At this time Item #11 was taken out of order.

Item 11. Discussion and possible action requested by Town Manager Jimenez with regard to a request from the Bal Harbour Rotary Club to designate the proceeds from the Bay Harbor Islands 5K/10K Race coming up in January 2020 to benefit the Chief Mark N. Overton, Chief Miguel De La Rosa Legacy Memorial Scholarship Fund. This scholarship assists with the costs associated with the police academy training and certification of recruits in Miami Dade County.

Former Mayor Ilene Wallace came forward and introduced the Village of Bal Harbour Chief of Police Raleigh Flowers and Former Mayor of Bal Harbour Martin Packer. Together they represented the Rotary Club.

Chief of Police Flowers came forward and further explained the scholarship provided to the Rotary Club in collaboration with Chief Mark Overton and Chief Miguel De La Rosa legacy Memorial Scholarship Fund provides funding for individuals that are approved by the Committee to attend the Police Academy. He urged the Town Council to consider the donating the race proceeds to Chief Mark Overton and Chief Miguel de La Rosa Legacy Memorial Scholarship Fund to give individual a career in Law Enforcement.

Consensus was to designate the proceeds of the Town Annual 5K/10K race to the Chief Mark Overton and Chief Miguel De La Rosa Legacy Memorial Scholarship Fund.

Item 3. Legislative Update - Lobbyist David Caserta

Senator Jason Pizzo came forward and thanked the Town Council for attending meetings with our state legislators. He congratulated the Town on successfully securing a grant which is part of the agenda for Sewer Lateral Lining.

Item 6. Consideration and Approval of a resolution to accept a grant from the Florida Department of Environmental Protection (FDEP) in the amount of \$250,000 for the Sewer Lateral Lining Project.

ACTION: Council Member Leonard made a motion to accept the grant from the Florida Department of Environmental Protection. Council Member Tricoche seconded the motion and it passed unanimously.

Lobbyist Caserta came forward and thanked the Town Council for attending meeting in Tallassee to secure grants for the Town. There were several proposed bills on Business Tax Receipt, Public Records, Short Term Rentals.

COUNCIL REPORTS: Each Council Member will be afforded two (2) minutes to make their reports.

Council Member Leonard welcomed the residents to back to school and thanked staff on a job well done during the storm preparations.

Council Member Yaffe thanked the Town Staff, Public Works on the storm preparations. He also reported to have attended the Miami Dade County League of Cities monthly meeting and the Florida League of Cities Annual Conference.

Vice Mayor Fuller thanked the Town Staff on the Hurricane preparations; attended the Florida League of Cities Annual Conference where Council Member Salver was appointed as President. He will be attending a meeting with FAA as it relates to the flight patterns that could impact the Town.

Council Member Salver thanked the Administration, Public Works, Police and all, on the hurricane preparedness. He also reported to have attended the Miami Dade County League of Cities month meeting and the Children Trust Meeting.

Council Member Reid thanked the staff on their hurricane preparedness drill and was happy with the sandbags distribution to avoid flooding.

Council Member Tricoche thanked the Town Staff on their hurricane preparedness efforts and urged the residents to seek nonprofit organizations to donate items for those effect by the storm.

Mayor Bruder reminded the Town residents of Pizza with the Police schedule for September 18th.

PUBLIC COMMENT: There is a three (3) minute time limit for each speaker during public comment and a two (2) minute time limit for each speaker during all other agenda items. Your cooperation is appreciated in observing the three (3) minute rule. If you have a matter you would like to discuss which requires more than three (3) minutes, please arrange a meeting with the Town Manager or appropriate administrative official. A request form is available from staff; please fill it in and return it to the Town Clerk prior to the start of the meeting if you would like to speak during public comment. Please come forward to the podium, give your name and address, and the name and address of the organization you are representing if any.

Vincent Martino, 1050 93 St., came forward and asked on the proposed ordinance to require a demolition bond. Assistant Town Attorney Simone the proposed ordinance will be on the next agenda.

Frances Neuhut, 1060 Kane Concourse, was concerned with the increase in service that the Church by Sea will bring to the town. She was concerned with the soil on the ocean Cadillac property and the lack of lighting at the school.

Kathleen Kennedy, 9180 WBHD, thanked the staff for a job well done during the storm preparations.

COMMITTEE REPORTS:

Item 4. Report from the Parks and Recreation Committee.

Kathleen Kennedy, Chair of the Parks & Recreation Committee came forward and thanked the Town Council for their support at the Community Center. She reported the Committee recommendation for a Community Garden for the kids to participate after school.

Mayor Bruder asked for the Committee to work with staff to coordinate more cost-efficient events for seniors.

CONSENT AGENDA: (Consent agenda items are those which are routine, do not require discussion or explanation prior to Town Council action, or have already been discussed and/or explained and do not require further discussion or explanation. Items can be removed from the consent agenda by the request of an individual Council member for independent consideration provided such request is made prior to the vote on the consent agenda.)

Item 5. Consideration and Approval of a resolution establishing policies and procedures relating to the method of compensation for Town employees during a public emergency / natural disaster.

Item 7. Consideration and Approval of an Inter local Agreement between the Town and Miami Dade County to continue implementing the Civil Citation Program.

ACTION: Council Member Leonard made a motion to approve the consent agenda. Council Member Tricoche seconded the motion and it passed unanimously

ORDINANCES ON SECOND READING:

Item 8. Consideration and Approval of an ordinance on second reading amending Section 23-1 of the Town Code to modify the definition for swimming pools by adding hot tubs, Jacuzzi and spas. And amending Section 23-12(15) to modify regulations for swimming pools, by adding provisions for hot tubs, jacuzzi and spas. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO SWIMMING POOLS, HOT TUBS, JACUZZI, AND SPAS;

AMENDING SECTION 23-1 OF THE ZONING AND PLANNING CODE TO ADD NEW DEFINITIONS; AMENDING SECTION 23-12(15) OF THE ZONING AND PLANNING CODE TO MODIFY REGULATIONS FOR SWIMMING POOLS, BY ADDING PROVISIONS FOR HOT TUBS, JACUZZI AND SPAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

PUBLIC COMMENT

Frances Neuhut, 9920 W. Broadview Drive, came forward and was concerned with the West Island homes seemed to be much bigger.

CLOSED PUBLIC COMMENT

ACTION: Council Member Leonard made a motion to approve the proposed ordinance on first second reading. Council Member Reid seconded the motion and it passed by unanimous poll vote.

ORDINANCES ON FIRST READING:

Item 9. Consideration and Approval of an ordinance on first reading amending Chapter 16 of the Town Code to create a Deferred Retirement Option Plan("DROP") for law enforcement members of the Employees Retirement System. Enclosed is a copy of the proposed ordinance and impact study.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 16, THE TOWN OF BAY HARBOR ISLANDS EMPLOYEES RETIREMENT SYSTEM, OF THE TOWN OF BAY HARBOR ISLANDS CODE OF ORDINANCES, PROVIDING FOR THE CREATION OF A DEFERRED RETIREMENT OPTION ("DROP") PLAN FOR SWORN MEMBERS OF THE RETIREMENT SYSTEM; PROVIDING FOR CODIFICATION; AND PROVIDING FOR THE TERMS AND CONDITIONS OF ELIGIBILITY AND PARTICIPATION.

ACTION: Council Member Leonard made a motion to approve the proposed ordinance on first reading. Council Member Tricoche seconded the motion and it passed by unanimous poll vote.

Item 10. Consideration and Approval of an ordinance on first reading increasing the monthly base and flow charges for sewer service. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS AMENDING SECTION 20-9 OF THE TOWN CODE INCREASING THE MONTHLY BASE AND FLOW CHARGES FOR SEWER SERVICE; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: Council Member Leonard made a motion to approve the proposed ordinance on first reading. Council Member Tricoche seconded the motion and it passed by unanimous poll vote.

There being no further business to discuss meeting was adjourned at 8:25 p.m.

MAYOR

ATTEST

TOWN CLERK

DRAFT