

**NOTE:** A request form is available from the Deputy Town Clerk or on the Town's website; please fill it in and return it no later than the "Public Comment" section of the meeting if you would like to address the Town Council. When you speak, you must come to the podium in the front and clearly state your name and address for the record. Please mute or turn off your cell phone or electronic devices at the start of the meeting. Thank you.

**TOWN OF BAY HARBOR ISLANDS  
MORRIS N. BROAD COMMUNITY CENTER  
1175 95TH STREET  
BAY HARBOR ISLANDS, FL 33154**

**REGULAR COUNCIL MEETING  
AGENDA**

August 13, 2025  
9:00 AM

**STATEMENT OF DECORUM**

*All comments must be addressed to the Council as a body and not to individuals. Any person making a racial or slanderous remark or who becomes boisterous while addressing the Town Council, staff, etc. shall be barred from the audience by the presiding officer. No profanity, shouting, heckling, verbal outbursts, or disruptive behavior in support of or opposition to a speaker or his/her remarks is permitted. Please mute or turn off your cell phone or other electronic devices at the start of the meeting. Failure to do so may result in being barred from the meeting. Persons exiting the Chambers shall do so quietly.*

**SPECIAL NOTICE**

A Regular Meeting of the Town Council of the Town of Bay Harbor Islands will take place in-person and virtually through the Zoom platform, on Wednesday, August 13, 2025 at 9:00 a.m.

"In an effort to provide greater public access and comment on pending matters, the Town of Bay Harbor Islands is providing a Zoom link to enable members of the public to comment on pending items on the Town Council agenda. Zoom access is provided under the same terms and conditions as in-person access, including length of time and decorum. Anyone desiring to be heard may utilize the Zoom link. However, members of the public must understand that the provision of Zoom access for comments is a courtesy, not a vested right, and that access is provided subject to the availability and functionality of the Town's equipment. There is no guarantee that internet service will be reliable or that the Town's equipment will function as intended. In the event that the Zoom access is unavailable or interrupted for any reason, the Town Council meeting will still proceed forward, and will not be stopped or rescheduled in any regard. Those wishing to be absolutely certain that their comments are heard by the Town Council should present themselves in person at the Council meeting and seek recognition, or alternatively, should submit their comments in advance of the meeting in writing to the Town Clerk, and ask that they be read into the record, subject to the above terms and conditions, such as length and decorum. The validity of any actions taken by the Town Council will in no way be affected by the use or functionality of Zoom access for comments."

When: Aug 13, 2025 09:00 AM Eastern Time (US and Canada)

Topic: August 13th, 2025 Regular Town Council Meeting

Join from PC, Mac, iPad, or Android:

<https://us06web.zoom.us/j/84691014323?pwd=5WrbThSns2abUUP1bBbl4hYDn6kZkM.1>

Passcode:291963

Phone one-tap:

+13052241968,,84691014323# US

+13126266799,,84691014323# US (Chicago)

Join via audio:

+1 305 224 1968 US

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)

+1 309 205 3325 US

+1 689 278 1000 US

+1 719 359 4580 US

+1 720 707 2699 US (Denver)

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 669 444 9171 US

Webinar ID: 846 9101 4323

International numbers available: <https://us06web.zoom.us/j/84691014323>

To request to speak: Dial \*9 on your telephone device to activate the “Raise your Hand” feature on the Zoom platform.

Members of the Public can also submit their request to speak and/or comments via email to the Office of the Town Clerk at [cherbello@bayharborislands-fl.gov](mailto:cherbello@bayharborislands-fl.gov) prior to 4:00 p.m. on August 12, 2025.

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:**

1. Special Presentation by Chris Holley, Florida League of Cities
2. Discussion regarding construction parking. Sponsored by Vice Mayor Stephanie Bruder
3. Special Presentation by State Representative Fabian Basabe
4. Special Presentation of the legislative updates by Senator Shevrin Jones

**TOWN MANAGER’S REPORT:**

**COUNCIL REPORTS:**

**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 or on the Town's website; please fill it in and return it to the*

**Deputy Town Clerk no later than the conclusion of "Public Comment" section of the meeting, if you would like to address the Town Council. Please come forward to the podium, give your name and address, and the name and address of the organization you are representing if any.**

## **COMMITTEE REPORTS:**

**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.)*

5. **Consideration and Approval** of a Response Proposal to KC Property, LLC for the use of property and parking in Block 11. Sponsored by Mayor Isaac Salver
6. **Consideration and Approval** of a Resolution ratifying the appointment of TerryAnn S. Howell, Esquire of the Law Firm of TerryAnn S. Howell, P.A., as Special Magistrate to conduct administrative hearings on code violations for the Town of Bay Harbor Islands. Sponsored by Town Manager Lindsley Noel.
7. **Consideration and Approval** of a resolution updating the signers on the Town's accounts with Bank of America. Sponsored by Town Manager Lindsley Noel.
8. **Consideration and approval** of a resolution awarding a competitive bid contract to BCC Engineering, LLC pursuant to RFQ No. ITB-5-1026-PW-0-2025/FVR, for Engineering Consultant services for bridge project, compliance and support.
9. **Consideration and approval** of a resolution to piggyback the City of Orlando's existing contract with Paints & Coverings, Inc. for critical manhole rehabilitation services to comply with DERM requirements and prevent future sanitary sewer system moratoriums.

## **ORDINANCES ON SECOND READING:**

10. **Consideration and Approval** of an ordinance on Second Reading amending Chapter 7½ of the Town Code pertaining to Flood Damage Prevention. Sponsored by Town Manager Lindsley Noel.
11. **Consideration and Approval** of an ordinance on Second Reading amending Section 23-11 of the Town Code related to the second-story building area waivers and garage percentage in the RD District. Sponsored by Vice Mayor Stephanie Bruder.

## **ORDINANCES ON FIRST READING:**

12. Consideration and Approval of an Ordinance on First Reading Amending Section 23-5 of the Town Code for the B-1 Business District to remove automobile showrooms for display and sales from the list of prohibited uses, thereby allowing them as a permitted use. Sponsored by Vice Mayor Stephanie Bruder
13. An Ordinance on First Reading of the Town Council of the Town of Bay Harbor Islands, Florida, amending Chapter 16, Article IV, Retirement Benefits, Section 16-40, Schedule, to increase the monthly retirement subsidy to \$425. In accordance with the current collective bargaining agreement between the Town and the Bargaining representative of the Police Officers. (Town Manager).

14. An Ordinance on First Reading of the Town Council of the Town of Bay Harbor Islands, Florida, amending Chapter 16, the Town of Bay Harbor Islands employees retirement system, to provide an election for an increased contribution rate for members who are appointed to serve as Town Manager. Sponsored by Vice Mayor Stephanie Bruder, Council Member Teri D'Amico, Council Member Joshua Fuller and Council Member Robert Yaffe.
15. Consideration and Approval of an Ordinance on First Reading Amending Section 23-80 of the Town Code for to establish survey requirements for new construction, additions, and site modifications. Sponsored by Vice Mayor Stephanie Bruder
16. Consideration and Approval of an Ordinance on First Reading Amending Section 23-5 of the Town Code for the B-1 Business District to eliminate the restriction that limits religious institutions to certain floors allowing them on any floor. Sponsored by Mayor Isaac Salver

**DEFERRED ITEMS:**

17. **Discussion and Possible** action regarding the redesign of the 92nd Street Park to include a basketball court. Sponsored by Vice Mayor Stephanie Bruder

**TOWN MANAGER ITEMS:** *(Town business items requiring Council approval)*

**DISCUSSION ITEMS:**

18. **Discussion and possible action** to enter into a sanitary sewer usage agreement between the Town of Bay Harbor Islands and Indian Creek Village. Sponsored by Council Member Joshua Fuller.
19. Discussion and possible action regarding the potential interpretation of the Town Code relating to the application for a Medical Spa usage on the ground floor within the B-1 Business District. Sponsored by Council Member Robert Yaffe
20. **Discussion and possible action** to consider a design option for the Kayak Park (96th Street and Bay Harbor Drive). Sponsored by Council Member Teri D'Amico
21. **Discussion** regarding construction site obligations involving cranes and heavy equipment during emergency hurricane situations and evacuation. Sponsored by Council Member Teri D'Amico

**ADJOURNMENT:** Approximately 11:00 a.m.

*Pursuant to Florida Statutes 286.0105, the Town hereby advises the public that should any person decide to appeal any decision of the Town Council with respect to any matter to be considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*