

City of Coral Gables City Commission Meeting
Agenda Item F-5
June 11, 2024
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Rhonda Anderson

Commissioner Melissa Castro

Commissioner Ariel Fernandez

Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez

City Manager, Amos Rojas, Jr.

City Clerk, Billy Urquia

Deputy City Attorney, Stephanie Throckmorton

Community Recreation Director, Fred Couceyro

Public Speaker(s)

Harold Neuweg

Maria Cruz

Ed Santamaria

Agenda Item F-5 [12:30 p.m.]

A Resolution of the City Commission authorizing Satchmo Blues Bar and Grill, Inc. D/B/A Fritz & Franz Bierhaus to utilize the public space and sell alcoholic beverages subject to applicable state law requirements at the plaza located at 60 Merrick Way June 20th through July 15th, 2024, for a UEFA European Championship and Copa America watch party. (Sponsored by Commissioner Castro)

Mayor Lago: We're going to skip F-4 and try to get into F-5. I think it's something quick. I want to see if we can get a few things in before our lunch at one o'clock.

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Agenda Item F-5 – Resolution authorizing Satchmo Blues Bar and Grill d/b/a Fritz & Franz to utilize the public space and sell alcoholic beverages

City Attorney Suarez: F-5 is a Resolution of the City Commission authorizing Satchmo Blues Bar and Grill, Inc. D/B/A Fritz & Franz Bierhaus to utilize the public space and sell alcoholic beverages subject to applicable state law requirements at the plaza located at 60 Merrick Way June 20th through July 15th, 2024, for a UEFA European Championship and Copa America watch party.

Mayor Lago: How are you sir. Before we get started. Is someone going to be speaking in regard to staff?

City Attorney Suarez: The Deputy City Attorney can explain what the resolution says.

Mayor Lago: That's what I would like to hear.

Deputy City Attorney Throckmorton: Good afternoon, Mayor, Vice Mayor, Commissioners. As the City Attorney stated, I'll defer to the details, but just wanted to let you know how we got here today. My understanding again, these two gentlemen can correct me if I'm wrong is, the city received an application for a special event in the middle of last week after the deadline for this agenda had already passed. The application as presented does not currently meet all of the requirements of the special events guidelines and as such, in order to proceed the applicant has asked for Commission approval. The resolution authorizes the public event, the special event to use the public space located at 60 Merrick Way for various days between June 20th and July 15th. There are certain conditions that are tied to the approval, along with any other reasonable conditions deemed necessary by city staff. So happy to answer any questions about the resolution, but as to the details of the event, I'll leave it to these two.

Mayor Lago: So, before you get into the details of the event. I'd just like to understand a little bit what are the particulars that are missing from the usual protocols.

Deputy City Attorney Throckmorton: So, its my understanding again, I'll let Fred confirm, the city's Community Recreation Department has certain guidelines related to number of events, number of days events can be in a row. A number of events can be held in a certain location during the year, as well as set up and take down of events and as to the details of that I'll let Fred answer.

Mayor Lago: Mr. Director, thank you for being here.

Community Recreation Director: Thank you. A few years back, we brought to the City Commission, at the request of the City Commission some guidelines to set policy of how we did special events. A few of the things that were made into those guidelines were first, that if you had a multi-day event, it would take place between Thursday and Sunday. If there was a location that was adjacent to residential properties, you couldn't have events at more than 24 instances, 24 days of events in a given year. So, with those two guidelines and how it pertains to Fritz & Franz' application is that it would require them to at the end of every four-day period take down their screen and their setup each and every time. And they are requesting to have it up for the month for these two tournaments. In 2022, it was a similar request for the World Cup and because it was the same two things that we're discussing in the guidelines, Harold came to the Commission and we

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were able to discuss the event and he was given approval and he had the World Cup which had an extension of those guidelines and allowed him to have certain setup on the plaza and do all the games. So the things that come into place in here is leaving the screen up and then also there is a couple of Tuesdays where there would be games, the games aren't too late at night, so we think we're okay there, and there's a possibility that maybe a Tuesday or Wednesday, if the semi-finals end up being something that's of note with teams that would be popular that people would come, like Brazil or US or something like that.

Mr. Harold Neuweg: My name is Harold Neuweg, owner of Fritz & Franz Bierhaus. I am basically requesting you to keep the plaza set up for not the whole month, but for 17 days. We can still bring it down to 15 days if necessary; 17 days would give us the 24 days of the year, we have St. Patrick's Day and four days we would do Oktoberfest in October. Seventeen days and I believe you all have the days there when these events occur. Some of these days, like Sunday the 23rd, there's a 9 p.m. game with Panama. We will not have the screen on. What we're asking you today is not to bring the screen down and put it back in the restaurant, not to take the tents down basically, because it will – if the games are on, on the weekend till 11 o'clock at night, it's too much for us to bring the tents down and the tables in, if we have to bring it back out the next morning. So, where you have a red line, there are no games the next day, so we could bring in the tables and stow them inside of the restaurant, but basically, it's for two days and then we have to bring it back out again. So, what we're asking the City Commission is, give us the seven days, let us keep the setup as it is; we set up one day before and we break it down on July 15th and everything will be gone. And we're going to pressure clean the plaza like usual and when there are games, like Fred mentioned, at 9 p.m. on Thursday night, Argentina/Canada. First, we didn't want to show this game outside, but we do expect a lot of people at that time. So, it's up to the City Commission to decide if you allow us to keep the 17 days the plaza set up.

Mayor Lago: So first off, thank you for being here. I just want to mention something very quickly. I haven't gotten a complaint in months. So, I want to commend you for your efforts. I usually have gotten complaints about a lot of high traffic events, just sidewalks being a little dirty or noise, not a lot, but noise. I haven't gotten one. I love giving credit where credit is due.

Harold Neuweg: Thank you.

Mayor Lago: I know you're working hard. You and I didn't agree on certain issues in the past, but I want you to understand that you've been really working hard to – you're in an area that has a lot of people, and you also have residents living really right on top of you. So, I want to commend you on that. I don't have an issue with this extension, as long as staff feels comfortable with it, and they are okay with it. You have police presence. You are obviously going to keep cleaning everything.

Harold Neuweg: Yes.

Mayor Lago: You make sure the garbage is picked up. Do you ever encounter, I'm just asking this because I notice in certain areas when you're having a lot of these high traffic situations, as people

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leave your establishment, they take a plastic cup and they throw it away at a garbage can, let's say 30 feet away from you, and then it's overflowing. It's not your responsibility, but it's our responsibility, but what ends up happening is we're not supposed to pick it up for two days from the moment of your event and it's overflowing for two days. Do you encounter that?

Harold Neuweg: I think we have this pretty much under control. After every game I send my crew around and we clean up even on the street and the people throw the plastic cup – no problem, we pick it up. We ask for an extra pick-up if need to. We ask for that. We have, like you said, we have no incidents and I think we are very good with organizing all this. We have no problems with the traffic flow in and out. What is beneficial to the city, we continue to fill the parking lot when there are big games. The city is going to benefit from a \$6,600 plaza fee. The restaurants around us and we talked to them, they benefit from a lot of people coming also to them, and with the barricades around the plaza. We are controlling underage drinking with wristbands. We are controlling the flow of how many people can come in. When the police say, look, there's enough people on the plaza, we stop and on certain games, like the semi-finals, finals we do charge admission, because it also keeps people out and keeps people in. And we monitor also the three feet from the sidewalk that nobody stands there to watch the game from the outside.

Mayor Lago: So, my point was, and I know you're doing that, because obviously we haven't gotten any complaints is for the director. If we can take a look at just monitoring, I know we're doing a lot of pickups, I haven't gotten any complaints either. I just witnessed it, after a big soccer game which I love the soccer games, after a big soccer game, I notice that as people walk away, they throw their garbage in a city-owned garbage can. We're not picking that up for three or four days. That's regular programming. We don't need to pick it up more than when we're picking it up because it's not being filled that fast, but when you have 200-300 people show up and as they're leaving, they are walking to their car, they're eating something, it gets full. It's not his fault. It's not the city's fault. Instead of people disposing of it at his restaurant, they are disposing of it as they are walking to the car. We all do it. Are you encountering that. Have you seen that.

Community Recreation Director: We do see that after events. On these specifically, I don't recall from the World Cup, which was the last time a couple of years ago, but it happens. When we have certain things, even if they're not permitted special events, it's just like an opening somewhere, an opening night, so we do see that. I have event staff that goes and checks, all makes sure that they're checking and then we can call our Greenspace Management that handles those or whichever department that handles the cans, whether it's Block by Block or whatever and have them take care of it.

Deputy City Attorney Throckmorton: Just for the record, I just want to clarify a few things about the resolution that's presented here today. Our understanding from the application was that 13 days, I understand from the applicant today, he's requesting 17 days so that we just need to be modified, if that's the will of the Commission. We hadn't been presented with this list previously. So that would be incorporated as the dates, if that's what the Commission approves. I just wanted to go over some of the conditions. Obviously, staff could not approve this in the regular course of business so that's why they are here today, but staff do have some conditions they would like to

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add if it's the will of the Commission to approve the special event. That would be identifying these, that the sales of food and alcohol in the plaza are only permitted when those special event matches are televised, from the opening of the business through 11 p.m.; amplified sound from remote speakers is prohibited except for during those televised special event matches; applicant will not allow customers or participants to have instruments on the plaza at any time, regardless of whether it is the day, whether it's a special event match to be televised; off-duty police will be hired as city staff determines its necessary during one of these special event matches; and failure to follow those directions or any other conditions may result in the revocation of the permit, as well as any other conditions that staff determines are reasonable. You mentioned the total of 24 days, but should any special events exceed those 24 days, they would obviously need to come to the Commission for approval as well. Another thing I want to clarify, it was our understanding in drafting this resolution on behalf of the applicant that it was only the television screens to remain up, so if it is more than just the television screens to be set up, we would want Commission direction on that as well.

Community Recreation Director: Excuse me Mayor, and the barricades.

Deputy City Attorney Throckmorton: Or whatever part of the setup is to remain up, that would need to be clarified and we would need that permission from the Commission because as Fred explained, the guidelines do not allow for setups to be remaining that long.

Commissioner Castro: I think what he was requesting was the tables to be there for – the tables not to be taken.

Harold Neuweg: Pardon.

Commissioner Castro: I think what you were requesting was for the tables to stay there, right.

Harold Neuweg: Okay. We can have total amount of 15 tables on the plaza and we could remove them in, but like I said, 11 o'clock at night, these are folding tables, they do make some noise, its not beneficial to take them down, but we'll leave them up and if there is no game the next day, we don't even turn on the big screen. So, there will be no service on the plaza at all or there will be no service at 9 a.m. in the morning, not necessary to show a 9 a.m. game.

Deputy City Attorney Throckmorton: Sorry, just to clarify, what about the tents. Are all of the setup demonstrated on the application includes tents, the screen, tables, as well as port-o-potties and other facilities throughout the plaza. So just to clarify, what is remaining up during the entire month so that if questions arise it's very clear from the Commission's directive what is remaining up.

Vice Mayor Anderson: Through the Mayor. I just have a few questions. I mean the thing that's going through my mind and it's happening out here today is called the weather. What is staff's position on if we have weather, chairs, tables, etc. to be up. Can we have a condition in here to

allow staff flexibility to instruct for things to be taken in because we're going to have wind, we're going to have rain, etc.

Community Recreation Director: With every event we have oversight and conditions and if we feel that for safety issues that the event has to be modified, then we would do that and then the applicant would be compelled to do it. We haven't had it happen often, but we have had it happen in the past was like big events where all of a sudden rain came out and we said okay, we've got to move things inside or whatever. The good thing about these types of events for the most part is, your stuff already has to be weighted down, it has to meet code, so unless it's a really big storm the majority of it should be pretty safe except for the folding tables you have to move, because those are very flimsy so you can get them in and out.

Harold Neuweg: We completely understand if there's a hurricane or thunderstorm, we take the tents down, we take the tables in, we remove everything from the plaza. We completely understand that.

Vice Mayor Anderson: Hurricane is one thing, but sometimes these storms, we get short notice, and chairs go flying.

Deputy City Attorney Throckmorton: We could clarify that and if that's the will of the Commission, to add that as a condition, that staff has the ability to request the setup be removed for safety weather related concerns.

Vice Mayor Anderson: That's my only concern now.

Harold Neuweg: We never had an issue in the past 20 years,

Vice Mayor Anderson: I hope you have blue skies and beautiful days, and we don't have a drought at the same time.

Harold Neuweg: Completely understand.

Deputy City Attorney Throckmorton: But again, I don't want to speak for Fred, but any clarification about what setup you would like to allow would be helpful for staff in enforcing the special event permit.

Mayor Lago: You're asking for an additional how many days – 4?

Deputy City Attorney Throckmorton: So, it's my understanding that the request that's made today is 17.

Harold Neuweg: 17 days.

Mayor Lago: He was approved for 13, correct.

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Deputy City Attorney Throckmorton: No, nothing has been approved. Staff did not approve the application. The request that was initially made was 13.

Harold Neuweg: Yes. Originally, we had 14 and when Fred asked to put all the dates together and all the games combined on each day, we realized that some soccer games we might get more people than expected, so we added the three more days which is still in the frame of the 24 days we can use for the whole year. If the city has moved in 15 or 14 days, I'm sure we can scratch some of the days outside.

Mayor Lago: But let me ask you a question, just to understand the business proposal. You need those three days to be able to get the finals, correct.

Harold Neuweg: Yes.

Mayor Lago: The final games, the most important games.

Harold Neuweg: Yes.

Mayor Lago: Maybe I'm wrong, maybe we're talking about two tournaments at once.

City Attorney Suarez: Part of the issue is they can't keep the setup the whole time.

Mayor Lago: I know. I know. I understand that.

Community Recreation Director: But originally, I think what you're saying is, so originally, we were given a certain number of days. When looking at it in a discussion, the semi-finals and the finals, depending on the teams that go in, the semi-finals might be well attended and in the past in their experience, if you get two teams that no one's interested in, then it won't be, but I think you should prepare for because the odds are.

Mayor Lago: What are the chances it happens the two best teams are going to be playing and everybody wants to see it.

Community Recreation Director: Once in a while because soccer is a little weird like that, but no, you're right, you're right.

Harold Neuweg: We basically had quarterfinals, semi-finals, finals all the time, but when we lose the early games, the group stage, like of the groups that was Peru/Chili, we realized we have quite a lot of customers from each country. So, we said, okay, if we have the set up for in the morning with Holland/France, might as well keep it up for Peru/Chili as well. So, this is why we added the three days which is now 17, but like I said, the early group stage is not as important as the last 14 days.

Mayor Lago: I'm going to make just to move this forward – 17 days, the additional \$6,000 and change in fees for the city, I'm asking through the Manager's office that obviously we make sure they have the police, they continue with the cleanliness that are in place, anything that deals with safety, so that we make sure people are off the street, underage drinking, everything he mentioned, the adjacent blocks to make sure that our existing garbage cans are not being overflowed, as a result of people walking. They are not doing anything wrong, they are using a garbage can, but it's just a lot of people. If you get two big teams and they are walking down Giralda, you could be in a situation where you have a lot of garbage on the street. I don't want that. That's something that I know the Commission doesn't want. So, I think it's perfectly acceptable. He has 24 days. He's asking for this opportunity. I have no issues with it. Anybody else. Would anybody like to make a motion.

Deputy City Attorney Throckmorton: Just a clarification about the setup. If it's the entire setup for just the screens for enforcement.

Mayor Lago: I don't have an issue.

City Attorney Suarez: Can we maybe have him tell us exactly what's going to stay up the 17 days just so that everybody is on the same page.

Mayor Lago: I thought we already had that.

Commissioner Fernandez: I think there's a diagram that he submitted.

Deputy City Attorney Throckmorton: Well, the request was initially just for the television screens.

Mayor Lago: I thought we were deviating from that.

City Attorney Suarez: Everything in the diagram.

Mayor Lago: Do you feel comfortable with that.

Community Recreation Director: Yes, that's fine. It's just the initial discussion we had was he was only going to keep the screens up. If he wants to keep all of it up, at your direction we can do that as well.

Harold Neuweg: It will make perfect sense for us to keep all of it up for the 17 days. It's a hardship on us, but like I said, if there's two days no games, we are willing to bring the tables in, we are willing to bring the tents in. These are 10 by 10 tents, they are easy to break down, but the concrete is difficult to move which wants the tents down. Its better for us to keep them up, but...

Mayor Lago: Let's do this to get in the middle, if you don't mind, so we can build consensus here and get a 5-0 vote. Let's bring down the tents if you don't mind. You can go to 17 days, bring in the tents, bring in some of the tables and chairs so they are not scattered everywhere.

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Harold Neuweg: So, do it as it is here. No problem.

Commissioner Fernandez: The only reason I would say to keep the tents is the noise issue at 11 p.m. bringing down the tents could be a noise issue for the adjacent neighbors.

Deputy City Attorney Throckmorton: So just to clarify. I believe the applicant had suggested in his initial presentation here that the set up would be taken down minus the TV screen between the 25th and the 28th and between July 2nd – after July 2nd and then after July 6th and then after July 10th, correct.

Harold Neuweg: Yes.

Mayor Lago: The applicant just said that taking down the tents, I misheard you, did you say ten minutes.

Harold Neuweg: Pardon me.

Commissioner Menendez: How long?

Mayor Lago: You said ten minutes per tent, maybe I heard you incorrectly. How long does it take you to take down the tents?

Harold Neuweg: How long it takes to take down the tents?

Mayor Lago: Yes.

Harold Neuweg: Probably like half an hour.

Mayor Lago: Half an hour. I thought I heard you say ten minutes. How many tents do you have?

Harold Neuweg: Four.

Mayor Lago: Four. Can you do it at one o'clock?

Harold Neuweg: But the point is we are doing it at 11 o'clock at night.

Mayor Lago: Oh, okay, okay. I thought it was 11 o'clock in the day.

Harold Neuweg: Tents are noisy.

Mayor Lago: Let's do it the next day.

Harold Neuweg: If we can leave the tents up and we move everything out of the tents will help us, so the tents are clear.

Mayor Lago: I don't have an issue with that.

Harold Neuweg: They are wide tents.

Mayor Lago: I don't have an issue with that.

Vice Mayor Anderson: I don't have an issue either.

Deputy City Attorney Throckmorton: We'll just make clear that the setup is allowed to remain and if it makes sense to remove it, it will be removed, but so far as...it's to remain.

Harold Neuweg: You remove the inside, the tent stays.

Mayor Lago: Remove the inside, leave the tents up, you don't disturb anybody.

Vice Mayor Anderson: Let's do it.

Commissioner Castro: I'll move it.

Commissioner Fernandez: I moved it.

Harold Neuweg: We can also leave...

Mayor Lago: So, we can avoid a situation like we just had about whether something was approved or not. Let's speak through the Mayor. So, we are going to 17 days. We are going to ask you to take tables and chairs inside. We are going to allow you to keep the tents up. There's going to be additional fees, cleanliness, police, safety, everything's adhered to. Anything else I'm missing for the good of the order.

Deputy City Attorney Throckmorton: And any other conditions staff determines are appropriate.

Mayor Lago: 110 percent. Okay. I need a motion.

Harold Neuweg: Thank you very much.

Mayor Lago: I need a motion.

Vice Mayor Anderson: We beat you.

Mayor Lago: I didn't hear. Mr. Clerk.

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City Clerk Urquia: I have two members of the public requesting to speak, Mr. Mayor.

Mayor Lago: Yes.

City Clerk Urquia: First speaker is Mrs. Maria Cruz.

Mrs. Cruz: Maria Cruz, 1447 Miller Road. I guess you all know I have no idea what you were talking about. The competition, the finals, the quarterfinals, no clue, but I think anything that the people like so much that they come out is a plus, and I support.

Harold Neuweg: Thank you.

City Clerk Urquia: Ed Santamaria.

Mayor Lago: Yes sir. Welcome back.

Mr. Santamaria: Good to be here. Good afternoon, Mr. Mayor, members of the Commission, Mr. Clerk, Mr. Manager, Ed Santamaria, 47 San Sebastian Avenue. I have a lot of experience with the special events process by virtue of my experience at the city. There is a reason why there are policies and procedures in place to preserve the role of staff in determining the best interests of the city as it relates to a special event. In this case, this event takes place in a very, very dense area with residential components. The community in this area is very, very mobilized and has often in the past expressed their concerns with the event and the way its unfolded. Mr. Neuweg does a great job, Neuweg, he does a fantastic job in making sure that he complies with all the requirements of the special event permit. If this is the first time that special events is listening to this application and making a request for these special conditions, then there hasn't been sufficient time for this to go through the process and to gather community input. I don't have a problem with this. In fact, I have patronized Fritz & Franz for a lot of soccer games. It's a great time, but I just have to caution all of you as a Commission if we're making this decision that there may be some opposition from the community that will become very vocal once this goes.

Mayor Lago: If I may. First off, thank you for being here as always Mr. ACM. Thank you for bringing this to our attention. You're a wealth of knowledge and I appreciate that. One of the things that I think is important to understand is that, and I could be wrong, I just want to make sure from staff is that the timeframe and the fact that our next Commission meeting is almost a month away from now, am I correct about that. So, there was an error in communication, again, this is not something that's commonplace. We wanted to make sure that we do this the right way, and I can have the director give a little more information on that, but that's why bringing in the tables and chairs is critical. I would even talk about bringing in the tent, but there was a good point that was made, having that much noise at late night I think could potentially cause us more trouble than good.

Community Recreation Director: Ed isn't wrong. It is a sensitive area. He does have experience working with me on this for years, but I did discuss this with Harold about looking at what we do

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for the effect of the community, and he was going around and getting signatures from all the properties saying, this is happening, are you okay with it. I know he showed me a couple of signatures, hopefully he's going to get them all.

Mr. Neuweg: I delivered them to your office. We actually have all the signatures from all the neighbors that they are aware that this event is going on from the 20th of, the 14th of July and we got all the signatures from all the neighbors basically. But yes, I understand the concern and we are listening to it. This is not the first time we are doing this. We have been doing this event for 20 years on the plaza and I think we are improving every year. I think it's better and by limiting us to 24 days a year instead of 56 as we used to have, we are listening to the people around us.

Vice Mayor Anderson: So, I'm just going to add to that because I live within three blocks of City Hall, and this is the staging area for the Orange Bowl Parade. I do hear it coming down and I hear the pipes and so forth and so on. With staff having discretion as to what is going to be the right choice to do, given the circumstances, if there is an issue with residents having the tents up and the choice is made to take stuff down, I'm comfortable with staff having that discretion. Taking down these tents and stuff does make noise.

Mayor Lago: Alright. We have a motion and a second.

Commissioner Menendez: Yes

Vice Mayor Anderson: Yes

Commissioner Castro: Yes

Commissioner Fernandez: Yes

Mayor Lago: Yes

(Vote: 5-0)

Mayor Lago: Thank you, sir, for being here.

Mr. Neuweg: Thank you very much. I'd like to take this opportunity to thank each and everyone of you and Zeida Sardinias for making our lease work, thank you, thank you very much. We had a lot of people on Saturday, we did a little celebration, and everybody was shaking my hand. Thank you for keeping Fritz & Franz Bierhaus in Coral Gables and all of you, thank you very much. I appreciate it.

Vice Mayor Anderson: Thank you.