



# Town of Cutler Bay

Town Hall  
10720 Caribbean Blvd  
Cutler Bay, FL 33189

## Meeting Minutes

### Town Council

#### *MAYOR AND COUNCIL MEMBERS*

*Mayor Peggy R. Bell*

*Vice Mayor Ernest N. Sochin*

*Council Member Mary Ann L. Mixon*

*Council Member Sue Ellen Loyzelle*

*Council Member Roger Coriat*

#### *CHARTER OFFICIALS*

*Town Attorney Mitchell Bierman*

*Town Attorney Chad Friedman*

*Town Manager Rafael G. Casals*

*Interim Town Clerk Jacqueline N. Wilson*

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Wednesday, July 15, 2015

7:00 PM

Council Chambers

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## 1. CALL TO ORDER, ROLL CALL, & PLEDGE OF ALLEGIANCE

Mayor Bell called the meeting to order at 7:02PM. Interim Town Clerk Jacqueline Wilson called the roll. Mayor Bell led the Pledge of Allegiance.

**Present:** 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Mixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

Mayor Bell requested to move item 7AB up on the agenda under Presentations. A motion was made by Council Member Coriat, seconded by Council Member Mixon to move item 7AB up on the agenda. Mayor Bell called for the vote and the motion passed 5-0.

## 2. PROCLAMATIONS, AWARDS, AND PRESENTATIONS

### A. Proclamation -Social Security 80th Birthday Recognition

Mayor Bell and members of the Town Council presented a proclamation in honor and recognition of the Eightieth Anniversary of the signing of the Social Security Act to Mr. Angel Figueredo, District Manager from Perrine District Office on behalf of Social Security Administration.

Town Attorney Mitchell Bierman informed the Mayor and Town Council that item 8A is a Quasi-Judicial Hearing on a Resolution to approve a conditional use application, and that the applicant has requested deferral of the item, as has Town staff. A motion was made by Council Member Mixon, seconded by Council Member Loyzelle to defer item 8A to date certain August 19, 2015. Mayor Bell called for the vote and the motion passed 5-0.

### B. Presentation- Town Lobbyist- 2015 End of Special Session Report

Town Lobbyist Fausto Gomez introduced Columbus High School summer intern Eric Cartel, whose family lives in Cutler Bay, and presented the 2015 End of

**Special Session Report.****3. APPROVAL OF MINUTES**

- A. · March 18, 2015 Regular Town Council Minutes  
· May 14, 2015 Town Council Workshop Minutes  
· May 20, 2015 Executive Session Minutes

Council Member Mixon requested a correction to the March 18, 2015 Regular Town Council Meeting Minutes to include the vote for item 10B. A motion was made by Council Member Mixon, seconded by Council Member Coriat, that the March 18, 2015 Regular Town Council Meeting Minutes be approved as corrected. Mayor Bell called for the vote and the motion passed 5-0. A motion was made by Vice Mayor Sochin, seconded by Council Member Loyzelle, that the May 14, 2015 Town Council Workshop Minutes be approved. Mayor Bell called for the vote and the motion passed 5-0. A motion was made by Council Member Loyzelle, seconded by Council Member Mixon, that the May 20, 2015 Executive Session Minutes be approved. Mayor Bell called for the vote and the motion passed 5-0.

**4. TOWN COUNCIL ANNOUNCEMENTS**

Council Member Mixon announced the Miami-Dade County Animal Workshop hosted by Miami-Dade County Commissioner Daniella Levine Cava of District 8 and Miami-Dade County Mayor Carlos Gimenez on July 25, 2015. Council Member Mixon reported on the Humane Society's initiative to spay and neuter pets at no cost. Council Member Mixon also reported on flashing solar school zone signs installed in the Town funded by Miami-Dade County. Council Member Coriat announced the Splash in the Bay Pool Party on August 1, 2015. Council Member Coriat announced the Annual Cutler Bay Open Golf Tournament on August 29, 2015 and the Rib Ticklers Ball event on December 12, 2015. Council Member Coriat also reported on his attendance at Education Dialogue hosted by City of South Miami Commissioner Gabriel Edmond on July 11, 2015. Vice Mayor Sochin announced Open Mic Night event on August 26, 2015. Town Manager Rafael Casals updated the Council on the vacant Town Clerk position. A motion was made by Council Member Loyzelle to defer the July 21, 2015 Town Council Workshop to a later date. The motion received a second by Council Member Mixon. Mayor Bell called for the vote and the motion passed 4-1 with Vice Mayor Sochin in opposition. Council Member Loyzelle reported on attendance at the Underline Meeting on June 25, 2015. Council Member Loyzelle also reported on attendance at Movie Night and thanked staff for their efforts. Council Member Loyzelle announced Wetland Restoration Project Volunteer events on July 25, 2015 and August 8, 2015, as well as The Children's Trust and Miami-Dade County Police Department book drive currently underway. Council Member Loyzelle also announced upcoming conferences including the Florida Council on Aging Conference on August 10, 2015 and the Florida League of Cities Conference August 13-15, 2015. Vice Mayor Sochin reported on attendance at the Concerned Citizens Meeting. Council Member Loyzelle announced Miami-Dade County Budget Workshop on July 22, 2015. Mayor Bell announced the Miami-Dade C.O.R.E. 2015 Hurricane Preparedness Engagement Session on July 21, 2015. Mayor Bell reported on attendance at a Broward League of Cities event speaking on a panel to address civility and government in June as well as a sea-level rise compact meeting with Congresswoman Ileana Ros-Lehtinen in July. Mayor Bell also reported on attendance at the Fourth of July parade event and thanked town staff for their

efforts. Mayor Bell updated the Council on the progress of the PACE program and announced the next PACE board meeting on August 4, 2015. A motion was made by Mayor Bell not to hold a Regular Town Council Meeting in December. The motion received a second by Vice Mayor Sochin and all were in favor. Council Member Loyzelle requested shared use of public space be added to the Legislative Agenda.

## 5. PUBLIC COMMENTS

Mayor Bell opened Public Comments and there were none.

## 6. REPORTS

### A. TOWN MANAGER'S REPORT

Town Manager Rafael Casals reported on a recent Miami-Herald article regarding heightened crime in the Town and introduced Police Lieutenant Frank Roig to report on current crime statistics and measures enforced in efforts to reduce crime. Gary Ratay and Marissa Baculo of Kimley Horn and Associates presented an update on the Caribbean Boulevard Roadway Improvement Project. Town Manager Rafael Casals announced the First Budget Workshop on July 22, 2015 and the Second Budget Workshop on August 19, 2015.

### B. TOWN ATTORNEY'S REPORT

No report.

### C. TOWN CLERK'S REPORT

Interim Town Clerk Jacqueline Wilson announced that applications for the vacant Assistant to Town Clerk position will be accepted until July 31, 2015 and announced the Florida League of Cities Annual Conference August 13-15, 2015 in Orlando and the reminded Council of the July 31, 2015 registration deadline.

### D. BOARD AND COMMITTEE REPORTS

Council Member Coriat reported on the Parks and Recreation Committee and announced the next Parks and Recreation Committee meeting on August 3, 2015. Council Member Mixon reported on the progress of the Floodplain Mitigation Plan Committee in efforts to earn points and lower insurance rates with recent approval from the State of Florida and the Federal Emergency Management Agency. Council Member Mixon announced the next Floodplain Mitigation Plan Committee quarterly meeting on September 28, 2015. Council Member Loyzelle reported on the Communities for a Lifetime Committee and announced the Age Friendly Initiative event on July 22, 2015.

## 7. CONSENT AGENDA

Mayor Bell requested to pull item 7C. A motion was made by Council Member Loyzelle to adopt the remainder of the consent agenda. The motion received a second by Vice Mayor Sochin. Mayor Bell called for the vote and all were in favor.

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING MULLINGS ENGINEERING SERVICES, LLC.

FOR THE PURCHASE AND INSTALLATION OF SOD WITHIN THE TOWN'S PARKS; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE CONTRACT BETWEEN THE CHILDREN'S TRUST AND THE TOWN FOR THE PROVISION OF AN AFTER SCHOOL PROGRAM AT CUTLER RIDGE PARK; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, MODIFYING RESOLUTION 13-61 TO PROVIDE FOR A REVISED TOWN COUNCIL AGENDA FORMAT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Interim Town Clerk Jacqueline Wilson read the title of the Resolution. Mayor Bell requested "Moment of Silence & Invocation" be added to the agenda format following the Pledge of Allegiance. A motion was made by Council Member Coriat, seconded by Vice Mayor Sochin, that this Resolution be adopted as amended. Mayor Bell called for the vote and the motion passed 5-0.**

## **7A. RESOLUTIONS**

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC BUDGET HEARINGS AS REQUIRED BY LAW; DIRECTING THE TOWN CLERK AND TOWN MANAGER TO FILE THIS RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

**Town Attorney Mitchell Bierman briefly explained that Florida Law requires the Council to adopt a maximum millage rate in preparation for the adoption of the budget in September. Interim Town Clerk Jacqueline Wilson read the title of the Resolution. A motion was made by Vice Mayor Sochin, seconded by Council Member Mixon, that this Resolution be adopted. Mayor Bell suggested amending to reflect initial ceiling of 2.49 instead of 2.5348. After discussion, the motion carried by the following vote:**

**Yes:** 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Mixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA TO APPOINT ADVISORY COMMITTEE MEMBERS TO THE ECONOMIC GROWTH COMMITTEE, AND PROVIDING AN EFFECTIVE DATE.

**Interim Town Clerk Jacqueline Wilson read the title of the Resolution. Mayor Bell**

welcomed Economic Growth Committee nominees Nadia Bajuelo, Milenka Bedwell, Heather Fraser, Marshall Steingold and Alex Villasuso. Vice Mayor Sochin expressed regrets on behalf of Heather Fraser who was unable to attend. Each Council Member introduced their selected nominee and invited them to speak. The Council approved each member by individual motion. Town Attorney Mitchell Bierman informed the newly appointed committee members of the Sunshine Law. Interim Town Clerk Jacqueline Wilson requested clarification for the record and a motion was made by Council Member Mixon, seconded by Council Member Loyzelle, that this Resolution be adopted with the approved members. Mayor Bell called for the vote and the motion passed 5-0.

## **8. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)**

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A CONDITIONAL USE APPLICATION TO PERMIT THE CONVERSION OF 58,428 SQUARE FEET OF OFFICE SPACE IN AN EXISTING 4 STORY BUILDING LOCATED AT 10750 CARIBBEAN BOULEVARD FROM BUSINESS USE TO A CHARTER SCHOOL, AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 2.16 NET ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Council Member Mixon, seconded by Council Member Loyzelle, that this Resolution be deferred to date certain August 19, 2015. Mayor Bell called for the vote and the motion passed 5-0.

## **9. ORDINANCES FOR FIRST READING (NO PUBLIC HEARING REQUIRED)**

There were no ordinances for first reading.

## **10. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)**

There were no ordinances for first reading.

## **11. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)**

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE TOWN OF CUTLER BAY EVALUATION AND APPRAISAL-BASED AMENDMENTS TO THE COMPREHENSIVE PLAN AND AUTHORIZING TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND REVIEW AGENCIES ON FIRST READING; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Manager Rafael Casals introduced Mr. Alex David with The Corradino Group to brief the Council on amendments associated with the Comprehensive Plan. Mayor Bell opened the public hearing. There being no one wishing to speak, Mayor Bell closed the public hearing. A motion was made by Vice Mayor Sochin, seconded by Council Member Coriat, that this Ordinance be approved on second reading. The motion carried by the following vote:

**Yes:** 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Mixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

- B.** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA UPDATING THE TOWN WATER SUPPLY PLAN AND ADOPTING WATER SUPPLY PLAN RELATED AMENDMENTS TO THE TOWN GROWTH MANAGEMENT PLAN; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Manager Rafael Casals introduced Mr. Alex David with The Corradino Group to brief the Council on the item. Mayor Bell opened the public hearing. There being no one wishing to speak, Mayor Bell closed the public hearing. A motion was made by Council Member Coriat, seconded by Vice Mayor Sochin, that this Ordinance be approved on second reading. The motion carried by the following vote:

**Yes:** 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Mixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

Town Manager Rafael Casals thanked the Public Works Department and Miami-Dade County Water and Sewer Department for their efforts in coordinating showerhead exchange outreach programs.

- C.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 3-11 OF THE TOWN CODE OF ORDINANCES RELATING TO MAINTENANCE, REPAIR AND IMPROVEMENT STANDARDS FOR NONCONFORMING BUILDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Manager Rafael Casals introduced Planning and Zoning Director Kathryn Lyon to brief the Council on the item. Mayor Bell opened the public hearing. There being no one wishing to speak, Mayor Bell closed the public hearing. A motion was made by Council Member Mixon, seconded by Council Member Coriat, that this Ordinance be approved on second reading. The motion carried by the following vote:

**Yes:** 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Mixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

## **12. PUBLIC COMMENTS**

Mayor Bell opened Public Comments and there were none.

## **13. MAYOR AND COUNCIL COMMENTS**

There were no Mayor and Council Comments.

## **14. OTHER BUSINESS**

There was no Other Business.

## 15. ADJOURNMENT

**A motion was made by Council Member Mixon to adjourn. The motion received a second from Vice Mayor Sochin. The meeting adjourned at 9:45PM.**

For complete audio recording of this meeting, please visit [www.cutlerbay-fl.gov](http://www.cutlerbay-fl.gov) or contact the Town Clerks Office at (305) 234-4262.