



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 Sue Ellen Loyzelle

Council Member Mary Ann L. Mixon

Council Member Michael P. Callahan

Council Member Roger Coriat

CHARTER OFFICIALS

Town Attorney Mitchell Bierman

Town Attorney Chad Friedman

Town Manager Rafael G. Casals, ICMA-CM, CFM

Town Clerk Debra E. Eastman, MMC

Wednesday, July 18, 2018

7:00 PM

Council Chambers

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, & MOMENT OF SILENCE

Mayor Peggy Bell called the meeting to order at 7:05 p.m. Present were Council Member Michael Callahan, Council Member Roger Coriat, Vice Mayor Sue Loyzelle and Mayor Peggy Bell. Council Member Mary Ann Mixon was absent. Mayor Bell called for a moment of silence for long-time resident Carol Paul in honor of her participation in local government. Ms. Paul served as the Treasurer of the Concerned Citizens organization and was known to be an outspoken resident.

Present: 4 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle, Council Member Michael P. Callahan and Council Member Roger Coriat

Absent: 1 - Council Member Mary Ann Mixon

2. TOWN COUNCIL ANNOUNCEMENTS, BOARD & COMMITTEE REPORTS

Mayor Bell called attention to the written reports of the Town Council. Council Member Coriat called attention to a program where group partners with schools and other agencies can identify safe ways to schools to prevent the use of cars. He announced that there will be a back to school event and requested that the Town Manager and staff use their resources to help promote this program. Vice Mayor Loyzelle announced the next Community for a Lifetime meeting and Mayor Bell announced he next Economic Growth Committee meeting. Mayor Bell instructed that she will be conducting the meeting with the allowance of a five minute limit for comments by members of the Town Council and a three minute limit for public comments.

- A.**
- Mayor Bell July 2018 Report
 - Vice Mayor Loyzelle July 2018 Report
 - Council Member Mixon July 2018 Report
 - Council Member Callahan 2018 Report
 - Council Member Coriat 2018 Report

3. PUBLIC COMMENTS

Adam Skowronski thanked the Town Council for the presentation at the July 4 event and reported on the continued appreciation for the butterfly garden. Tara Favaro requested assistance with the tiki hut at her home that is not permitted.

4. REPORTS

A. TOWN MANAGER'S REPORT

- Town Manager Monthly Report July 2018

Town Manager Ralph Casals reported on upcoming meetings including Flood Mitigation meeting. He reported on the status of the Miami Dade County Public Works Department bridge project on Caribbean Boulevard. He will be attending the Transportation Planning Organization meeting and meetings regarding Miami-Dade transit.

- 2017 CAFR and Governance Letter

The Town Auditor, Mr. Fierman provided the auditors report and congratulated the Town on receiving the GFOA Certificate of Achievement for the eleventh year running.

- G.O. Bond Referendum Summary of Expenditures

Town Manager Ralph Casals provided a summary of the expenditures received to date for the June 5, 2018 General Obligation Bond Referendum election.

B. TOWN ATTORNEY'S REPORT

The Town Attorney had nothing to report.

C. TOWN CLERK'S REPORT

Town Clerk Debra Eastman reported on the upcoming qualifying period dates and announced the names of the candidates who have opened accounts thus far.

5. CONSENT AGENDA

Mayor Bell confirmed that the Town Council did not wish to pull any items from the consent agenda. A motion to adopt the consent agenda was made by Roger Coriat and the motion received a second from Michael Callahan. Mayor Bell called for the vote and all were in favor (4-0)

APPROVAL OF MINUTES

- A. · May 16, 2018 Regular Town Council Minutes
· July 3, 2018 Monsignor Bryan Walsh Children's Village Tour Minutes

The Minutes were approved on consent. (4-0) Council Member Mixon absent.

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE CITY OF SOUTH MIAMI'S RESOLUTION ENCOURAGING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO BAN PLASTIC STRAWS OR RESTRICT THEIR USE; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent. (4-0) Council Member Mixon absent.

- C. 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; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent. (4-0) Council Member Mixon absent.

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO RENEW AND EXTEND THE TOWN'S INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR INFORMATION TECHNOLOGY (IT) MAINTENANCE AND SUPPORT SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent. (4-0) Council Member Mixon absent.

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING MAILFINANCE INC. AND NEOPOST USA, INC. FLORIDA FOR MAIL PROCESSING EQUIPMENT AND ONLINE SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent. (4-0) Council Member Mixon absent.

6. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

(THESE HEARINGS ARE SCHEDULED FOR A TIME CERTAIN OF 8:00 P.M.)

EACH PARTY WILL BE LIMITED TO A PRESENTATION OF 20 MINUTES. THIS TIME LIMITATION MAY BE EXTENDED BY THE CHAIR OF THE MEETING.

Town Clerk Debra Eastman read the title of the ordinances A through F into the record. Town Attorney Mitch Bierman read the quasi judicial statement. No further ex-parte communications were presented by the Town Council. Alex David, Town Consultant explained the requested variances.

On behalf of the applicant, Jennifer Wolf provided a handout stating that they are seeking four variances and not six. Mayor Bell inquired of the attorney whether the hearing should be deferred. Vice Mayor Sue Loyzelle made a motion to defer the variances to time certain of September 26, 2018. Council Member Callahan provided a second to the motion. Council Member Coriat spoke in opposition to the deferral. Mayor Bell called for the vote and the motion carried with Council Member Coriat voting in opposition and Council Member Mixon absent.

A. V-2018-025(a)

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION FOR ROSS STORES INC., LOCATED AT 18437 S. DIXIE HIGHWAY, TO PERMIT FOUR (4) WALL SIGNS WHERE ONE (1) IS PERMITTED; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per July 18, 2018 Regular Town Council Meeting to date certain September 26, 2018 Regular Town Council Meeting)

A motion was made by Vice Mayor Loyzelle, seconded by Council Member Callahan, that this Resolution be deferred. The motion carried by the following vote:

Yes: 3 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle and Council Member Michael Callahan

No: 1 - Council Member Roger Coriat

Absent: 1 - Council Member Mary Ann Mixon

B. V-2018-025(b)

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION FOR ROSS STORES INC., LOCATED AT 18437 S. DIXIE HIGHWAY, TO PERMIT A WALL SIGN TO BE 511 SQUARE FEET WHERE 60 SQUARE FEET IS PERMITTED; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per July 18, 2018 Regular Town Council Meeting to date certain September 26, 2018 Regular Town Council Meeting)

A motion was made by Vice Mayor Loyzelle, seconded by Council Member Callahan, that this Resolution be deferred. The motion carried by the following vote:

Yes: 3 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle and Council Member Michael Callahan

No: 1 - Council Member Roger Coriat

Absent: 1 - Council Member Mary Ann Mixon

C. V-2018-025(c)

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION FOR ROSS STORES INC., LOCATED AT 18437 S. DIXIE HIGHWAY, TO PERMIT A WALL SIGN TO BE 144 SQUARE FEET WHERE NO SIGN IS PERMITTED; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per July 18, 2018 Regular Town Council Meeting to date certain September 26, 2018 Regular Town Council Meeting)

A motion was made by Vice Mayor Loyzelle, seconded by Council Member Callahan, that this Resolution be deferred. The motion carried by the following vote:

Yes: 3 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle and Council Member Michael Callahan

No: 1 - Council Member Roger Coriat

Absent: 1 - Council Member Mary Ann Mixon

D. V-2018-025(d)

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION FOR ROSS STORES INC., LOCATED AT 18437 S. DIXIE HIGHWAY, TO PERMIT SIX (6) BANNER SIGNS PER YEAR WHERE FOUR (4) PER YEAR ARE PERMITTED; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per July 18, 2018 Regular Town Council Meeting to date certain September 26, 2018 Regular Town Council Meeting)

A motion was made by Vice Mayor Loyzelle, seconded by Council Member Callahan, that this Resolution be deferred. The motion carried by the following vote:

Yes: 3 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle and Council Member Michael Callahan

No: 1 - Council Member Roger Coriat

Absent: 1 - Council Member Mary Ann Mixon

E. V-2018-025(e)

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION FOR ROSS STORES INC., LOCATED AT 18437 S. DIXIE HIGHWAY, TO PERMIT TWO (2) BANNER SIGNS TO BE 144 SQUARE FEET WHERE SIXTEEN (16) SQUARE FEET IS PERMITTED; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per July 18, 2018 Regular Town Council Meeting to date certain September 26, 2018 Regular Town Council Meeting)

A motion was made by Vice Mayor Loyzelle, seconded by Council Member Callahan, that this Resolution be deferred. The motion carried by the following vote:

Yes: 3 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle and Council Member Michael Callahan

No: 1 - Council Member Roger Coriat

Absent: 1 - Council Member Mary Ann Mixon

F. V-2018-025(f)

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION FOR ROSS STORES INC., LOCATED AT 18437 S. DIXIE HIGHWAY, TO PERMIT FOUR (4) BANNER SIGNS TO BE FORTY EIGHT (48) SQUARE FEET WHERE SIXTEEN (16) SQUARE FEET IS PERMITTED; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per July 18, 2018 Regular Town Council Meeting to date certain September 26, 2018 Regular Town Council Meeting)

A motion was made by Vice Mayor Loyzelle, seconded by Council Member Callahan, that this Resolution be deferred. The motion carried by the following vote:

Yes: 3 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle and Council Member Michael Callahan

No: 1 - Council Member Roger Coriat

Absent: 1 - Council Member Mary Ann Mixon

7. ORDINANCES FOR FIRST READING (NO PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 3 OF THE TOWN CODE, "LAND DEVELOPMENT REGULATIONS," BY CREATING A SECTION 3-18, "ENCLOSED USES" TO PROVIDE REGULATIONS FOR SUCH USES; AMENDING SECTION 3-33, "SITE PLAN APPLICATION" RELATING TO APPLICATIONS WITHIN THE TOWN CENTER DISTRICT AND CONSTRUCTION OF SINGLE-FAMILY RESIDENCES; AMENDING SECTION 3-113.5, "REQUIRED SIGNAGE" RELATING TO ASSISTED LIVING FACILITIES AND GROUP HOMES; AMENDING SECTION 3-158, "SHEDS" RELATING TO REGULATION OF SUCH STRUCTURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the ordinance into the record. Town Manager Ralph Casals explained the purpose of the annual housekeeping of the LDRs. Town Planner Kathryn Lyon explained the proposed changes and the Town Council discussed them. A motion was made by Council Member Coriat, seconded by Vice Mayor Loyzelle, that this Ordinance be approved on first reading. The motion carried by the following vote:

Yes: 4 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle, Council Member Michael Callahan and Council Member Roger Coriat

Absent: 1 - Council Member Mary Ann Mixon

8. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)**9. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)****10. 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, IF REQUIRED, WITH THE MIAMI-DADE COUNTY PROPERTY APPRAISER; AUTHORIZING THE TOWN MANAGER TO CHANGE BUDGET HEARING DATES IF NEEDED; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the Resolution. Town Manager Ralph Casals explained the budget setting process. A motion was made by Council Member Coriat, seconded by Council Member Callahan, that this Resolution be adopted. It was determined that the resolution should be amended to hold the second budget hearing on Monday, September 17, 2018 at 7 p.m. Council Member Coriat made an amendment to his motion which was accepted by Council Member Callahan. Mayor Bell called for the vote and the motion was adopted as amended. The motion carried by a 4-0 vote with Council Member Mixon absent.

11. PUBLIC COMMENTS

Emanuel Ward was introduced and he explained that he is working to become an Eagle Scout. Mayor Bell and the members of the Town Council thanked him for attending and wished him well for his future plans. Deborah Reed thanked the Mayor and staff for addressing the road problems that she had previously reported.

12. ADJOURNMENT

The meeting adjourned at 9:06 p.m.