



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
Town Clerk Jacqueline N. Wilson

Wednesday, September 21, 2016

7:00 PM

Council Chambers

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

Mayor Bell called the meeting to order at 7:13PM. Town Clerk Jacqueline Wilson called the roll. Mayor Bell led the Pledge of Allegiance. Mayor Bell led a Moment of Silence in honor and in memory of Mitzi Gimenez, mother of Miami-Dade County Mayor Carlos Gimenez. Mayor Bell also led a Moment of Silence in honor and in recognition of International Peace Day.

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 a motion to move item 7F forward on the Consent Agenda. A motion was made by Council Member Coriat, seconded by Council Member Mixon to move item 7F forward on the Consent Agenda. Mayor Bell called for the vote and the motion passed 5-0.

2. PROCLAMATIONS, AWARDS, AND PRESENTATIONS

- A. · Proclamation- Blood Cancer Awareness Month- Yomayra Mora, Campaign Director The Leukemia & Lymphoma Society

Mayor Bell and members of the Town Council presented a proclamation to Ms. Yomayra Mora, Campaign Director for The Leukemia & Lymphoma Society, in honor of Blood Cancer Awareness Month.

- B. · 2015 Miami Dade Fire Rescue Town of Cutler Bay Annual Report

Miami-Dade County Fire Chief Dave Downey presented the 2015 Miami-Dade Fire Rescue Town of Cutler Bay Annual Report. At the request of Mayor Bell, Miami-Dade County Fire Chief Dave Downey provided an update on the communication monopole installation. Council Member Loyzelle extended an invitation to the Miami-Dade Fire Department to participate in the Senior Games.

3. APPROVAL OF MINUTES

- A. · July 18 2016 Town Council Workshop- Second Budget Workshop Minutes
· July 20 2016 Regular Town Council Minutes
· August 31 2016 Town Council Workshop- Third Budget Workshop Minutes

A motion was made by Vice Mayor Sochin, seconded by Council Member Mixon, that the minutes be approved. Mayor Bell requested a correction to the August 31, 2016 Town Council Budget Workshop Minutes under item 1A to reflect Town Manager Rafael Casals agreed to explore locating funding midyear for a part-time Public Information Officer. An amended motion was made by Council Member Loyzelle, seconded by Council Member Mixon, to approve the minutes as amended. Mayor Bell called for the vote and the motion passed 5-0.

4. TOWN COUNCIL ANNOUNCEMENTS

Council Member Mixon announced her recent appointment to the Florida League of Cities Energy, Environment and Natural Resources Committee. Council Member Loyzelle announced the upcoming HealthSouth Rehabilitation Hospital Community Health Fair Event on September 24, 2016 and the Senior Games registration deadline on September 26, 2016. Council Member Loyzelle reported on attendance at the Eighth Annual Cutler Bay Open Golf Tournament, the South Miami-Dade Cultural Arts Center Led Zeppelin and Opera Events, and the Falls Prevention Workshop Event.

- A. · Mayor Bell Monthly Report July 21-September 13 2016

Mayor Bell reported on attendance at the Traffic Calming Master Plan Public Involvement Meeting and announced upcoming Traffic Calming Master Plan Public Involvement Meetings on September 28, 2016, October 26, 2016, and November 10, 2016. Mayor Bell announced the upcoming Florida City Gas Restorations Town Hall Meeting on September 22, 2016 and the Second Budget Hearing on September 27, 2016. Mayor Bell reported on participation in the South Dade Mayors Coalition, the Baptist Health Old Cutler Run Club and the Miami-Dade County Coalition of Women Mayors.

5. PUBLIC COMMENTS

Mayor Bell opened Public Comments. There being no one wishing to speak, Mayor Bell closed Public Comments.

6. REPORTS

A. TOWN MANAGER'S REPORT

Town Manager Rafael Casals reported on Town website e-notifications list enhancements, the recent Executive Internship Orientation and upcoming internship interviews on September 23, 2016. Town Manager Rafael Casals reported on the completion of a Zika and mosquito control storm drain project.

B. TOWN ATTORNEY'S REPORT

Town Attorney Mitchell Bierman reported on the Miami-Dade County Mandatory Inclusionary Zoning Mandatory Workforce Housing Ordinance. Town Attorney Mitchell Bierman announced the completion of the Municipal Code Corporation process. Town Attorney Mitchell Bierman requested an Executive Session to be scheduled before the Second Budget Hearing on September 27, 2016.

C. TOWN CLERK'S REPORT

Town Clerk Jacqueline Wilson reported on vacancies for the Floodplain Mitigation Plan Committee and the Youth Council Committee.

D. BOARD AND COMMITTEE REPORTS

Council Member Coriat reported on Parks and Recreation Committee efforts. Council Member Coriat announced the upcoming Aquatic Facility Public Involvement Meeting on October 4, 2016 and the Aquatic Facility and Town Center Plaza Public Involvement Meetings on October 22, 2016. Council Member Coriat also announced the Halloween Trunk-or-Treat Event on October 28, 2016 and the next Movie Night on December 2, 2016. Council Member Coriat reported on attendance at the Cutler Ridge Soccer Opening Day Event, and announced the upcoming Parks and Recreation Committee Meeting on October 3, 2016.

Council Member Coriat introduced Parks and Recreation Committee Chair Mr. Michael Callahan to present the Parks and Recreation Committee recommendation for agenda items 8A and 8B. There was discussion on the Parks and Recreation Committee recommendation for agenda items 8A and 8B. Council Member Mixon announced the upcoming Floodplain Mitigation Plan Committee Meeting on September 29, 2016 and reported on the current committee vacancy.

Vice Mayor Sochin reported on Education Advisory Committee efforts and initiatives.

Council Member Loyzelle reported on the September Communities for a Lifetime Committee Meeting cancellation and announced the next Communities for a Lifetime Committee Meeting on October 5, 2016.

Mayor Bell reported on the September Youth Council Committee Meeting cancellation. Mayor Bell announced the upcoming Economic Growth Committee Meeting on October 20, 2016.

Council Member Loyzelle announced the Age-Friendly Florida Sharing Symposium on September 29-30, 2016.

7. CONSENT AGENDA

Council Member Loyzelle pulled item A from the Consent Agenda. Mayor Bell pulled item D from the Consent Agenda. A motion was made by Council Member Mixon, seconded by Council Member Coriat to approve items B, C and E on the Consent Agenda. Mayor Bell called for the vote and the motion passed 5-0.

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO AMEND THE CONTRACT WITH ACOSTA TRACTORS INC. FOR CONSTRUCTION SERVICES FOR THE CARIBBEAN BOULEVARD ROADWAY IMPROVEMENT(S) PROJECT - GAP #2; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Resolution. At the request of Council Member Loyzelle, Town Manager Rafael Casals provided an update on coordination efforts to pair the bridge and Gap 2 projects together. Council Member Loyzelle expressed concern with the bridge project timeline. After discussion, a motion was made by Council Member Loyzelle, seconded by Vice Mayor Sochin, that this Resolution be adopted. Mayor Bell called for the vote, and the motion passed 5-0.

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO STANTEC CONSULTING SERVICES, INC. TO PROVIDE CONSTRUCTION SUPPORT AND POST DESIGN SERVICES FOR THE CARIBBEAN BOULEVARD ROADWAYS IMPROVEMENT(S) PROJECT – GAP #2; 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, AUTHORIZING THE TOWN MANAGER TO EXECUTE A SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. TO PROVIDE ADDITIONAL CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES FOR THE CARIBBEAN BOULEVARD ROADWAY IMPROVEMENT(S) PROJECT - GAP #2; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) FOR TOWNWIDE TREE TRIMMING MAINTENANCE SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Resolution. Mayor Bell pulled the item for highlights and expressed support of tree planting. Town Attorney Mitchell Bierman clarified item 7D was mistakenly pulled instead of item 7E adopted on Consent. At the request of Mayor Bell, Town Manager Rafael Casals provided clarification on item 7E. A motion was made by Council Member Coriat, seconded by Vice Mayor Sochin, that this Resolution be adopted. Mayor Bell called for the vote, and the motion passed 5-0.

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) FOR A TOWNWIDE TREE PLANTING PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, TO APPOINT A NEW MEMBER TO THE ECONOMIC GROWTH COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Resolution. Council Member Coriat introduced Ms. Christina Santana and invited her to speak. Council Member Coriat reminded the Council that the Economic Growth Committee is scheduled to sunset in December. A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted. Mayor Bell called for the vote and the motion passed 5-0.

8. RESOLUTIONS

Mayor Bell requested deferral of agenda items 8A and 8B and spoke in favor of a workshop at a later date. A motion was made by Council Member Mixon, seconded by Mayor Bell to defer agenda items 8A and 8B. At the request of Council Member Coriat, Mayor Bell provided clarification on the reason for deferral of the items. Vice Mayor Sochin spoke in opposition of a workshop. Council Member Loyzelle spoke in favor of hearing the items on the current agenda. After discussion, Mayor Bell withdrew the request to defer agenda items 8A and 8B.

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING SUPERIOR PARK SYSTEMS, INC. FOR THE INSTALLATION OF PLAYGROUND EQUIPMENT AND SHADE STRUCTURES AT VARIOUS TOWN OWNED PARKS; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per July 20, 2016 Regular Town Council Meeting)

Town Clerk Jacqueline Wilson read the title of the Resolution. A motion was made by Council Member Coriat, seconded by Vice Mayor Sochin, that this Resolution be adopted. Council Member Coriat provided clarification on the detailed report for item 8A. Town Manager Rafael Casals provided a staff report on the item and provided a breakdown of associated funds. After discussion, Mayor Bell suggested funds be allocated to Lakes by the Bay Park for a vitacourse. Council Member Coriat requested a reduction of additional equipment. At the request of Town Manager Rafael Casals, Parks and Recreation Director Etienne Bejarano provided clarification on the utilization of park impact fees. Finance Director Robert Daddario provided clarification on the costs associated with the project. After further discussion, an amended motion was made by Council Member Coriat, seconded by Council Member Mixon to exclude Saga Lake Park from the proposal and adopt the Resolution as amended. Mayor Bell called for the vote, and the motion passed 4-1 with Council Member Loyzelle in opposition.

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING DOMINICA RECREATION PRODUCTS, INC. FOR THE INSTALLATION OF OUTDOOR FITNESS EQUIPMENT AND SHADE STRUCTURES AT VARIOUS TOWN OWNED PARKS; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per July 20, 2016 Regular Town Council Meeting)

Town Clerk Jacqueline Wilson read the title of the Resolution. Town Manager Rafael Casals presented the staff report on the item and expressed support for the Parks and Recreation Committee recommendation. There was discussion on the allocation of exercise equipment at the parks. After discussion, the Council came to a general consensus to remove Bel Aire Park from the proposal and convert Saga Lake Park and Blue Heron Park to a circular layout. A motion was made by Council Member Nixon, seconded by Vice Mayor Sochin, that this Resolution be adopted as amended. Mayor Bell called for the vote, and the motion passed 4-1 with Council Member Loyzelle in opposition.

9. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING VARIANCE APPLICATIONS FOR SIGNAGE FOR PETERSON'S HARLEY- DAVIDSON SOUTH LOCATED AT 19825 S. DIXIE HIGHWAY, TO PERMIT A MONUMENT SIGN TO BE 137.7 SQUARE FEET WHERE 48 SQUARE FEET IS ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per June 15, 2016 Regular Town Council Meeting to date certain September 21, 2016 Regular Town Council Meeting)

Mayor Bell requested a motion to defer quasi-judicial items 9A and 9B to date certain December 14, 2016. A motion was made by Council Member Nixon, seconded by Council Member Coriat to defer quasi-judicial items 9A and 9B to date certain December 14, 2016. Vice Mayor Sochin spoke in opposition of deferral. Mayor Bell spoke in favor of deferral. Council Member Loyzelle requested clarification on reason for deferral. Applicant Attorney Mr. Graham Penn of Bercow Radell & Fernandez presented no objection to the request for deferral. Mayor Bell called for the vote and the motion passed 4-1 with Vice Mayor Sochin in opposition.

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING VARIANCE APPLICATIONS FOR SIGNAGE FOR PETERSON'S HARLEY- DAVIDSON SOUTH LOCATED AT 19825 S. DIXIE HIGHWAY, AND TO PERMIT A MONUMENT SIGN TO BE 15.5 FEET IN HEIGHT WHERE 10 FEET IS ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per June 15, 2016 Regular Town Council Meeting to date certain September 21, 2016 Regular Town Council Meeting)

Mayor Bell requested a motion to defer quasi-judicial items 9A and 9B to date certain December 14, 2016. A motion was made by Council Member Mixon, seconded by Council Member Coriat to defer quasi-judicial items 9A and 9B to date certain December 14, 2016. Vice Mayor Sochin spoke in opposition of deferral. Mayor Bell spoke in favor of deferral. Council Member Loyzelle requested clarification on reason for deferral. Applicant Attorney Mr. Graham Penn of Bercow Radell & Fernandez presented no objection to the request for deferral. Mayor Bell called for the vote and the motion passed 4-1 with Vice Mayor Sochin in opposition.

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

There were no Ordinances for first reading not requiring a public hearing.

11. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING AND ENACTING A NEW CODE OF ORDINANCES FOR THE TOWN OF CUTLER BAY, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Attorney Mitchell Bierman reported on the completion of the Town Code of Ordinances and presented the staff report. 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 Vice Mayor Sochin, that this Ordinance be approved on first 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. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 10 OF THE TOWN CODE OF ORDINANCES ENTITLED "ELECTIONS" AND CREATING SECTION 10-2 ENTITLED "CAMPAIGN FINANCE REPORTS"; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Ordinance. Council Member Loyzelle spoke in favor of 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 Vice Mayor Sochin, seconded by Council Member Mixon, that this Ordinance be approved on second reading. Council Member Mixon thanked Council Member Loyzelle for sponsorship of the item and expressed support. 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

13. PUBLIC COMMENTS

Mayor Bell opened Public Comments. There being no one wishing to speak, Mayor Bell closed Public Comments.

14. MAYOR AND COUNCIL COMMENTS

There were no Mayor and Council comments.

15. OTHER BUSINESS

There was no other business.

16. ADJOURNMENT

A motion was made by Council Member Mixon to adjourn. The motion received a second from Vice Mayor Sochin. The meeting adjourned at 10:46PM.

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