



Town of Cutler Bay

Town Hall
10720 Caribbean Blvd
Cutler Bay, FL 33189

Meeting Minutes

Town Council

MAYOR AND COUNCIL MEMBERS

Mayor Tim Meerbott

Vice Mayor Sue Ellen Loyzelle

Council Member Robert "BJ" Duncan

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, June 17, 2020

7:00 PM

Council Chambers

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

Mayor Tim Meerbott called the meeting being held virtually via Adobe Connect to order at 7 p.m. at the close of the LPA meeting. Town Clerk Debra Eastman called the roll.

Present: 5 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert "BJ" Duncan, Council Member Michael P. Callahan and Council Member Roger Coriat

2. TOWN COUNCIL ANNOUNCEMENTS, BOARD & COMMITTEE REPORTS

Mayor Meerbott opened the item and stated that all of the Council Members have provided written reports. Council Member Robert "BJ" Duncan asked to explore changes to the Code in the Town Center District to make the area environmentally friendly. There was no objection.

- A.**
- Mayor Meerbott June 2020 Report
 - Vice Mayor Loyzelle June 2020 Report
 - Council Member Duncan June 2020 Report
 - Council Member Callahan June 2020 Report
 - Council Member Coriat June 2020 Report

3. PUBLIC COMMENTS

Mayor Meerbott called for public comments. Town Clerk Debra Eastman provided instructions for those wishing to participate in the meeting. There were no public comments.

4. REPORTS

A. TOWN MANAGER'S REPORT

Town Manager Ralph Casals provided a written report. He further announced the launch of the new website, upcoming food share distribution event, and provided an update on the Franjo Road project.

- Town Manager Monthly Report June 2020

B. TOWN ATTORNEY'S REPORT

Town Attorney Mitch Bierman provided an update on the status of being able to hold virtual Council meetings, County revenue and appearance at value adjustment hearings.

C. TOWN CLERK'S REPORT

Town Clerk Debra Eastman reported lien search revenue, reminded of July 1 deadline to file Financial Disclosure, remediation of documents for ADA compliance, recodification and upcoming municipal election deadlines.

5. CONSENT AGENDA

Mayor Meerbott requested any pulls from the Consent Agenda. Council Member Coriat requested that items C and D be pulled. Council Member Coriat made a motion to adopt the balance of the Consent Agenda. It received a second from Council Member Duncan. The motion carried by an unanimous vote. (5-0)

APPROVAL OF MINUTES

- A.**
- May 20 2020 Local Planning Agency Minutes
 - May 20 2020 Regular Town Council Minutes

This Minutes was approved on Consent.

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE UNITED STATES HOUSE BILL 6800, ENTITLED "THE HEROES ACT," WHICH EXPANDS RELIEF TO ADDRESS THE IMPACTS OF THE NOVEL CORONAVIRUS DISEASE 2019 ON THE ECONOMY, PUBLIC HEALTH, STATE AND LOCAL GOVERNMENTS, INDIVIDUALS, AND BUSINESSES; PROVIDING FOR TRANSMITTAL; 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 REMOVE PREVALENT INVASIVE EXOTIC PLANT SPECIES FROM TOWN OWNED PROPERTIES AND RIGHTS-OF-WAY, INCLUDING SAPLINGS AND SPROUTS; FURTHER AUTHORIZING THE TOWN MANAGER TO CREATE A PUBLIC AWARENESS CAMPAIGN AND SEEK GRANTS RELATING TO THE REMOVAL OF SUCH SPECIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the Resolution. Council Member Coriat spoke to invasive exotic plants and urged education and information for the public. A motion was made by Council Member Coriat, seconded by Council Member Duncan, that this Resolution be adopted. The motion carried by an unanimous vote. (5-0)

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CONDEMNING THE RECKLESS ACTIONS OF THE MINNEAPOLIS POLICE OFFICERS INVOLVED IN THE DEATH OF GEORGE FLOYD, EXTENDING CONDOLENCES TO THE FAMILY OF GEORGE FLOYD FOR THEIR LOSS, AND SUPPORTING THE FLOYD FAMILY IN ITS CALL FOR JUSTICE AND PEACE FOLLOWING THIS INCIDENT; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the Resolution. Council Member Coriat spoke of the peaceful local demonstrations and thanked the Police for their assistance. A motion was made by Council Member Coriat, seconded by Council Member Duncan, that this Resolution be adopted. The motion carried by an unanimous vote. (5-0)

- E.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING MIAMI-DADE COUNTY MAYOR CARLOS A. GIMENEZ AND THE BOARD OF COUNTY COMMISSIONERS TO TRANSFER CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT DIRECT FEDERAL FUNDS RECEIVED BY MIAMI-DADE COUNTY TO THE TOWN OF CUTLER BAY AND TO OTHER UNITS OF LOCAL GOVERNMENT WITHIN THE COUNTY BASED ON POPULATION AND RATES OF COVID-19 CASES; PROVIDING FOR TRANSMITTAL; 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, SUPPORTING THE CUTLER BAY PROPERTIES ACQUISITION PROPOSAL NO. 4 OF THE MIAMI-DADE COUNTY'S ENVIRONMENTALLY ENDANGERED LANDS PROGRAM; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

6. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

There were no quasi-judicial items.

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, COMPREHENSIVELY UPDATING AND REVISING CHAPTER 3, "LAND DEVELOPMENT REGULATIONS," CHAPTER 14, "ENVIRONMENTAL PROTECTION," AND CHAPTER 26, "PROPERTY MAINTENANCE AND CONTROL" OF THE TOWN CODE OF ORDINANCES RELATING TO ENVIRONMENTAL, RESILIENCY, AND SUSTAINABILITY REGULATIONS; DISSOLVING THE MORATORIUM IMPOSED BY ORDINANCE NO. 19-13 AS TO ENVIRONMENTAL, RESILIENCY, AND SUSTAINABILITY REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the ordinance. Town Manager Ralph Casals introduced Interim Community Development Director Alex David and Consultant Scarlett Hammond who provided an overview. Council Member Coriat stated he would like to make a technical amendment to item. The Army Corps of Engineers at a recent meeting used the term "nature based features" and Town is using term "living shoreline". He would like to make amendment to replace the term "living shoreline" with "natural and nature based" features. A motion was made by Council Member Coriat, seconded by Council Member Callahan, that this Ordinance be approved on first reading as amended. The motion carried by the following vote:

Yes: 5 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, COMPREHENSIVELY UPDATING AND REVISING CHAPTER 3, "LAND DEVELOPMENT REGULATIONS OF THE TOWN CODE OF ORDINANCES RELATING TO ARCHITECTURAL AND LANDSCAPE REGULATIONS; DISSOLVING THE MORATORIUM IMPOSED BY ORDINANCE NO. 19-13 AS TO ARCHITECTURAL AND LANDSCAPE STANDARDS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the ordinance. Town Manager Ralph Casals introduced Interim Community Development Director Alex David who explained the moratorium process so far. Consultant Heidi Siegel spoke of working with the Council through the workshops, Vice Mayor Loyzelle explained that the main part was for facade improvement and that language needs work. She indicated that it's important for beautification of storefront and businesses. She would like to add different things to get people to spruce up their area. She would like to add a landscape component into the incentive piece along with facade incentive and she will work with the Town Manager for the second reading of the ordinance. A motion was made by Vice Mayor Loyzelle, seconded by Council Member Duncan, that this Ordinance be approved on first reading. The motion carried by the following vote:

Yes: 5 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

- C. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 3-169, "SPECIAL EVENTS," OF THE TOWN CODE OF ORDINANCES RELATING TO SPECIAL EVENT PERMIT PROCEDURES AND SPECIAL EVENTS FOR NOT-FOR-PROFIT ORGANIZATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the ordinance. Council Member Callahan as sponsor of the item explained that this will add flexibility to businesses to host up to a total of seven (7) events in a year with three (3) regular and four (4) for non-profit. A motion was made by Council Member Callahan, seconded by Vice Mayor Loyzelle, that this Ordinance be approved on first reading. The motion carried by the following vote:

Yes: 5 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

8. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

- A. 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.

Town Clerk Debra Eastman read the title of the ordinance. Town Manager Ralph Casals introduced Interim Community Development Director Alex David who explained the update and introduced Consultant Scarlett Hammond. There were no questions. Mayor Meerbott opened the public hearing. There was no one wishing to speak and Mayor Meerbott closed the public hearing. A motion was made by Council Member Coriat, seconded by Council Member Callahan, that this Ordinance be approved on first reading. The motion carried by the following vote:

Yes: 5 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

9. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, COMPREHENSIVELY UPDATING AND REVISING CHAPTER 3, "LAND DEVELOPMENT REGULATIONS" OF THE TOWN CODE OF ORDINANCES RELATING TO MOBILITY REGULATIONS; DISSOLVING THE MORATORIUM IMPOSED BY ORDINANCE NO. 19-13 AS TO MOBILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the ordinance. Town Manager Ralph Casals introduced Interim Community Development Director Alex David who explained the ordinance and process. Mayor Meerbott opened the public hearing. There being no one wishing to speak, the public hearing was closed. A motion was made by Vice Mayor Loyzelle, seconded by Council Member Coriat, that this Ordinance be adopted. The motion carried by the following vote:

Yes: 5 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 3-164 RELATING TO ALTERNATIVE MATERIALS AND PAVERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the ordinance. Town Manager Ralph Casals explained that there were no changes from the last meeting. Mayor Meerbott opened the public hearing. There being no one wishing to speak, Mayor Meerbott closed the public hearing. A motion was made by Council Member Callahan, seconded by Council Member Duncan, that this Ordinance be adopted. The motion carried by the following vote:

Yes: 5 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

10. RESOLUTIONS

- A.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CONFIRMING EMERGENCY ORDER NO. 20-05 AND AMENDMENTS 1 AND 2 TO EMERGENCY ORDER 20-04 DUE TO THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the resolution. Town Manager Ralph Casals explained that the resolution will ratify the Emergency Orders executed by him during this COVID-19 Pandemic Crisis. Council Member Coriat spoke of the number of cases and concern that the curve is not flattening. A motion was made by Council Member Callahan, seconded by Vice Mayor Loyzelle, that this Resolution be adopted. The motion carried by an unanimous vote. (5-0)

11. PUBLIC COMMENTS

Mayor Meerbott opened public comments. There being no one wishing to speak, he closed public comments.

12. ADJOURNMENT

The meeting adjourned at 8:25 p.m.