



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

Interim Town Clerk Debra E. Eastman, MMC

Wednesday, January 18, 2017

7:00 PM

Council Chambers

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

Mayor Peggy Bell called the meeting to order at 7:02 PM. Interim Town Clerk Debra Eastman called the roll. Council Members Michael Callahan, Roger Coriat and Mary Ann Mixon were in attendance along with Mayor Peggy Bell. Vice Mayor Sue Loyzelle attend via telephone.

A motion was made by Council Member Mixon to allow Vice Mayor Loyzelle to attend via telephone. The motion received a second and all were in favor.

Mayor Bell welcomed the Boy Scouts from Troop 941 who were in attendance as part of obtaining their government badge. Kevin Dellahous came forward and led the Pledge of Allegiance.

Mayor Bell asked for a moment of silence for children recently killed by gun violence in MLK Park and for children recently attacked by a pit bull in Atlanta.

Present: 5 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle, Council Member Mary Ann Mixon, Council Member Michael P. Callahan and Council Member Roger Coriat

2. PROCLAMATIONS, AWARDS, AND PRESENTATIONS

A. Presentation- Senator Jose Javier Rodriguez

Mayor Bell introduced newly elected Senator Jose Javier Rodriguez and newly re-elected State Representative Kionne McGhee. Senator Rodriguez thanked the Council for their assistance in getting up to speed and discussed legislative priorities. State Representative Kionne McGhee also thanked the Town Council for their support and complimented the Town Administration for their diligence. Mayor Bell thanked them for their support.

B. Proclamation- Miami Southridge Class 8A Football State Champions

Mayor Bell introduced the Miami Southridge Class 8A Football State Champions and presented a proclamation highlighting their accomplishments to them.

C. · Proclamation- Antonio Prohias

Mayor Bell introduced Mr. Antonia Prohias and presented a proclamation to him for his many accomplishments including a 40 year teaching career.

3. APPROVAL OF MINUTES

There were none.

4. TOWN COUNCIL ANNOUNCEMENTS

Vice Mayor Loyzelle thanked the Mayor and Council Members for allowing her to attend via telephone during her recuperative period.

A. · Mayor Bell Monthly Report December 8 2016 - January 9 2017

Mayor Bell pointed out that she has provided a written report and reminded of the State of the Town Address which will take place on January 25, the meeting regarding the Miami-Dade County Fire Department monopole and the February 2, 2017 Fraud Prevention Workshop.

Council Member Mary Ann Mixon provided a reminder of the Green Masterplan Public Visioning Meeting on Monday, February 13, 2017.

5. PUBLIC COMMENTS

Barbara Condon provided public comment on the proposed new agenda format, item 8A. Ms. Condon thanked the Mayor for the item and thanked Council Member Mixon for sponsoring the ex-parte ordinance. Ms. Condon spoke of the wetlands restoration event.

Thomas Condon spoke about maintenance at Cutler Ridge Park and spoke in opposition to an aquatic facility. There being no further public comments, Mayor Bell closed public comments.

6. REPORTS

A. TOWN MANAGER'S REPORT

· Presentation- Kimley Horn & Associates, Inc.

Town Manager Ralph Casals introduced Jorge Puig from Kimley-Horn and Associates, Inc. who presented the plans for the Town Center project. After discussion from the Town Council, Mayor Bell thanked Mr. Puig and the Town Manager for the presentation.

· Presentation- Wolfberg Alvarez & Partners

Town Manager Ralph Casals introduced Mr. George Denes from Counsilman Hansaker who gave a presentation for the aquatic facility. Mr. Aris Garcia, Vice President of Wolfberg Alvarez & Partners also provided input. Members of the Town Council discussed the cost of the facility, insurance, staff costs, construction time, relocation of the soccer field. There was discussion regarding a mail out survey and the Town's borrowing capacity. Town Attorney Mitch Bierman provided information regarding a general obligation bond and the requirement of a town wide vote. Town Manager Casals suggested that the Town Council hold a workshop on both the town center plaza and the aquatic facility and he will prepare financial figures for their discussion, including the cost of any open land. Mayor would also like to have information regarding possible property tax increases if the proposed projects were to be built. Financial Advisor, First Southwest was merged into Hilltop securities. The Town Manager and the Town Attorneys have reviewed the documents and agree that this is an assignment. Consent to the assignment requires a vote from the Town Council and the Town Manager is requesting a motion. Town Attorney Mitch Bierman stated that a motion to consent to the assignment is in order from the Town Council. Council Member Roger Coriat made a motion to consent to the assignment. The motion received a second from Council Member Mixon. Mayor Bell called for the vote and all were in favor.

B. TOWN ATTORNEY'S REPORT

The Town Attorney had no report.

C. TOWN CLERK'S REPORT

Interim Town Clerk Debra Eastman thanked the Town Council for appointing her as the Interim Town Clerk. She reported on the status of filling the vacant position of Assistant to the Town Clerk and has been working with Municode to update ordinances for 2016 and recodification. Codification of the Town's ordinaces has been set semi-annually. She explained the use of the Ordbank and other features. She reported on other practices and procedures within the Town Clerk's office and the planned Ethics Training in February and the renewal of lobbyist registrations for 2017. Vice Mayor Loyzelle suggested that the Committees be invited to the Ethics Training. Mayor Bell suggested that a workshop be held with all of the committee members to update them on ethics and sunshine requirements.

D. BOARD AND COMMITTEE REPORTS

Council Member Coriat announced the next Education Advisory Committee on February 2, 2017 and informed that the Parks and Recreation Committee meeting in January was cancelled due to a lack of quorum. He announced Cutler Bay Chili Day which will take place at Cutler Ridge Park on Jan. 21, 2017 and the Tour de Parks bike ride on Saturday, January 28, 2017.

Vice Mayor Loyzelle provided a report on the January Community for a Lifetime Committee meeting and the discussion of their strategic master plan. Vice Mayor Loyzelle spoke of a town survey. Town Manager Ralph Casals suggested that the survey may be merged with other pending survey subjects for town services, open space and an AARP Age-Friendly community. Mayor Bell suggested an on-line survey might be considered.

Mayor Bell reported on the proposed trip to Tallahassee for the Youth Council Committee and the estimated cost of \$4,000. Council Member Coriat suggested that the members may want to set up a "Go Fund Me" page to get the word out. Mayor Bell reported on the efforts of the Economic Growth Committee to partner with the Cutler Bay Business Association.

Vice Mayor Loyzelle requested an update on having a travel policy for committees. Mayor Bell explained that the policy will be on a case by case basis as discussed in the Workshop. Town Attorney Mitch Bierman provided clarification regarding liability for travel and he will provide information to the Town Council on the policies from other municipalities.

7. CONSENT AGENDA

Council Member Coriat pulled item 7D. Vice Mayor Loyzelle pulled item 7C and 7E. Mayor Bell pulled item 7A.

Council Member Mixon made a motion to pass consent agenda item 7B. Council Member Coriat provided a second to the motion. 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, ACCEPTING AN EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AWARD; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bell explained she pulled this item to request that the Town Manager research having drug overdose medication in each police patrol vehicle. Town Manager Ralph Casals responded that he will get information from Miami Dade County Police Department as to their standard operating procedures and training.

A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted. The motion carried by an unanimous vote. (5-0)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING A PEDESTRIAN AND BICYCLE SAFETY ENFORCEMENT CAMPAIGN GRANT IN THE AMOUNT OF \$9,736.80; AUTHORIZING THE TOWN MANAGER TO EXECUTE A GRANT AGREEMENT WITH THE UNIVERSITY OF SOUTH FLORIDA BOARD OF TRUSTEES; 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 SUBMIT A GRANT APPLICATION TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING AN EFFECTIVE DATE.

Vice Mayor Sue Loyzelle provided background information on the grant and thanked the Town staff for their hard work on this item.

A motion was made by Vice Mayor Loyzelle, seconded by Council Member Callahan, 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, APPOINTING AND REAFFIRMING MEMBERS TO THE TOWN OF CUTLER BAY COMMITTEES; APPOINTING TOWN COUNCIL LIAISONS TO THE COMMITTEES; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk advised that the resolution should be amended to include affirmation that Mayor Bell is the liaison to the Economic Growth Committee. Mayor Bell suggested that the resolution be amended to include term of service limits to eight consecutive years. Town Attorney Mitch Bierman advised that upon passage of this resolution that ordinance 13-01 should be amended to also include the term of service limits. A motion was made by Council Member Coriat to adopt the resolution to include affirmation of Mayor Bell as the liaison to the Economic Growth Committee and that a section be added to the resolution to include term of service limits to eight consecutive years. The motion received a second by Council Member Mixon that this Resolution be adopted as amended . 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, AMENDING RESOLUTION NO. 12-63 AS AMENDED BY RESOLUTION NO. 13-62 CONCERNING THE YOUTH COUNCIL COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Mayor Bell provided clarification for the need to amend Resoluton 13-62. Town Attorney Mitch Bierman explained the reason for the change and the impact of the Sunshine Law. A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted. The motion carried by an unanimous vote.
(5-0)**

8. RESOLUTIONS

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, MODIFYING RESOLUTION 15-45 TO PROVIDE FOR A REVISED TOWN COUNCIL AGENDA FORMAT; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bell suggested that the second public comments section, which had been removed, be put back into the agenda. Town Attorney Mitch Bierman suggested that the approval of minutes be part of the Consent Agenda.

A motion was made by Council Member Coriat to add the second public comments section back into the agenda and make the approval of minutes as part of the Consent Agenda. The motion received a second by Council Member Mixon and the Resolution was adopted as amended. The motion carried by an unanimous vote. (5-0)

9. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

There were none.

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

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, REPEALING SECTION 2-99 OF THE TOWN CODE OF ORDINANCES RELATING TO EX- PARTE COMMUNICATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

After discussion by the Town Council, a motion was made by Council Member Mixon, seconded by Council Member Coriat, that this Ordinance be withdrawn. The motion carried by an unanimous vote. (5-0)

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ESTABLISHING THE CANDIDATE QUALIFYING PERIOD FOR THE 2018 MUNICIPAL GENERAL ELECTION; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

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: 5 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle, Council Member Mary Ann Mixon, Council Member Michael Callahan and Council Member Roger Coriat

11. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

There were none.

12. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

There were none.

13. PUBLIC COMMENTS

The Mayor opened public comments. There being no one wishing to speak, Mayor Bell closed public comments.

14. MAYOR AND COUNCIL COMMENTS

- A. Discussion Regarding Advisory Committee Unification of Bylaws
(Vice Mayor Loyzelle)

Vice Mayor Loyzelle suggested that there be a Unified Bylaws Committee made up of one person from each of the committees except the Youth Council Committee and the Floodplain Master Plan Committee. After discussion Vice Mayor Loyzelle made a motion to form an information gathering group to work with Council Member Callahan to form a uniform set of bylaws. The motion received a second from Council Member Callahan. Mayor Bell called for the vote and the motion failed 3-2 with Mayor Bell, Council Member Coriat and Council Member Nixon voting in opposition. After further discussion, Mayor Bell made a motion to create a task force solely for the creation of universal bylaws with Council Member Callahan serving as the liaison and that the committee will sunset once a recommendation has been made to the Town Council. Council Member Callahan gave a second to the motion. Mayor Bell called for the vote and all were in favor.

15. OTHER BUSINESS

There was no other business.

16. ADJOURNMENT

The meeting adjourned at 11:38 p.m.

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