



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, June 20, 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 7:03 p.m. Present were Council Member Michael Callahan, Council Member Roger Coriat, Council Member Mary Ann Mixon, Vice Mayor Sue Loyzelle and Mayor Peggy Bell. Mary Bell the led the Pledge of Allegiance.

Council Member Mixon made a motion to move item 10A to the beginning of the agenda. The motion received a second from Council Member Coriat. All were in favor.

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. TOWN COUNCIL ANNOUNCEMENTS, BOARD & COMMITTEE REPORTS

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

Mayor Bell called attention to the Mayor and Town Council Reports contained in the agenda. Council Member Mary Ann Mixon announced the upcoming meeting of the Floodplain Mitigation Committee.

3. PUBLIC COMMENTS

There were no public comments.

4. REPORTS

A. TOWN MANAGER'S REPORT

- Presentation-Miami Dade Dept. of Transportation and Public Works

A presentation of the Miami-Dade County Department of Transportation and Public Works, South Corridor Rapid Transit Project was presented to the Town Council. There was discussion by the Town Council.

There was a motion to extend the time period before beginning the 8 p.m. certain time for the quasi-judicial items made by Council Member Coriat. The motion received a second from Council Member Mixon. Mayor Bell called for the vote and the motion carried.

(5-0)

Mayor Bell called on County Commissioner Daniella Levine Cava who provided information about upcoming events and meetings regarding transit. The Mayor and Town Council Members thanked Commissioner Levine Cava for her assistance.

- Town Manager Monthly Report June 2018

Town Manager Ralph Casals announced that the Town has received an award for the Town's Green Masterplan. Town Manager Casals discussed an option for a phone survey regarding transit.

Mayor Bell invited Adam Skowronski to speak regarding rail service. Town Attorney Mitch Bierman suggested that the Town Manager work with a marketing company to determine questions appropriate for the phone survey. Vice Mayor Loyzelle indicated approval to poll Cutler Bay residents. Council Members Mixon and Coriat agreed to the survey and Council Member Callahan was opposed.

Town Manager Ralph Casals reported on the unfunded mandate for police officers at the school sand the fiscal impact.

B. TOWN ATTORNEY'S REPORT

There was no report from the Town Attorney.

C. TOWN CLERK'S REPORT

Town Clerk Debra Eastman reminded of the Form 1 and gift disclosure deadlines, updated the status of candidates for the November 6 General Election and reminded the Town Council of her upcoming absence from the office.

5. CONSENT AGENDA

Town Manager Ralph Casals asked to withdraw item 5B from the consent agenda due to an irregularity. Council Member Mixon made a motion to adopte the consent agenda. The motion received a second from Council Member Coriat. Mayor Bell called for the vote and all were in favor.

APPROVAL OF MINUTES

- A. · April 2, 2018 Special Call Meeting Minutes

This Minutes was approved on Consent.

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING FERGUSON GLASGOW SCHUSTER SOTO, INC. PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 18-03 FOR ARCHITECTURAL SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was withdrawn

- 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 A ROBOTICS SUMMER CAMP AT TOWN HALL; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE SAME; 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 TOWN MANAGER TO ISSUE A PURCHASE ORDER TO ENVIROWASTE SERVICES GROUP, INC. FOR PHASE V PART II OF THE ROADWAY RESURFACING PROJECT WITHIN THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE

This Resolution was adopted on Consent.

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE AGREEMENT FOR BILLING OF STORMWATER CHARGES BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF CUTLER BAY; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

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 Attorney Mitch Bierman read the quasi-judicial statement. There were no additional ex-parte reports submitted to the Town Clerk.

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION FOR DADE COUNTY FEDERAL CREDIT UNION LOCATED AT 20295 S. DIXIE HIGHWAY, TO PERMIT THREE (3) WALL SIGNS WHERE ONE (1) IS PERMITTED; AND PROVIDING FOR AN EFFECTIVE DATE

The Town Clerk provided the oath to those intending to testify and read the title of the resolution. Town Planner Kathryn Lyon explained the variance request

and introduced Kristen Nowicki, Town consultant from Keith and Schnars. Members of the Town Council asked questions regarding the signs size and placement. Mayor Bell suggested that landscaping be added. Mayor Bell made a motion to approve the variances with the condition that the proffered landscaping take place and that the applicant work with staff on the landscaping. Council Member Coriat provided a second to the motion. There was further discussion of the timing of the landscaping and requirements of the Town's code. A motion was made by Mayor Bell, seconded by Council Member Coriat, that this Resolution be adopted. The motion carried by the following vote:

Yes: 4 - Mayor Peggy Bell, Council Member Mary Ann Mixon, Council Member Michael Callahan and Council Member Roger Coriat

No: 1 - Vice Mayor Sue Ellen Loyzelle

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE IV, DISTRICTS AND DEVELOPMENT STANDARDS, SEC. 3-60(4) OF THE TOWN CODE RELATING TO THE MINIMUM PERCENTAGE REQUIRED FOR BUILDING FRONTAGE FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE. V-2016-021(a)

Town Clerk Debra Eastman read the title of the resolution. Town Planner Kathryn Lyon provided the staff report. Town Consultant Alex David explained the requirement for the variance. Mr. David indicated that Item E on the agenda can be withdrawn because the applicant has now complied. Ben Fernandez on behalf of the applicant provided information on the plans and explained the unusual shape and conditions of the property. Town Council Members made inquiries of the applicant to further clarify the information. A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted. 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

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE IV, DISTRICTS AND DEVELOPMENT STANDARDS, SEC. 3-60(4) OF THE TOWN CODE RELATING TO THE FRONT (MINIMUM/MAXIMUM) PRINCIPAL STRUCTURE SETBACKS FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE. V-2016-021(b)

A motion to extend the meeting beyond 11 p.m. was made by Council Member Callahan. The motion received a second from Council Member Coriat. Mayor Bell called for the vote and all were in favor.

A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted. 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

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE IV, DISTRICTS AND DEVELOPMENT STANDARDS, SEC. 3-60(4) OF THE TOWN CODE RELATING TO THE REAR PRINCIPAL STRUCTURE SETBACKS FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE. V-2016-021 (c)

Alex David Town Planning Consultant reviewed the variance details. Mayor Bell and Council Member Coriat spoke of the blank walls on the transit-way side of the building and asked that the trellis design from the front be incorporated. A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted. 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

- E.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE VI. – ARCHITECTURE AND FORM STANDARDS, SEC. 3-80(U) OF THE TOWN CODE RELATING TO NONRESIDENTIAL AND MIXED-USE DEVELOPMENTS FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE. V-2016-021(d)

This Resolution was withdrawn

- F.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE X. - OFF-STREET PARKING AND LOADING AREAS, SEC. 3-144 OF THE TOWN CODE RELATING TO THE REQUIRED NUMBER OF PARKING SPACES FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE. V-2016-021(e)

Alex David Town Planning Consultant clarified the request and spoke about parking space reduction and bike racks. A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted. The motion carried by the following vote:

Yes: 3 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle and Council Member Mary Ann Mixon

No: 2 - Council Member Michael Callahan and Council Member Roger Coriat

- G.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE X. - OFF-STREET PARKING AND LOADING AREAS, SEC. 3-147 OF THE TOWN CODE RELATING TO OFF-STREET LOADING REQUIREMENTS FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE. V-2016-021(f)

Alex David Town Planning Consultant clarified the details of the variance and there was discussion about deliveries by large trucks and how they have difficulty maneuvering in a small space. A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted. 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

- H.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE VII, LANDSCAPING AND TREE PRESERVATION, SEC. 3-102 OF THE TOWN CODE RELATING TO THE LANDSCAPING REQUIRED FOR SURFACE PARKING AREAS AND BUILDING PERIMETERS FOR 1622 INVESTMENT CORP GENERALLY LOCATED SOUTHWESTERLY OF CARIBBEAN BOULEVARD AND U.S. 1 EXTENDING A DISTANCE OF 917.27 FEET (FOLIO NOS. 36-6007-000-0333, 36-6007-000-0334, 36-6007-000-0330, 36-6007-000-0336); AND PROVIDING FOR AN EFFECTIVE DATE. V-2016-021(g)

A motion was made by Council Member Coriat to approve with the agreement that no gumbo limbo trees be planted, and it was seconded by Council Member Mixon, that this Resolution be adopted. 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

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

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, APPOINTING A MEMBER TO THE PARKS AND RECREATION COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the resolution. Council Member Mary Ann Mixon introduced Mr. Larry Aguero as her appointee to the vacancy on the Parks and Recreation Committee. Mr. Aguero thanked the Town Council and provided them with his background information. A motion was made by Council Member Mixon, seconded by Council Member Callahan, 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 CALLING A SPECIAL ELECTION ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE TOWN OF CUTLER BAY, FLORIDA, FOUR CHARTER AMENDMENTS PROPOSED BY THE CHARTER REVISION COMMISSION, AS SUBSEQUENTLY REVIEWED, REVISED, AND APPROVED FOR SUBMITTAL TO THE ELECTORS BY THE TOWN COUNCIL, IN ACCORDANCE WITH SECTIONS 6.1 AND 6.2 OF THE TOWN CHARTER AND SECTION 6.03 OF THE MIAMI-DADE COUNTY HOME RULE CHARTER; PROVIDING REQUISITE BALLOT LANGUAGE; PROVIDING FOR BALLOTING AND ELECTION PROCEDURES; PROVIDING FOR NOTICE OF ELECTION; PROVIDING FOR COPIES; PROVIDING FOR CHARTER AMENDMENT ELECTION PROCEDURES AND RELATED DETAILS; PROVIDING FOR INCLUSION IN THE CHARTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the resolution. The Town Council discussed the election process for November 6. A motion was made by Council Member Nixon, seconded by Vice Mayor Loyzelle, that this Resolution be adopted . The motion carried by an unanimous vote. (5-0)

11. PUBLIC COMMENTS

There was no one wishing to speak under public comments

Mayor Bell introduced a resolution that was not on the agenda. Town Clerk Debra Eastman read the title as follows:

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, OPPOSING THE FEDERAL GOVERNMENT'S ZERO TOLERANCE POLICY ON ENTERING THE UNITED STATES FROM THE UNITED STATES-MEXICO BORDER UNDER WHICH CHILDREN ARE SEPARATED FROM THEIR PARENTS; SUPPORTING LEGISLATION TO END THE POLICY; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bell made a motion to adopt the resolution and Council Member Coriat provided a second. There was no discussion. Mayor Bell called for the vote and the motion carried. (5-0)

Mayor Bell and members of the Town Council spoke of a local facility housing children separated from their parents. Town Manager Ralph Casals will follow up on this.

12. ADJOURNMENT

The meeting adjourned at 12:15 a.m.