



# 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*

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Wednesday, May 18, 2016

7:00 PM

Council Chambers

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

Mayor Bell called the meeting to order at 7:09PM. Town Clerk Jacqueline Wilson called the roll. Mayor Bell led the Pledge of Allegiance.

**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 informed the Council and the public that the applicants for Rezoning item 9A, Rezoning item 9B, and Amending Future Land Use Map item 11B requested deferral.

## 2. PROCLAMATIONS, AWARDS, AND PRESENTATIONS

Mayor Bell acknowledged Florida State Representative Jose Javier Rodriguez in attendance and invited him to speak.

### A. · Proclamation- Amyotrophic Lateral Sclerosis (ALS) Month

Mayor Bell extended regrets on behalf of the Amyotrophic Lateral Sclerosis (ALS) Foundation unable to attend to attend the meeting.

### B. · Presentation- Palmetto Raiders Football Program- Clarence Moss, Commissioner

Town Manager Rafael Casals introduced Palmetto Raiders Football Program Commissioner Clarence Moss to report on recent awards and accomplishments.

### C. · Certificate of Appreciation- Cutler Bay Solar Solutions

Mayor Bell and members of the Town Council presented a Certificate of Appreciation to Mr. Raul Vergara of Cutler Bay Solar Solutions for the installation of a solar-powered informational kiosk in front of Town Hall.

**D.** · Presentation- Lenzey Stidham, Miss Cutler Bay USA

**Council Member Mixon introduced Inaugural Miss Cutler Bay USA Lenzey Stidham and invited her to speak.**

### **3. APPROVAL OF MINUTES**

**A.** · April 20 2016 Local Planning Agency Minutes  
· April 20 2016 Regular Town Council Minutes

**A motion was made by Council Member Loyzelle, seconded by Council Member Mixon, that the minutes be approved. Mayor Bell called for the vote and the motion passed 5-0.**

**At the request of Mayor Bell, a motion was made by Council Member Mixon, seconded by Council Member Coriat to move Public Comments up on the agenda. Mayor Bell called for the vote and the motion passed 5-0.**

### **4. TOWN COUNCIL ANNOUNCEMENTS**

**Council Member Loyzelle reported on her inability to attend Open Mic Night due to a conflicting mandatory business function and expressed gratitude for Open Mic Night audio provided per her request. Council Member Loyzelle reported on a Resolution sponsored by Miami-Dade County District 8 Commissioner Daniella Levine Cava to allow circulators on the busway and expanded on Town efforts associated with bus circulators and routes. Council Member Loyzelle spoke in opposition of Florida Power and Light installation of concrete poles. Council Member Mixon reported on attendance at the Everglades Foundation Seminar. Council Member Coriat reported on participation at the Vineland K-8 Center Career Day Event as a Council Member.**

**A.** · Mayor Bell Monthly Report April 15-May 12 2016

**Mayor Bell reported on attendance at Open Mic Night and the Informational Town Hall Meeting on Turkey Point Cooling Canals.**

Council Member Loyzelle announced the Cutler Ridge Womans Club 60th Anniversary Event on May 21, 2016.

Mayor Bell announced the Cutler Ridge Soccer Club 50th Anniversary Event on May 21, 2016.

Town Manager Rafael Casals announced "The Consequences Aren't Minor" Family Town Hall Meeting on May 23, 2016.

Mayor Bell announced the Social Media and Public Records Workshop on May 25, 2016 and the Coalition of Women Mayors Meeting on May 19, 2016.

Council Member Loyzelle expressed gratitude for Council Member Mixon's attendance and support to present a Proclamation to the YMCA on behalf of the Mayor and Town Council at the YMCA Safety Around Water Awareness and Family Celebration Event.

Mayor Bell announced the Cutler Bay Senior High Inaugural Commencement Ceremony on June 8, 2016.

## 5. PUBLIC COMMENTS

Mayor Bell opened Public Comments. Ms. Susan Nussbaum spoke in opposition of agenda item deferrals. Ms. Nussbaum spoke in opposition of density and rezoning item 9A. Ms. Nussbaum also spoke in opposition of building permits issued without prior communication with the Home Owners Association. At the request of Mayor Bell, Town Manager Rafael Casals provided clarification on building permits and issuance procedure. Mr. David Bader spoke in opposition of development. Mr. Marco Fernandez spoke in opposition of development. Ms. Fabiana Estrada spoke in opposition of rezoning and development. Mayor Bell closed Public Comments.

## 6. REPORTS

### A. TOWN MANAGER'S REPORT

Town Manager Rafael Casals reported on Distracted Driving initiative efforts. Town Manager Rafael Casals also reported on notices sent out pertinent to a Miami-Dade County property zoning application. Town Manager Rafael Casals provided a progress report on vacant property research in accordance with Town Resolution 16-25 adopted at the April 20, 2016 Regular Town Council Meeting. Town Manager Rafael Casals announced the Tri-City Hurricane Preparedness Workshop on June 4, 2016 and multiple Public Outreach Meetings in preparation for the Town Center Plaza Conceptual Plans Design project and the Town Aquatics Facilities project. Town Manager Rafael Casals also announced the Cutler Ridge After School Care Program Dance on June 1, 2016. Town Manager Rafael Casals reported on the completion of a recent audit and thanked Town Staff for their efforts. Gary Ratay of Kimley-Horn and Associates presented an update on the Caribbean Boulevard Roadway Improvement Project and reported on coordination efforts to pair the bridge and Gap 2 projects together.

### B. TOWN ATTORNEY'S REPORT

At the request of Vice Mayor Sochin, Town Attorney Mitchell Bierman provided an update on the Publix litigation case.

## C. TOWN CLERK'S REPORT

**No Report.**

## D. BOARD AND COMMITTEE REPORTS

**Council Member Coriat reported on the Parks and Recreation Committee meeting and projects currently underway. Council Member Coriat also reported on the establishment of a Parks and Recreation sub-Committee focused on events. Council Member Coriat announced ongoing Summer Camp Registration, various upcoming events and the next Parks and Recreation Committee Meeting on June 6, 2016.**

**Vice Mayor Sochin reported on the progress of the Education Advisory Committee. At the request of Vice Mayor Sochin, Town Manager Rafael Casals provided clarification on Mater Academy.**

**Council Member Loyzelle reported on the Communities for a Lifetime Committee and its newly elected officers. Council Member Loyzelle announced the next Communities for a Lifetime Committee meeting on June 1, 2016.**

**Mayor Bell reported on the completion of the 2015-2016 Youth Council Committee. Mayor Bell also reported on the progress of the Economic Growth Committee.**

## 7. CONSENT AGENDA

**Council Member Mixon pulled item D from the Consent Agenda. Mayor Bell pulled items A and B from the Consent Agenda. A motion was made by Council Member Coriat, seconded by Council Member Mixon to adopt the remaining items 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 ISSUE A PURCHASE ORDER TO MARLIN ENGINEERING, INC. FOR PHASE I OF THE TOWN-WIDE TRAFFIC CALMING ALTERNATIVES STUDY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Town Clerk Jacqueline Wilson read the title of the Resolution. Mayor Bell pulled the item to highlight the traffic calming study. After discussion, a motion was made by Council Member Mixon, seconded by Council Member Loyzelle, 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, APPROVING THE CODESIGNATION OF THAT PORTION OF S.W. 212 STREET, BETWEEN S.W. 85 AVENUE AND S.W. 87 AVENUE, AS TIGER SHARK WAY; PROVIDING FOR AUTHORIZATION FOR THE TOWN MANAGER AND/OR DELEGATE TO ADVOCATE FOR SAME; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Town Clerk Jacqueline Wilson read the title of the Resolution. Mayor Bell pulled the item to highlight efforts associated with the Youth Council. A motion was made by Council Member Mixon, seconded by Vice Mayor Sochin, that this Resolution be adopted. Mayor Bell called for the vote and the motion passed 5-0.**

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE MIAMI-DADE COUNTY RESOLUTION URGING THE UNITED STATES ARMY CORPS OF ENGINEERS, THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO EXPEDITE PHASE II OF THE BISCAYNE BAY COASTAL WETLANDS PROJECT; 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, RELATING TO THE ADOPTION OF THE TOWN FLOODPLAIN MANAGEMENT PROGRAM FOR PUBLIC INFORMATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Town Clerk Jacqueline Wilson read the title of the Resolution. Council Member Mixon pulled the item to provide background information. A motion was made by Council Member Mixon, seconded by Council Member Coriat, 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, APPROVING THE PROFESSIONAL CONSULTING SERVICES AGREEMENT BETWEEN THE TOWN AND DEBRA E. EASTMAN, MMC; PROVIDING FOR A WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

## **8. RESOLUTIONS**

**There were no Resolutions.**

## **9. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)**

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE REQUEST OF CHANTERELLE PROPERTIES, INC. TO PERMIT A REZONING FROM SR (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO NR (NEIGHBORHOOD RESIDENTIAL DISTRICT) ON PROPERTY GENERALLY LOCATED ON S.W. 200TH TERRACE AND S.W. 87TH AVENUE (FOLIO NUMBER 36-6009-002-1820), AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 1.08 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Council Member Coriat, seconded by Council Member Loyzelle to defer item 9A to date certain July 20, 2016. At the request of Council Member Mixon, Town Attorney Mitchell Bierman provided clarification on the applicant's request for deferral. After discussion, Mayor Bell called for the vote and the motion passed 5-0.**

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE ZONING MAP TO PERMIT A REZONING FROM NC-2 (NEIGHBORHOOD CENTER 2) TO MR-13 (MULTIFAMILY RESIDENTIAL DISTRICT) ON PROPERTY GENERALLY LOCATED SOUTH OF SW 216TH STREET BETWEEN SW 93RD PATH AND SW 88TH PLACE (FOLIO NUMBER 36-6016-000-0027), AS LEGALLY DESCRIBED IN APPENDIX "B", CONSISTING OF APPROXIMATELY +/-18.57 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Council Member Coriat, seconded by Council Member Loyzelle to defer item 9B to date certain June 15, 2016. Town Attorney Mitchell Bierman advised the Council that amending future land use map item 11B goes along with item 9B, and can both be deferred together. After discussion, an amended motion was made by Council Member Coriat, seconded by Vice Mayor Sochin to defer item 9B and item 11B to date certain June 15, 2016. Mayor Bell called for the vote and the motion passed 5-0.

#### **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, AMENDING SECTION 3-168 OF THE TOWN CODE OF ORDINANCES, ENTITLED "WALLS, FENCES AND HEDGES;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Manager Rafael Casals introduced Building and Code Compliance Director Sandra Aronoff to present 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 Council Member Coriat, 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

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE FUTURE LAND USE MAP (FLUM) WITHIN THE TOWN'S COMPREHENSIVE PLAN FROM MIXED-USE TO MEDIUM DENSITY ON PROPERTY GENERALLY LOCATED SOUTH OF S.W. 216TH STREET BETWEEN S.W. 92ND PLACE AND S.W. 89TH COURT (FOLIO NUMBER 36-6016-000-0027), AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 18.57 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Mitchell Bierman advised the Council that amending future land use map item 11B goes along with item 9B, and can both be deferred together. After discussion, an amended motion was made by Council Member Coriat, seconded by Vice Mayor Sochin to defer item 9B and item 11B to date certain June 15, 2016. Mayor Bell called for the vote and the motion passed 5-0.

**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 SECTION 3-57 OF THE TOWN CODE OF ORDINANCES RELATING TO NR, NEIGHBORHOOD RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Manager Rafael Casals presented the item on behalf of Planning and Zoning Director Kathryn Lyon. 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 Coriat, that this Ordinance be approved on second 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

**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**

Town Attorney Mitchell Bierman reported on participation in the Greater Miami Chamber of Commerce Transportation Infrastructure Committee and announced the next committee meeting on May 20, 2016.

**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 9:54PM.

For complete audio recording of this meeting, please visit [www.cutlerbay-fl.gov](http://www.cutlerbay-fl.gov) or contact the Town Clerk's Office at (305) 234-4262.