

Town of Cutler Bay

*Town Hall
10720 Caribbean Blvd
Cutler Bay, FL 33189*



Meeting Agenda

Wednesday, December 14, 2016

7:00 PM

Council Chambers

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
Town Clerk*

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation or a sign language interpreter to participate in this proceeding should contact the Town Clerk at (305) 234-4262 for assistance no later than four days prior to the meeting. If hearing impaired, telephone the Florida Relay Services numbers at (800) 955-8771, Telecommunication Devices for the Deaf (TDD), or (800) 955-8700 (voice) for assistance). Wireless connection cbtc-wifi is now available in the Town Council Chambers, please enter townhall as the password.

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

2. PROCLAMATIONS, AWARDS, AND PRESENTATIONS

- A. · Proclamation- Julie A. Miller
- B. · Proclamation- Frederick Bobson
- C. · Presentation- Government Finance Officers Association- Certificate of Achievement for Excellence in Financial Reporting

3. APPROVAL OF MINUTES

- A. · October 19 2016 Local Planning Agency Minutes
- October 19 2016 Regular Town Council Minutes
- October 27 2016 Town Council Workshop- Zoning Workshop Minutes

Attachments: [101916 LPA Minutes](#)
[101916 RTC Minutes](#)
[102716 TCW- Zoning Workshop Minutes](#)

4. TOWN COUNCIL ANNOUNCEMENTS

- A. · Mayor Bell Monthly Report October 19 - December 8 2016

Attachments: [Mayor Bell Monthly Report Oct 19 - Dec 8 2016](#)

5. PUBLIC COMMENTS

6. REPORTS

A. TOWN MANAGER'S REPORT

- A. · 2016 Local Mitigation Strategy Annual Update

Attachments: [2016 Local Mitigation Strategy Annual Report](#)

- B. · 2016 Flood Mitigation Projects Annual Report

Attachments: [2016 Flood Mitigation Projects Annual Report](#)

B. TOWN ATTORNEY'S REPORT

C. TOWN CLERK'S REPORT

D. BOARD AND COMMITTEE REPORTS

7. CONSENT AGENDA

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

Attachments: [Clerk Memo-Appointment to Floodplain Mitigation Committee](#)
[Clerk Memo-Attachment A-Town Resolution No 13-56](#)
[Clerk Memo-Attachment B-Committee Mission Goals and Objectives](#)
[Resolution-Appointment to Floodplain Mitigation Committee](#)
[Resolution-Exhibit A-Appointment to Floodplain Mitigation Committee](#)

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

Attachments: [Clerk Memo- Appointment to Youth Council Committee](#)
[Resolution- Appointment to Youth Council Committee](#)
[Resolution Exhibit A- Youth Council Committee Appointment](#)

- C. 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 R.J. BEHAR, INC. FOR THE DESIGN OF THE SAGA BAY 1.2 SUB-BASIN WATER QUALITY IMPROVEMENT PROJECT AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of a Purchase Order to RJ Behar](#)
[Manager Memo-Attachment A-Saga Bay 1-2 Project Summary](#)
[Resolution-Issuance of a Purchase Order to RJ Behar](#)
[Resolution-Exhibit A-RJ Behar Proposal](#)

8. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CERTIFYING AND DECLARING THE OFFICIAL RESULTS OF THE GENERAL ELECTION OF THE TOWN HELD ON NOVEMBER 8, 2016; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Clerk Memo- Certification of 2016 Election Results](#)
[Resolution- Certification of 2016 Election Results](#)
[Exhibit A- Official Results Certification November 18 2016](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING DEBRA E. EASTMAN, MMC AS INTERIM TOWN CLERK; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Peggy Bell

Attachments: [Mayor Memo-Appointment of Interim Town Clerk](#)
[Resolution-Appointment of Interim Town Clerk](#)

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, EXTENDING THE ECONOMIC GROWTH COMMITTEE; PROVIDING FOR DISSOLUTION OF THE COMMITTEE; MAKING THE COMMITTEE SUBJECT TO THE TOWN'S ADVISORY BOARD ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Peggy Bell

Attachments: [Mayor Memo-Economic Growth Committee Extension](#)
[Resolution-Economic Growth Committee Extension](#)

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 September 21, 2016 Regular Town Council Meeting to date certain December 14, 2016 Regular Town Council Meeting)

Attachments: [Manager Memo-Harley Davidson Sign Area Variance](#)
[Resolution-Harley Davidson Sign Area Variance](#)
[Manager Memo-Harley Davidson Sign Area Variance REVISED](#)
[Manager Memo-Attachment A-Town Consultant Report](#)
[Manager Memo-Attachment B-Variance Application](#)
[Manager Memo-Attachment B1-Applicant Letter of Intent](#)
[Manager Memo-Attachment C-Easement and Operating Agreement](#)
[Manager Memo-Attachment D-Photos and Roadway Conditions](#)
[Manager Memo-Attachment E-Monument Site Diagram](#)
[Manager Memo-Attachment F-Advertisement Notices Postings](#)
[Resolution-Harley Davidson Sign Area Variance](#)
[Applicant Request for Deferral Letter](#)
[Town Staff Support of Applicant Deferral](#)

- 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 September 21, 2016 Regular Town Council Meeting to date certain December 14, 2016 Regular Town Council Meeting)

Attachments: [Manager Memo-Harley Sign Height Variance](#)
[Resolution-Harley Davidson Height Variance](#)
[Manager Memo-Harley Sign Height Variance REVISED](#)
[Manager Memo-Attachment A-Town Consultant Report](#)
[Manager Memo-Attachment B-Variance Application](#)
[Manager Memo-Attachment B1-Applicant Letter of Intent](#)
[Manager Memo-Attachment C-Easement and Operating Agreement](#)
[Manager Memo-Attachment D-Photos and Roadway Conditions](#)
[Manager Memo-Attachment E-Monument Site Diagram](#)
[Manager Memo-Attachment F-Advertisement Notices Postings](#)
[Resolution-Harley Davidson Height Variance](#)
[Applicant Request for Deferral Letter](#)
[Town Staff Support of Applicant Deferral](#)

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATIONS FOR SIGNAGE FOR BURLINGTON SOUTH LOCATED AT 19191 S. DIXIE HIGHWAY, TO PERMIT A WALL SIGN TO BE 179 SQUARE FEET WHERE 60 SQUARE FEET IS ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Burlington Sign Area US-1 Variance](#)
[Manager Memo-Attachment A-Town Consultant Report](#)
[Manager Memo-Attachment B-Sign Area Variance Application](#)
[Manager Memo-Attachment C-Ad Courtesy Notice Posting](#)
[Resolution-Burlington Sign Area US-1 Variance](#)

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATIONS FOR SIGNAGE FOR BURLINGTON SOUTH LOCATED AT 19191 S. DIXIE HIGHWAY, TO PERMIT A WALL SIGN TO BE 88 SQUARE FEET WHERE 30 SQUARE FEET IS ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Burlington Sign Area Variance Marlin Road](#)
[Manager Memo-Attachment A-Town Consultant Report](#)
[Manager Memo-Attachment B-Sign Area Variance Application](#)
[Manager Memo-Attachment C-Ad Courtesy Notice Posting](#)
[Resolution-Burlington Sign Area Marlin Road Variance](#)

10. ORDINANCES FOR FIRST READING (NO PUBLIC HEARING REQUIRED)**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 THE TOWN'S COMPREHENSIVE PLAN BY CLARIFYING THE MIXED USE REQUIREMENTS WITHIN THE TOWN; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading - Amend Comp Plan FLU Districts](#)
[Manager Memo-1st Reading-Amending Mixed Use Req](#)
[Manager Memo-Attachment A- Advertisement](#)
[Ordinance-1st Reading-Amending Mixed Use Req](#)
[Ordinance-1st Reading-Exhibit A- Amending Mixed Use Req](#)

12. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CLARIFYING SECTION 3-102 OF THE TOWN CODE OF ORDINANCES RELATING TO MINIMUM BUFFER AREA STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-2nd Reading-Amending Sec 3-102 Buffer Matrix](#)
[Manager Memo-2nd Reading-Attachment A-Advertisement](#)
[Ordinance-2nd Reading-Amending Sec 3-102-Buffer Matrix](#)
[Manager Memo-1st Reading-Amending Sec 3-102 Buffer Matrix](#)
[Ordinance-1st Reading-Amending Sec 3 102-Buffer Matrix](#)

13. PUBLIC COMMENTS**14. MAYOR AND COUNCIL COMMENTS**

- Discussion Regarding Louise Lockwood Memorial Garden (Vice Mayor Loyzelle)

15. OTHER BUSINESS**16. ADJOURNMENT**

WE, THE TOWN COUNCIL OF CUTLER BAY, HEREBY RECOMMIT OURSELVES TO MAINTAIN CIVILITY IN OUR PUBLIC AND POLITICAL DISCOURSE AND WE HEREBY PLEDGE OUR COMMITMENT TO THE FOLLOWING PRINCIPLES:

- We will respect the right of all citizens in our community to hold different opinions;
- We will avoid rhetoric intended to humiliate or question the wisdom of those whose opinions are different from ours;
- We will strive to understand differing perspectives;
- We will choose our words carefully;
- We will speak truthfully without accusation and we will avoid distortion; and
- We will speak out against violence, prejudice and incivility of their forms, whenever and wherever they occur.

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.