



# 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*

*Interim Town Clerk Jacqueline N. Wilson*

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Wednesday, August 19, 2015

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 7:01PM. Interim Town Clerk Jacqueline Wilson called the roll. Mayor Bell led the Pledge of Allegiance.

Mayor Bell requested to move item 7F from the Consent Agenda up on the agenda under Presentations. A motion was made by Council Member Coriat, seconded by Council Member Mixon to move item 7F up on the agenda under Proclamations, Awards and Presentations. Mayor Bell called for the vote and all were in favor.

**Present:** 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Mixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

### **2. PROCLAMATIONS, AWARDS, AND PRESENTATIONS**

- Proclamation Ms. Concepcion C. Santana

Mayor Bell and members of the Council presented Ms. Concepcion Santana with a proclamation in recognition of her accomplishments and dedicated service.

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

- April 15, 2015 Regular Town Council Minutes
- May 20, 2015 Regular Town Council Minutes
- June 17, 2015 Local Planning Agency Minutes

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

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

Council Member Loyzelle announced the Black and Blue Fun Run event on November 14, 2015. Vice Mayor Sochin reported on attendance at the Annual Florida League of Cities Conference. Council Member Coriat reported on attendance at Miami-Dade County Budget Townhall Meeting hosted by Mayor Carlos Gimenez on August 12, 2015. Council Member Mixon reported on progress of the Floodplain Mitigation Plan Committee and new solar powered signs installed within the Town. Mayor Bell thanked Town staff for their efforts. Mayor Bell announced upcoming CERT Basic Training August 27, 29 and 30, 2015 as well as Open Mic Night on August 26, 2015.

## 5. PUBLIC COMMENTS

Mayor Bell opened Public Comments and there were none.

## 6. REPORTS

### A. TOWN MANAGER'S REPORT

Town Manager Rafael Casals introduced Mr. Tom Martinelli and Mr. Pete Nissen from the Florida Turnpike Authority to provide an update on the progress of the Florida Turnpike Expansion project. Marissa Baculo of Kimley Horn and Associates presented an update on the Caribbean Boulevard Roadway Improvement Project, and expressed regrets on behalf of Gary Ratay unable to attend. Town Manager Rafael Casals introduced Ms. Stacy Sookdew-Sing of RJ Behar to report on the SW 212 Street Drainage Improvement Project. Town Manager Rafael Casals introduced Police Lieutenant Frank Roig to present the 2015 Back to School Ops Plan in preparation for the commencement of the school year.

#### Robert Daddario, Finance Department- Quarterly Financial Report

Finance Director Robert Daddario presented an overview of the Town's Quarterly Financial Report and the results from the third quarter.

### B. TOWN ATTORNEY'S REPORT

No report.

### C. TOWN CLERK'S REPORT

No report.

### D. BOARD AND COMMITTEE REPORTS

Council Member Coriat reported on the Parks and Recreation Committee and announced several upcoming events including the Cutler Bay Open Golf Tournament on August 29, 2015, Halloween Event on October 30, 2015, Rib Ticklers Ball on December 12, 2015 and Hometown Harvest Bike Ride Event scheduled for December 5, 2015. Council Member Coriat also announced upcoming Parks and Recreation Committee Meetings including the August 25, 2015 meeting to discuss the Hometown Harvest Bike Ride event and the September Parks and Recreation Committee Meeting on September 14, 2015. Council Member Coriat introduced Parks and Recreation Committee Chair, Mr. Michael Callahan to present the Wetlands final report. Council Member Loyzelle announced the next Communities for a Lifetime Committee Meeting on

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September 2, 2015. Mayor Bell reported on the progress of the Economic Growth Committee.

## 7. CONSENT AGENDA

Mayor Bell requested to pull item 7D. A motion was made by Council Member Mixon to adopt items A, B C and E on the consent agenda. The motion received a second by Council Member Coriat. 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, APPROVING AN AMENDMENT TO THE LANDSCAPE MAINTENANCE SERVICES (RIGHT-OF-WAYS) AGREEMENT WITH VISUALSCAPE, INC. FOR ADDITIONAL SCOPE OF SERVICES WITHIN TOWN DESIGNATED RIGHT-OF-WAYS FOR AN ANNUAL AMOUNT OF \$24,700.00; AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT, AND PROVIDING AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING SUNCOAST NURSERY & TIKI HUTS, INC. FOR THE PURCHASE AND INSTALLATION OF VARIOUS STREETSCAPE TREES WITHIN THE TOWN'S DESIGNATED RIGHT-OF-WAYS; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; 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, RELATING TO PROPERTY, LIABILITY AND CASUALTY INSURANCE; SELECTING THE FLORIDA LEAGUE OF CITIES' FLORIDA MUNICIPAL INSURANCE TRUST TO PROVIDE SUCH INSURANCE SERVICES TO THE TOWN; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH SAID FIRM; 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, APPROVING THE LOCAL AGENCY PROGRAM (LAP) AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE SAFE ROUTES TO SCHOOL (SRTS) CUTLER BAY ACADEMY OF ADVANCED STUDIES (CUTLER BAY MIDDLE SCHOOL) PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Resolution. Mayor Bell pulled this item to highlight it and thanked grantwriter Ms. Lakeesha Morris for her efforts. A motion was made by Council Member Loyzelle to adopt this Resolution with a scrivener's error correction to the first whereas paragraph from "(Cutler Middle School)" to reflect "(Cutler Bay Middle School)". The motion received a second by Vice Mayor Sochin. 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, AUTHORIZING THE ISSUANCE OF A REQUEST FOR QUALIFICATIONS (RFQ) FOR HVAC EQUIPMENT & CONTROLS (DESIGN, BIDDING, AND CONSTRUCTION MANAGEMENT SERVICES); 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 APPOINTING MEMBER(S) TO THE TOWN OF CUTLER BAY YOUTH COUNCIL ADVISORY COMMITTEE, AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

**Yes:** 5 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Mixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

## **8. RESOLUTIONS**

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN RELATING TO THE CARIBBEAN BOULEVARD ROADWAY IMPROVEMENT(S) PROJECT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Interim Town Clerk Jacqueline Wilson read the title of the Resolution. Town Manager Casals presented this item and acknowledged support of Miami-Dade County Commissioners and staff. A motion was made by Council Member Loyzelle, seconded by Council Member Mixon, that this Resolution be adopted. Mayor Bell called for the vote and the motion passed 5-0.**

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

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A CONDITIONAL USE APPLICATION TO PERMIT THE CONVERSION OF 58,428 SQUARE FEET OF OFFICE SPACE IN AN EXISTING 4 STORY BUILDING LOCATED AT 10750 CARIBBEAN BOULEVARD FROM BUSINESS USE TO A CHARTER SCHOOL, AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 2.16 NET ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

**Town Attorney Mitchell Bierman read the quasi-judicial statement and asked if anyone wished to speak on this issue that they be given an oath from the Interim Town Clerk. Interim Town Clerk Jacqueline Wilson provided the oath and read the title of the Resolution. Council Member Coriat disclosed a meeting on July 13, 2015 with representatives of Bercow Radell and Fernandez. The staff report was presented by Kathryn Lyon, Planning and Zoning Director along with support from Joseph Corradino of The Corradino Group. In attendance representing the applicant Pinnacle Investment Properties, was Mr. Tom Robertson of Bercow Radell and Fernandez. Mr. Robertson introduced Mr. Tom**

David, volunteer Chairman of the Board for the proposed Charter School, Mr. James Socash to speak on the landscape plan, Mr. Christopher Heggen to speak on the transportation plan, and Ms. Christine De Zayas Jurado to speak on the educational plan. Mayor Bell opened the public hearing. Mr. John Herin expressed concerns associated with the proposed Charter School. At 10:53PM, Council Member Loyzelle motioned to extend the meeting past 11PM. Council Member Mixon seconded the motion. Mayor Bell called for the vote and the motion passed 4-1 with Vice Mayor Sochin voting in opposition. Mayor Bell closed the public hearing. At 10:54PM, a motion was made by Council Member, seconded by Council Member Mixon to take a brief recess. Mayor Bell called for the vote and the motion passed 4-1 with Vice Mayor Sochin voting in opposition. The meeting reconvened at approximately 11:07PM. After discussion, applicant Mr. Robert Cambo expressed concern with the restriction on cueing. After further discussion, a motion was made by Mayor Bell to approve the application subject to all conditions in the application with amendments removing the double stacking restriction, removing the requirement of a school resource officer but requiring a security guard with comparable credentials to that of a Miami-Dade County Public School Security Guard and requiring reimbursement of Town expenses for police services.

**Yes:** 3 - Mayor Peggy Bell, Vice Mayor Ernest Sochin and Council Member Sue Ellen Loyzelle

**No:** 2 - Council Member Mary Ann Mixon and Council Member Roger Coriat

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

There were no Ordinances for first reading.

## **11. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)**

There were no Ordinances for first reading.

## **12. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)**

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ESTABLISHING THE CANDIDATE QUALIFYING PERIOD FOR THE 2016 MUNICIPAL GENERAL ELECTION; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Manager Rafael Casals presented the item with the November 29, 2016 Run-off Date modification. 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 Council Member Mixon, that this Ordinance be approved on second reading. Mayor Bell called for the vote and the motion passed with a 5-0 vote.

## **13. PUBLIC COMMENTS**

Mayor Bell opened Public Comments and there were none.

## **14. MAYOR AND COUNCIL COMMENTS**

Council Member Loyzelle announced various outreach events to meet with the

Miami-Dade County Property Appraiser for information on property value or exemption status.

## **15. OTHER BUSINESS**

There was no other business.

## **16. ADJOURNMENT**

A motion was made by Vice Mayor Sochin to adjourn. The motion received a second from Council Member Mixon. The meeting adjourned at 12:43AM.

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