



# 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, June 17, 2015

7:00 PM

Council Chambers

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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 cbc-wifi is now available in the Town Council Chambers, please enter cutlerbay as the password.

### **1. CALL TO ORDER, ROLL CALL, & PLEDGE OF ALLEGIANCE**

**Mayor Bell called the meeting to order at 7:11pm. Interim Town Clerk Jacqueline**

**Wilson called the roll. Mayor Bell led the Pledge of Allegiance.**

**Present:** 4 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

**Absent:** 1 - Council Member Mary Ann Mixon

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

#### **A. 2014 CAFR Auditor Report**

**Town Manager Rafael Casals introduced external auditor Mr. Andrew Fierman, Partner at Albarni Caballero & Fierman to present the Comprehensive Annual Financial Report for the Town's Fiscal Year ending September 30, 2014.**

#### **B. Miami-Dade County Commissioner Xavier L. Suarez**

**Mayor Bell introduced Miami-Dade County Commissioner Xavier L. Suarez of District 7 to report on South-Dade mass transit.**

**C. Officer of the Quarter Award- Officer Deborah Fleites**

Police Lieutenant Frank Roig presented Officer Deborah Fleites with the Officer of the Quarter Award and explained the incident involving extraordinary police work that led to the commendation.

**D. Certificate of Recognition- Mr. George Fraga**

Police Lieutenant Frank Roig presented Town of Cutler Bay resident Mr. George Fraga with a certificate of recognition for outstanding service to the community and explained the incident that led to the award.

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

There were no minutes.

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

Vice Mayor Sochin reported on his attendance at the Military Meet and Greet event in Homestead honoring Military Veterans.

Council Member Loyzelle announced that the Town of Cutler Bay has been selected to receive the Florida Council on Aging's Quality Senior Living Award on August 11, 2015 at the Annual Conference on Aging. Council Member Loyzelle also reported on her attendance at the National Association of Community and Restorative Justice Conference on June 1-3, 2015. Council Member Loyzelle also reported that the South Police Station and the South Dade Government Center have been established as Safe Haven locations in Cutler Bay.

Mayor Bell announced Governor Scott has signed the Transportation bill to include the use of golf carts on County Roads. Mayor Bell thanked State Senator Dwight Bullard, State Senator Gwen Margolis, State Representative Erik Fresen and State Representative Kionne McGhee for their assistance and support.

Mayor Bell introduced Sean McCrackine, Chief of Policy and Planning for Commissioner Levine Cava to report on the South Dade Solutions Summit hosted by Miami-Dade County Commissioners Daniella Levine Cava and Dennis Moss. Mayor Bell provided an update on the Cutler Bay Middle School Violence issue and announced a Town Council Workshop on July 13, 2015 with Mr.

Alberto Carvalho, Superintendent of Miami-Dade Public Schools and Cutler Bay Middle School Principal to present the Cutler Bay Middle School Action Plan.

Mayor Bell also requested the Education Advisory Committee receive an invitation to this workshop.

### **5. PUBLIC COMMENTS**

Mayor Bell opened Public Comments. Ms. Peggy Schuler voiced her concerns associated with student enrollment and the Educational Compact Interlocal Agreement. Ms. Schuler also spoke in opposition of the Charter School Application.

Mr. Mark O'Hara stated that he is proud to live in Cutler Bay.

### **6. REPORTS**

## A. TOWN MANAGER'S REPORT

Town Manager Rafael Casals presented his report to the Town Council. Gary Ratay and Marissa Baculo of Kimley Horn and Associates presented an update on the Caribbean Boulevard Roadway Improvement Project. Town Manager Rafael Casals reported on 8.3% increase in Cutler Bay Property Values. Town Manager Rafael Casals announced the upcoming Floodplain Mitigation Committee Quarterly Meeting on June 25, 2015, as well as the second Open Mic Night event at East Ridge Retirement Facility on August 26, 2015. Town Manager Rafael Casals introduced Janelle Marzouka and welcomed her as the new Parks and Recreation Programs Coordinator. Town Manager Rafael Casals reported on the ability to hire an additional Police Officer with funds available from a vacant Records Clerk position which will not be filled. Town Manager Rafael Casals also reported on his attendance along with Council Member Mixon at the Pets' Trust Lucky 13 Casino Night event on June 6, 2015. Town Manager Rafael Casals ended his report with introducing Emily Cardoso from International Data to announce the launch of our new Town website on June 26, 2015.

- Robert Daddario, Finance Department- Quarterly Financial Report

Robert Daddario, Finance Department presented an overview of the Town's Quarterly Financial Report and the results from the second quarter.

## B. TOWN ATTORNEY'S REPORT

No report.

## C. TOWN CLERK'S REPORT

Interim Town Clerk Jacqueline Wilson presented her report and expressed on behalf of Council Member Mixon her sincere regrets that she could not attend tonight's meeting due to a medical procedure on her spine which she was unable to reschedule. Interim Town Clerk Jacqueline Wilson announced the Annual Florida League of Cities Conference on August 13-15, 2015.

## D. BOARD AND COMMITTEE REPORTS

Council Member Coriat reported on the Parks and Recreation Committee and announced upcoming committee meetings and events including a meeting to discuss the wetlands on June 18, 2015, a planning meeting for the Fourth of July Event on June 22, 2015 and a meeting to discuss the Hometown Harvest Bike Ride Event on July 22, 2015. Council Member Coriat announced Family Movie Night on June 19, 2015 and the Fourth of July Event on July 4, 2015.

Council Member Loyzelle reported on the Communities for a Lifetime Committee and announced their next meeting on July 1, 2015.

Vice Mayor Sochin reported on the Education Advisory Committee, their focus on the Cutler Bay Middle School and the Committee's request for the Cutler Bay Middle School Principal to appear at the next meeting.

Mayor Bell reported on the Youth Council Committee and thanked Council Member Coriat for the return of the Hometown Harvest Bike Ride Event. Mayor Bell also closed with a reminder that we are currently seeking Economic Growth Committee Members and resumes and applications may be submitted until July 1, 2015.

## 7. CONSENT AGENDA

Mayor Bell requested to pull item B from the Consent Agenda. A motion was made by Council Member Coriat to approve items A, C, D and E on the Consent Agenda. The motion received a second by Council Member Loyzelle.

Mayor Bell called for the vote and the motion passed 4-0.

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE 2015 MIAMI-DADE COUNTY LOCAL MITIGATION STRATEGY; AUTHORIZING THE TOWN MANAGER TO IDENTIFY AND PRIORITIZE HAZARD MITIGATION GRANT PROGRAM PROJECTS TO BECOME A PART OF THE LOCAL AND STATEWIDE HAZARD MITIGATION STRATEGY; AND PROVIDING FOR 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, ACCEPTING A FISCAL YEAR 2014-15 AND A FISCAL YEAR 2015-16 MINI-GRANT FOR DISTRACTED DRIVING PREVENTION, THROUGH THE FLORIDA DEPARTMENT OF HEALTH, INJURY PREVENTION PROGRAM (IPP) IN THE AMOUNT OF \$5,000 PER YEAR FOR A TOTAL OF \$10,000; AUTHORIZING THE TOWN MANAGER TO ACCEPT THE GRANT, AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Resolution. Mayor Bell thanked Town Manager Rafael Casals and Grant Writer Lakeesha Morris for pursuing this grant. Mayor Bell will continue to urge State Legislators to make texting and distracted driving a primary traffic offense. A motion was made by Vice Mayor Sochin, seconded by Council Member Coriat, that this Resolution be adopted. The motion carried by the following vote:

**Yes:** 4 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

**Absent:** 1 - Council Member Mary Ann Mixon

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO AMEND THE CONTRACT WITH ACOSTA TRACTORS INC. FOR THE CONSTRUCTION SERVICES FOR THE CARIBBEAN BOULEVARD ROADWAY IMPROVEMENT(S) - GAP #1 (FROM C-100 BRIDGE TO CORAL SEA ROAD) PROJECT; AND PROVIDING 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 KIMLEY-HORN AND ASSOCIATES, INC. TO PROVIDE ADDITIONAL CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE CARIBBEAN BOULEVARD ROADWAYS IMPROVEMENT(S) PROJECT - GAP #1 (FROM C-100 BRIDGE TO CORAL SEA ROAD); AND PROVIDING 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, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO STANTEC CONSULTING SERVICES, INC. TO PROVIDE CONSTRUCTION SUPPORT AND POST DESIGN SERVICES FOR THE CARIBBEAN BOULEVARD ROADWAYS IMPROVEMENT(S) PROJECT - GAP #1 (FROM C-100 BRIDGE TO CORAL SEA ROAD); AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

## **7A. RESOLUTIONS**

- 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.

**A motion was made by Council Member Coriat, and seconded by Vice Mayor Sochin that this Resolution be deferred. The motion carried by the following vote:**

**Yes:** 4 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

**Absent:** 1 - Council Member Mary Ann Mixon

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

**There were no quasi-judicial items.**

## **9. ORDINANCES FOR FIRST READING (NO 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. After discussion, a motion was made by Council Member Coriat that this Ordinance be approved on first reading, with amendment to section 3 changing the date from November 22, 2016 date to November 29, 2016. The motion received a second from Vice Mayor Sochin. The motion carried by the following vote:

**Yes:** 4 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

**Absent:** 1 - Council Member Mary Ann Mixon

#### **10. 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 3-11 OF THE TOWN CODE OF ORDINANCES RELATING TO MAINTENANCE, REPAIR AND IMPROVEMENT STANDARDS FOR NONCONFORMING BUILDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Manager Rafael Casals introduced Kathryn Lyon, Planning and Zoning Director to present Town staff recommendations for this item before the Council. Mayor Bell opened the public hearing. There was no one wishing to speak. Mayor Bell closed the public hearing. A motion was made by Vice Mayor Sochin, seconded by Council Member Loyzelle, that this Ordinance be approved on first reading. The motion carried by the following vote:

**Yes:** 4 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

**Absent:** 1 - Council Member Mary Ann Mixon

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

There were no ordinances for second reading which required a public hearing.

#### **12. PUBLIC COMMENTS**

Mayor Bell opened Public Comments and there were none.

**13. MAYOR AND COUNCIL COMMENTS**

Council Member Loyzelle reported on her attendance at the Village of Palmetto Bay's Council Meeting and concerns associated with the PACE Program. Mayor Bell acknowledged the concerns associated with the PACE Program and the additional workload Town Staff has incurred, and also acknowledged the sentiments have been conveyed to the PACE Board of Directors.

Council Member Loyzelle motioned to continue past 11pm. The motion received a second by Council Member Coriat.

After discussion, Council Member Loyzelle motioned that the Town of Cutler Bay request from the PACE Board of Directors to receive back-pay for the \$75 fee per application following the cutoff period of the first 2 years that we donated to the program. The motion received a second by Vice Mayor Sochin. Mayor Bell called for the vote and the motion carried 4-0.

**14. OTHER BUSINESS**

Council Member Loyzelle inquired about updates from Tallahassee regarding legislative funding? Town Manager Rafael Casals briefed with no receipt of any appropriations this session, but has arranged a full detailed report to be provided during the July Town Council Meeting.

**15. ADJOURNMENT**

A motion was made by Vice Mayor Sochin to adjourn. The motion received a second from Council Member Coriat. The meeting adjourned at 11:04pm.

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.

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.