



# 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, March 18, 2015

7:00 PM

Council Chambers

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

Mayor Bell called the meeting to order at 7:07 pm. Interim 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

### 2. PROCLAMATIONS, AWARDS, AND PRESENTATIONS

#### A. Proclamation Ms. Rosa Alvarez

Mayor Bell presented Ms. Rosa Alvarez with a Proclamation in honor of her outstanding service to the Town of Cutler Bay and her involvement with various Committees and Organizations in the Community. Vice Mayor Sochin, Town Council Liaison for Education Advisory Committee thanked her for her efforts as Education Advisory Committee Chairperson.

#### B. Proclamation Mr. Ethan Ford

Mayor Bell presented Mr. Ethan Ford with a Proclamation in honor of his musical talent and accomplishments as a high-caliber Tenor Saxophonist attending Arthur Polly Mays Conservatory of the Arts.

#### C. Presentation- Officer Russell Forte, Cutler Bay Police Department

Town Manager Rafael Casals recognized Officer Russell Forte who was unable to attend the meeting for over 30 years of committed duty and service to Miami Dade County Police Department.

### 3. APPROVAL OF MINUTES

**A. February 18 2015 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.

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

**4. TOWN COUNCIL ANNOUNCEMENTS**

Council Member Loyzelle reported on her recent trip with the Town Manager to Tallahassee to meet with State Legislators to discuss legislative priorities not previously represented during the Mayors visit. Council Member Loyzelle also met with the new Director of Communities for a Lifetime Ms. Cory Burke Livingston to discuss senior needs within the Town and shared the Communities for a Lifetime Committees Strategic Plan. Council Member Loyzelle will return to Tallahassee April 8-9 2015 with the Town Council and Town Manager for Miami-Dade Days. Council Member Loyzelle reported on the Miami ePrix event with a brief news clip and slideshow presentation. Council Member Loyzelle announced her attendance with Mayor Bell to Movie Night which was rescheduled for Friday, April 17, 2015 due to inclement weather. Council Member Loyzelle mentioned the upcoming Easter Egg Hunt scheduled for Saturday, April 4, 2015. Council Member Loyzelle also mentioned pictures from our Founders Day Event featured in El Latino Magazine. Council Member Loyzelle reported on her attendance with Mayor Bell and Vice Mayor Sochin at the East Ridge Luncheon and their new development open to the Community for events. Vice Mayor Sochin reported on his participation in a seven mile bike ride event with Miami-Dade County Mayor Carlos Gimenez, Palmetto Bay Mayor Eugene Flinn and District 8 Miami-Dade County Commissioner Daniella Levine-Cava. Mayor Bell attended opening day at Franjo Park where she threw the opening pitch. Mayor Bell announced her attendance with Vice Mayor Sochin to the Grand Opening of Commissioner Levine-Cava's Government Center. Mayor Bell reported on the Town Council's attendance to our Founders Day event and commended staff for a successful event. Mayor Bell mentioned her attendance with Town Attorney Mitch Bierman and Council Member Loyzelle to the State of the County Event. Mayor Bell attended Commissioner Levine-Cava's District 8 Mayors Meeting to brief on Town issues and legislative items. Mayor Bell also attended the Relay for Life event along with Vice Mayor Sochin and Council Member Coriat and recognized Town Manager, staff and interns for their efforts. Mayor Bell also reported on her participation with Mr. Gus Pego, Florida Department of Transportation District Six Secretary and Ms. Ysela Llort, Miami-Dade County Transit Director in Virtual Town Hall Transportation Meeting hosted at Cutler Bay Town Hall, arranged by State Representative Kionne McGhee and Congressman Carlos Curbelo who attended virtually along with Homestead Mayor Jeff Porter and Florida City Mayor Otis Wallace. Mayor Bell also attended a ribbon cutting event for Saint Richards Holy Rosary Carnival fundraiser. Mayor Bell reported on her meeting with Town Manager Rafael Casals held with Miami-Dade School personnel to determine name changes for the High School and Middle School and discuss issues of concern; Town Manager Rafael Casals confirmed both names were passed by the School Board for Cutler Bay Middle School and Cutler Bay High School. Mayor Bell attended with Vice Mayor Sochin the CBBA luncheon where she shared her report card on her first 120 days in office as Mayor. Mayor Bell also announced the Tour of the South-Dade Landfill Facility on Friday March 20, 2015.

## 5. PUBLIC COMMENTS

Mayor Bell opened Public Comments.

Mr. Drew Peterson voiced his concerns associated with the sign ordinance passed in 2008.

Mr. Tom Condon presented his concern associated with the Town Center Plaza item on the agenda, that the location should be more centrally located.

Mr. Steve Zarzecki thanked Town staff for their patience with his questions and concerns associated with the evaluation and appraisal-based amendments to the Comprehensive Plan.

## 6. REPORTS

### A. TOWN MANAGER'S REPORT

Town Manager Rafael Casals introduced Robert Daddario, Finance Department to present the Town's Quarterly Financial Report. Gary Ratay and Alina Phillips of Kimley Horn and Associates presented an update on the Caribbean Boulevard Roadway Improvement Project. Gary Ratay also announced that Alina Phillips will be moving on to pursue another career opportunity. Town Manager Rafael Casals thanked his staff as well as Town Attorney Mitch Bierman for materials prepared for the Tallahassee visits to discuss Legislative Priorities. Town Manager Rafael Casals thanked the Parks and Recreation Department for coordination of trip to the Cleveland Orchestra with senior citizens in the community on March 3, 2015. Town Manager Rafael Casals also reminded the Town Council that we will continue to accept applications for the vacant Town Clerk position until March 20, 2015. Town Manager Rafael Casals also mentioned upcoming events including Open Mic Night Town Hall Meeting, Landfill Facility Tour and Annual Employee Appreciation Picnic. Town Manager Rafael Casals concluded his report with a status update on Marlin Road.

- Robert Daddario, Finance Department- Quarterly Financial Report

Robert Daddario, Finance Department presented an overview of the Town's Quarterly Financial Report for the first quarter, explaining revenue and expenditure results and confirming the first quarter results are consistent with first quarter in prior years. Mr. Daddario closed with remarks that we are about to begin our auditing period and announced unaudited figures ending fiscal year 2014 which ended on September 30, 2014 with an approximate \$1.8 million surplus, putting our reserves a little bit over \$21 million.

### B. TOWN ATTORNEY'S REPORT

- Update on Coulson v Town of Cutler Bay

Town Attorney Mitch Bierman requested an Executive Session on the case of Coulson v. Town of Cutler Bay. Town Attorney Mitch Bierman provided a status update on the Realty Associates Publix case. Town Attorney Mitch Bierman concluded his report with an update on the Red Light Camera Federal Class Action Lawsuit.

## C. TOWN CLERK'S REPORT

Interim Town Clerk Jacqueline Wilson reported on the Town's current website hacking issue and our strategy to correct it.

## D. BOARD AND COMMITTEE REPORTS

Council Member Coriat provided an update on the Parks and Recreation Committee and his first meeting attended as newly appointed Town Council Liaison for the Parks and Recreation Committee.

Vice Mayor Sochin mentioned a potential future discussion regarding separation of the state of Florida, dividing North Florida and South Florida.

Council Member Loyzelle announced the next Communities for a Lifetime Meeting on April 1, 2015 at 6pm.

Mayor Bell requested the Interim Town Clerk alert the Community Homeowners Associations of the recommendation to rename Linear Park to ensure awareness.

### A. Michael Callahan, Parks and Recreation Committee Chairperson- Linear Park

Parks and Recreation Advisory Committee Chairperson Michael Callahan presented a report and memorandum on behalf of the Parks and Recreation Advisory Committee before the Council in support of the Youth Council Committee's recommendation to change the name of Linear Park to Blue Heron Park.

## 7. CONSENT AGENDA

Council Member Coriat requested to pull item C from the Consent Agenda. A motion was made by Vice Mayor Sochin to approve items A and B on the Consent Agenda. The motion received a second by Council Member Mixon. 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 ISSUANCE OF A REQUEST FOR QUALIFICATIONS (RFQ) FOR PROFESSIONAL SERVICES - AQUATICS FACILITY CONCEPTUAL PLANS DESIGN AND COST ESTIMATE SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.
- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSAL FOR TAX-EXEMPT AND TAXABLE LOAN SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

- C. 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 PROFESSIONAL SERVICES - TOWN CENTER PLAZA CONCEPTUAL PLANS DESIGN AND COST ESTIMATE SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Clerk Jacqueline Wilson read the title of the Resolution. Council Member Coriat requested clarification if approval of this item locks-in the location? Town Manager Rafael Casals clarified that we are still in the design phase of this project, we are not committed. After discussion, a motion was made by Vice Mayor Sochin, seconded by Council Member Loyzelle, that this Resolution be adopted. 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

## 7A. RESOLUTIONS

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

There were no quasi-judicial items.

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

There were no ordinances for first reading that did not require a public hearing.

## 10. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

Interim Town Clerk Jacqueline Wilson read the titles of items 10A and 10B Ordinances for first hearing requiring a public hearing. Mayor Bell reiterated that these items are presented in two parts, so even if approved upon first reading, they will still be revisited for second reading.

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE TOWN OF CUTLER BAY EVALUATION AND APPRAISAL-BASED AMENDMENTS TO THE COMPREHENSIVE PLAN AND AUTHORIZING TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND REVIEW AGENCIES ON FIRST READING; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Rafael Casals introduced Mr. Jerry Bell with the Coradino Group to present the evaluation results associated with the Comprehensive Plan. Mayor Bell opened Public Comments for this item and Mr. Steve Zarzecki expressed concern with the deletion of a policy in the transportation element and requested that this policy remain intact. Mr. Jerry Bell with the Coridino Group suggested this policy simply be moved under Future Land Use. Town Manager Rafael Casals introduced Planning and Zoning Director Kathryn Lyon to reiterate that the policy was not being deleted from the Comprehensive Plan, but was duplicative as it will appear under Land Development Regulations. After discussion, a motion was made by Council Member Mixon, seconded by Vice Mayor Sochin, that this Ordinance be approved on first reading, as amended pursuant to the Consultant recommendation. 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 TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA UPDATING THE TOWN WATER SUPPLY PLAN AND ADOPTING WATER SUPPLY PLAN RELATED AMENDMENTS TO THE TOWN GROWTH MANAGEMENT PLAN; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Rafael Casals introduced Alex David with the Coradino Group to present the Water Supply Plan and the Amendments to the Growth Management Plan before the Council. Mayor Bell opened the Public Hearing for this item, no one wished 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

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

There were no ordinances for second reading.

## **12. PUBLIC COMMENTS**

Mayor Bell opened Public Comments.

Mr. Tom Condon thanked the Town Manager for explaining the parameters of the RFQ item 7C.

Mr. Condon also mentioned the requirement of Public Comments at all Public Meetings and if our Attorney was aware of this.

Town Attorney Mitch Bierman confirmed an Amendment to Florida Statutes with respect to Public Comments and the requirement to include Public Comments prior to the Council taking final action on an item, but because we do not take formal action during a Workshop, we take the position that they are not required in a Workshop pursuant to that Statute.

Mayor Bell closed Public Comments.

## **13. MAYOR AND COUNCIL COMMENTS**

There were no Mayor and Council comments.

## **14. OTHER BUSINESS**

Town Attorney Mitch Bierman commended and congratulated Interim Town Clerk Jacqueline Wilson for making it through her first Town Council meeting as Interim Town Clerk.

## **15. ADJOURNMENT**

A motion was made by Council Member Mixon to adjourn. The motion received a second from Vice Mayor Sochin. The meeting adjourned at 9:41 pm.

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.