



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

Wednesday, March 16, 2016

7:00 PM

Council Chambers

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

Mayor Bell provided instructions to members of the public in vast attendance on the procedure for public speakers in the interest of time. Mayor Bell called the meeting to order at 7:17PM. Town Clerk Jacqueline Wilson called the roll.

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

Mayor Bell introduced Ms. Laura Reynolds representing the Miami Pine Rocklands Coalition for a presentation on the Everglades Restoration Project.

3. APPROVAL OF MINUTES

- A.**
- November 18 2015 Regular Town Council Minutes
 - January 20 2016 Local Planning Agency Minutes
 - January 20 2016 Regular Town Council Minutes
 - February 17 2016 Regular Town Council Minutes
 - February 24 2016 Town Council Workshop Minutes

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

4. TOWN COUNCIL ANNOUNCEMENTS

Council Member Coriat reported on efforts to add a left turn signal at the intersection of 216th Street and Old Cutler Road. Council Member Mixon announced the Native Plant Day Event on March 19, 2016. Council Member Loyzelle reported on efforts with electronic campaign filing for the next election cycle. Council Member Loyzelle reported on attendance at the Property Appraiser event and the Parks Foundation of Miami-Dade in the Company of Women Awards Ceremony. Council Member Loyzelle also reported on participation in a Baby Boomers Webinar and as a panelist at the Miami Dade College Panel Presentation: Women in Politics Event. Council Member Loyzelle announced the Miami-Dade County Public Schools Lucky to Have You Community Partners Recognition Luncheon on March 17, 2016 and the Communities for a Lifetime Committee Workshop on March 22, 2016. Vice Mayor Sochin reported on attendance at the Human Trafficking Symposium. Mayor Bell announced the Mayor's Monthly Report, a new publication providing an overview of several meetings and events the Mayor has attended over the course of the previous month. Vice Mayor Sochin announced the Eating and Aging event on March 17, 2016.

Mayor Bell provided instructions on the procedure for Public Comments. Town Attorney Mitchell Bierman clarified the requirement for Public Comments and advised the Council to proceed with caution. Town Attorney Mitchell Bierman provided clarification on the withdrawn Cutler Properties application as requested by Council Member Loyzelle and Council Member Coriat.

Prior to proceeding into Public Comments, Mayor Bell inquired if the Council had board members or nominees for committee appointment in attendance for an item on the agenda to bring forward. A motion was made by Council Member Mixon, seconded by Council Member Loyzelle to pull item D from the Consent Agenda. Mayor Bell called for the vote and all were in favor.

5. PUBLIC COMMENTS

Mayor Bell opened public comments. Mr. Stephen Zarzecki spoke in favor of preserving the land along the Old Cutler Road and transforming it to a park. Mr. David Jay Feinberg spoke in favor of preserving the land along the Old Cutler Road and transforming it to a park. Mr. Stefano Fanfan spoke in favor of preserving the land along the Old Cutler Road and transforming it to a park. Mayor Bell acknowledged Miami-Dade County District 8 Chief of Policy & Planning Sean McCrackine in attendance.

Dr. Amy Roda spoke in favor of preserving the land along the Old Cutler Road and transforming it to a park. Mr. Bobby Hartwell spoke in favor of preserving the land along the Old Cutler Road and transforming it to a park. Mr. Eduardo M. Varona spoke in favor of preserving the land along the Old Cutler Road and transforming it to a park. Ms. Anna Oaten spoke in favor of preserving the land along the Old Cutler Road and transforming it to a park. Ms. Cathy Keller spoke in favor of preserving the land along the Old Cutler Road and transforming it to a park. Mr. Robert Gonzalez spoke in favor of preserving the land along the Old Cutler Road and transforming it to a park. Mr. Alpay Nuh spoke in favor of preserving the land along the Old Cutler Road and transforming to a park. Ms. Maria Thomson spoke in favor of preserving the land along the Old Cutler Road and transforming to a park. Mr. Tom Condon spoke in favor of preserving the land along the Old Cutler Road and transforming to a park. Mr. Kevin Voitke spoke in favor of preserving the land along the Old Cutler Road and transforming to a park. Ms. Adrian Delesdernier spoke in favor of preserving the land along the Old Cutler Road and transforming to a park. Ms. Maria Belen Valladares spoke in favor of preserving the land along the Old Cutler Road and transforming it to a park. Mr. Fred Herling spoke in favor of the presentation and prior comments made in favor of preserving the land along the Old Cutler Road and transforming to a park. Mr. Manny Cherubin spoke in favor of preserving the land along the Old Cutler Road and transforming it to a park. Mr. Ricardo Victoria spoke in favor of preserving the land along the Old Cutler Road and transforming it to a park.

Mayor Bell closed Public Comments.

Town Attorney Mitchell Bierman advised the Council to proceed with caution and not to indicate a position on a potential Quasi-Judicial item.

6. REPORTS

At the request of Mayor Bell, a motion was made by Council Member Loyzelle, seconded by Council Member Mixon to move item 6D up on the agenda to allow Economic Growth Committee Chair, Alex Villasuso to present. Mayor Bell called for the vote and all were in favor.

A. TOWN MANAGER'S REPORT

Gary Ratay and Janet Delgado of Kimley-Horn and Associates presented an update on the Caribbean Boulevard Roadway Improvement Project. Mayor Bell reported on Palmetto Bay road closures due to traffic on Old Cutler Road and suggested addressing the issue with the County. Council Member Loyzelle suggested pairing the Gap 2 project with the bridge project and requested Miami-Dade County District 8 Chief of Policy & Planning Sean McCrackine relay the message to the County. Miami-Dade Police Lieutenant Peter Zaharakos reported on proactive enforcement efforts for robbery prevention. Council Member Loyzelle suggested the installation of solar powered speed signs to reduce speeding. Town Manager Rafael Casals announced a potential date of May 25, 2016 for a Social Media & Public Records Workshop to satisfy the State of Florida annual ethics training requirements for local elected officials. Town Manager Rafael Casals reported on vetoes from Florida Governor Rick Scott's office in respect to the Town's Legislative Priorities. Town Manager Rafael Casals announced the Miami-Dade Metropolitan Planning Organization (MPO) Multimodal Mobility Options for South Miami-Dade Advisory Committee Meeting on March 17, 2016 and the ChamberSOUTH Transportation Committee General Membership Breakfast on March 23, 2016.

B. TOWN ATTORNEY'S REPORT

Town Attorney Mitchell Bierman reported on an amicus brief supporting the Environmental Protection Agency's Clean Power Plan Rule, and requested Council consent to sign on to the amicus brief. At the request of Council Member Loyzelle, Town Attorney Mitchell Bierman provided clarification on the amicus brief. A motion was made by Council Member Loyzelle, seconded by Council Member Mixon to allow the Town of Cutler Bay to sign on to the amicus brief. Mayor Bell called for the vote and the motion passed 5-0.

C. TOWN CLERK'S REPORT

No report.

D. BOARD AND COMMITTEE REPORTS

Mayor Bell introduced Economic Growth Committee Chair, Alex Villasuso to present a progress report on behalf of the Economic Growth Committee.

Council Member Mixon suggested item E be pulled from the consent agenda to allow the Council to vote in the presence of Mr. Villasuso. Mayor Bell agreed and pulled item E on the consent agenda to bring forward.

D. BOARD AND COMMITTEE REPORTS

Council Member Coriat reported on the progress of the Parks & Recreation Committee. Council Member Coriat also reported on attendance at the Wings Over the Bay Event and the Easter Egg Hunt. Council Member Coriat announced several upcoming events as well as the next Parks & Recreation Committee Meeting on April 4, 2016.

Council Member Mixon reported on attendance at the Quarterly Floodplain Mitigation Plan Advisory Committee Meeting, elaborating on committee efforts and works in progress. Council Member Mixon also announced the next Quarterly Floodplain Mitigation Plan Advisory Committee Meeting on June 30, 2016.

Vice Mayor Sochin reported on the Education Advisory Committee and efforts to establish a meeting date for March.

Council Member Loyzelle reported on the cancelled Communities for a Lifetime Committee Meeting and announced the next committee meeting on April 6, 2016. Council Member Loyzelle also discussed attendance of committee appointments and current vacancies in the Communities for a Lifetime Committee.

At the request of Council Member Loyzelle, Vice Mayor Sochin provided clarification on the Education Advisory Committee's tutoring initiative.

Mayor Bell reported on the Youth Council Committee and the progress of a Public Service Announcement Video.

At the request of Council Member Loyzelle, Miami-Dade County District 8 Chief of Policy & Planning Sean McCrackine spoke on efforts with Miami-Dade County Public Works for golf cart access on a shared-use path leading to Black Point Marina. Town Manager Rafael Casals provided additional information on golf cart access to the shared-use path. There was further discussion on access to the shared-use path and landscaping efforts.

7. CONSENT AGENDA

A motion was made by Council Member Coriat, seconded by Council Member Mixon to approve items A, B, and C 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 IN THE AMOUNT NOT TO EXCEED \$72,049.38 TO KIMLEY-HORN AND ASSOCIATES, INC. FOR DESIGN AND ENGINEERING SERVICES FOR THE SAFE ROUTES TO SCHOOL PROJECT; 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, AUTHORIZING THE TOWN MANAGER TO SUBMIT A GRANT APPLICATION WITH THE STATE OF FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; AND PROVIDING 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, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER IN THE AMOUNT NOT TO EXCEED \$ 60,448.00 TO R.J. BEHAR & COMPANY, INC. FOR THE CUTLER BAY MIDDLE SCHOOL SIDEWALK CONNECTIVITY 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, TO APPOINT A NEW MEMBER TO THE COMMUNITIES FOR A LIFETIME ADVISORY COMMITTEE AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Resolution. Council Member Mixon welcomed Communities for a Lifetime Committee nominee Ms. Wendy Kirby and invited her to speak. 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. Council Member Loyzelle announced the next Communities for a Lifetime Committee Meeting on April 6, 2016.

- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, EXTENDING THE ECONOMIC GROWTH COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Council Member Mixon, seconded by Council Member Loyzelle, that this Resolution be adopted. After discussion, Mayor Bell called for the vote and the motion passed 5-0. Town Manager Rafael Casals announced the next Economic Growth Committee meeting date on March 17, 2016.

8. RESOLUTIONS

There were no Resolutions.

9. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

There were no Quasi-Judicial items.

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, COMPREHENSIVELY UPDATING AND REVISING CHAPTER 3 "LAND DEVELOPMENT REGULATIONS" OF THE TOWN CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Manager Rafael Casals provided historical background on the item and introduced Mr. Henry Iler of Iler Planning and Consulting to present the proposed changes to obtain Green Certification Gold status. Building and Code Compliance Director, Sandra Aronoff presented proposed code changes. Town Manager Rafael Casals thanked Grants Coordinator Lakeesha Morris for her efforts on the application process. After discussion, 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 Nixon, seconded by Council Member Coriat 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 Nixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

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 ORDINANCES 06-10, 09-06 AND 10-04 RELATING TO "FLOODPLAIN MANAGEMENT REGULATIONS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Manager Rafael Casals introduced Stormwater Utility Manager Yenier Vega to inform the Council that the proposed changes may earn additional points to increase the Town's rating as part of the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP). Council Member Nixon expressed gratitude and praise toward Public Works Director Alfredo Quintero and Stormwater Utility Manager Yenier Vega for their efforts. 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 Loyzelle, 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 Nixon, Council Member Sue Ellen Loyzelle and Council Member Roger Coriat

13. PUBLIC COMMENTS

Mayor Bell opened Public Comments and there were none.

14. MAYOR AND COUNCIL COMMENTS

Council Member Loyzelle announced the Miami-Dade Commission on Ethics and Public Trust Clean Campaign Class on April 7, 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 Council Member Coriat. The meeting adjourned at 10:38PM.

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