



# 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*

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Wednesday, April 20, 2016

7:00 PM

Council Chambers

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

Vice Mayor Sochin commended the Police Department on their performance and thanked them for their efforts. Mayor Bell called the meeting to order at 7:19PM. Town Clerk Jacqueline Wilson called the roll. Mayor Bell invited Boy Scout Troop 314 to lead in the Pledge of Allegiance. Mayor Bell led a Moment of Silence for former Town Lobbyist Robert M. "Bob" Levy.

**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. · Police Officer of the Quarter Awards- December 2015  
Sergeant Christopher Reed, Officer Deborah Fleites, Officer MaryAnn Stahl & Officer Eduardo Gaitan

· Police Officer of the Quarter Awards- April 2016  
Sergeant Ronald Rodriguez, Detective Thomas Molina, Detective Ruben Moya, Detective Jorge Baluja & Officer Daniel Laffita

Police Major Julie Miller explained the incidents involving extraordinary police work that led to the commendations of Sergeant Christopher Reed, Officer Deborah Fleites, Officer MaryAnn Stahl and Officer Eduardo Gaitan and presented the Officer of the Quarter Awards for December 2015.

Police Major Julie Miller also explained the incidents involving extraordinary police work that led to the commendations of Sergeant Ronald Rodriguez, Detective Thomas Molina, Detective Ruben Moya, Detective Jorge Baluja and Officer Daniel Laffita and presented the Officer of the Quarter Awards for April 2016.

**B. · Florida Department of Health- Healthy Weight Champion Certificate**

Town Manager Rafael Casals introduced Miami-Dade County Health Department Director of the Office of Communication and Legislative Affairs Ms. Olga Connor, Miami-Dade County Health Department Director of the Office of Community Health and Planning Ms. Karen Weller and Miami-Dade County District 8 Commissioner Daniella Levine Cava to present the Town with the Florida Department of Health Healthy Weight Champion Certificate. Town Manager Rafael Casals recognized Town staff for their efforts during the application process. Commissioner Levine Cava recognized the Town as the first municipality in Miami-Dade County District 8 to receive the Healthy Weight Champion Certificate.

Commissioner Levine Cava announced the Black Creek Trail Ride on May 1, 2016.

**C. · AARP Network of Age Friendly Communities**

Town Manager Rafael Casals introduced AARP Associate State Director Ms. Victoria Funes and AARP Foundation Project Director Ms. Marilyn Rams to present the Town's certification as a member of the AARP Network of Age Friendly Communities. Council Member Loyzelle expressed gratitude to the Communities for a Lifetime Committee and Town staff for efforts involved with obtaining the award.

Miami-Dade County District 8 Commissioner Daniella Levine Cava commended the Town's efforts and accomplishments, and expressed gratitude toward Miami-Dade County District 8 Chief of Constituent Affairs Maria Elena Levrant, Liaison on Elder Affairs Susan Holtzman and toward Town Manager Rafael Casals for their efforts. Commissioner Levine Cava announced a potential date for the South Dade Solution Summit on July 15, 2016. There was discussion on pairing the Gap 2 project with the bridge project. At the request of Council Member Loyzelle, Commissioner Levine Cava provided a status update on the efforts for expanded Golf Cart access. Commissioner Levine Cava announced the July 4 Fireworks Display at Black Point Marina. Mayor Bell reported on a discussion with State Representative Jose Javier Rodriguez regarding Golf Cart access. Commissioner Levine Cava announced an Informational Town Hall on Turkey Point Cooling Canals Event on May 12, 2016 and a State Senate Committee Meeting at the Miami-Dade College Homestead Campus on April 29, 2016.

**D. · Town Lobbyist- 2016 Legislative Session Re-cap**

Town Manager Rafael Casals introduced Town Lobbyist Manny Reyes to present the 2016 Legislative Session re-cap and provide updates on various legislative items of concern to the Council. Mayor Bell spoke in opposition of texting while driving. Town Manager Rafael Casals spoke on sea-level rise.

**3. APPROVAL OF MINUTES**

- March 16 2016 Local Planning Agency Minutes
- March 16 2016 Regular Town Council Minutes

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

Council Member Coriat requested to move item 7B on the Consent Agenda forward. Town Attorney Chad Friedman suggested members of the Council pull any other items at this time and pass the remainder of the Consent Agenda. Council Member Coriat requested to pull item 7A on the Consent Agenda. Mayor Bell requested to pull Item 7E and 7F on the Consent Agenda. A motion was made by Council Member Coriat, seconded by Council Member Nixon to move item 7B on the Consent Agenda forward. Mayor Bell called for the vote and the motion passed 5-0.

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

Council Member Coriat reported on attendance at the Miami-Dade Water Summit "Why Water Matters" event. Council Member Nixon reported on attendance at the Village of Islamorada Council Meeting featuring an Everglades Foundation Presentation. Council Member Nixon announced the Everglades Foundation Seminar on May 3, 2016. Council Member Nixon reported on the crowning of the Inaugural Miss Cutler Bay USA. Vice Mayor Sochin reported on attendance at the Palmetto Bay Business Association Meeting featuring a Sea Level Rise Presentation. Council Member Loyzelle reported on attendance at the Age Friendly Initiative Conference and the Great Parks Summit Event with Mayor Bell and Town staff. Council Member Loyzelle announced the Good Government Initiative Reunion and Symposium event on April 28-29, 2016 and the Redlands Blues and BBQ Festival on April 23, 2016.

#### **Mayor Bell Monthly Report March 17-April 14 2016**

Mayor Bell reported on public outreach efforts with Village of Key Biscayne Mayor Mayra Lindsay and the Public Defender's office. Mayor Bell requested Council approval to host a meeting in the Council Chambers on May 23, 2016. A motion was made by Council Member Loyzelle, seconded by Vice Mayor Sochin to approve the meeting. Mayor Bell called for the vote and the motion passed 5-0. Mayor Bell announced National Day of Prayer on May 5, 2016. Mayor Bell reported on transportation efforts in favor of light rail. Mayor Bell thanked Town staff associated with a recent transportation audit. Vice Mayor Sochin spoke on transportation and in favor of overpasses at major East-West intersections.

## 5. PUBLIC COMMENTS

Mayor Bell reviewed the procedure for public comments. Mayor Bell opened public comments. Ms. Barbara Condon spoke in favor of undeveloped property research agenda item 8A and thanked Council Member Coriat for sponsorship. Mr. Tom Condon spoke in favor of undeveloped property research agenda item 8A and thanked Council Member Coriat for sponsorship. Mr. Condon spoke in opposition of the delay of Public Comments in the agenda. Mr. Kevin Esposito spoke in opposition of proposed development on Old Cutler Road and 87th Avenue and in opposition of golf carts on the bike path. Mr. Eduardo M. Varona spoke in favor of undeveloped property research agenda item 8A. Mr. Varona also spoke in favor of passive recreation parks and passive park land expansion. Dr. Amy Roda spoke in favor of undeveloped property research agenda item 8A and suggested building partnerships. Ms. Jean McJilton spoke in opposition of rezoning agenda item 9A. Mr. David Bader spoke in opposition of rezoning agenda item 9A. Ms. Carol F. Paul spoke in favor of undeveloped property research agenda item 8A and thanked Council Member Coriat for sponsorship. Mr. Marco Fernandez spoke in opposition of rezoning agenda item 9A and requested clarification. Mr. Albert Collazo spoke in favor of undeveloped property research agenda item 8A and thanked Council Member Coriat for sponsorship. Mayor Bell closed public comments.

## 6. REPORTS

### A. TOWN MANAGER'S REPORT

Town Manager Rafael Casals introduced Public Works Director Alfredo Quintero to report on various awards received for the SW 212 Street Drainage Improvement Project. Gary Ratay and Janet Delgado of Kimley-Horn and Associates presented an update on the Caribbean Boulevard Roadway Improvement Project and announced substantial project completion ahead of schedule. Town Manager Rafael Casals announced the first Open Mic Night on April 27, 2016. Town Manager Rafael Casals commended Building and Code Compliance Director Sandra Aronoff and the Building and Code Compliance staff for their efforts. Town Manager Rafael Casals reported on the recent installation of a solar powered informational kiosk in front of Town Hall.

#### · 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 year and first quarter ended December 31, 2015.

### B. TOWN ATTORNEY'S REPORT

- Amicus Support

Town Attorney Chad Friedman reported on an amicus brief opposing stiff penalties for enforcing laws prohibiting guns in parks, and requested Council consent to sign on to the amicus brief. Town Attorney Chad Friedman also requested Council consent to sign on to future amicus briefs to reflect previous actions approved by Council. The Council came to a general consensus to sign on to the amicus brief opposing stiff penalties for enforcing laws prohibiting guns in parks. The Council came to a general consensus to approve joining future amicus briefs which agree with adopted Town resolutions. Town Attorney Chad Friedman reported on the status of a foreclosure property.

### C. TOWN CLERK'S REPORT

Interim Town Clerk Jacqueline Wilson introduced Mauricio Melinu and welcomed him as the new Assistant to the Town Clerk.

### D. BOARD AND COMMITTEE REPORTS

Council Member Coriat reported on the progress of the Parks and Recreation Committee and projects currently underway. Council Member Coriat also reported on attendance at Family Movie Night, the 2016 Relay for Life of Pinecrest, Palmetto Bay & Cutler Bay Event, and the Earth and Arbor Day Event. Council Member Coriat announced ongoing Summer Camp Registration, various upcoming events and the next Parks and Recreation Committee Meeting on May 2, 2016.

Vice Mayor Sochin reported on the progress of the Education Advisory Committee and initiatives involving mentoring, homework and recess. Council Member Loyzelle announced the next Communities for a Lifetime Committee Meeting on May 4, 2016 at a rescheduled time of 5:30PM. Mayor Bell announced the next Economic Growth Committee Meeting on April 21, 2016 at a rescheduled time of 10AM. Mayor Bell reported on the Youth Council Committee and their recent completion of a Public Service Announcement video.

Council Member Loyzelle requested moving item 8A on the agenda forward while members of the public were still present. A motion was made by Council Member Loyzelle, seconded by Council Member Mixon to move item 8A on the agenda forward. Mayor Bell called for the vote and the motion passed 4-1. Vice Mayor Sochin voted in opposition.

### 7. CONSENT AGENDA

A motion was made by Council Member Coriat, seconded by Council Member Mixon to approve items 7C and 7D 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 TO TLC ENGINEERING FOR ARCHITECTURE, INC. FOR PROFESSIONAL ENGINEERING AND DESIGN SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Resolution. Council Member Coriat pulled the item for disclosure as a follow up to Resolution 16-09 adopted at the January 20, 2016 Regular Town Council Meeting. A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted. Vice Mayor Sochin called for the vote and the motion passed 5-0.

- B.** 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 Coriat introduced Communities for a Lifetime Committee nominee Ms. Charlotte Marvez and invited her to speak. A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted. Mayor Bell called for the vote and the motion passed 5-0.

Mayor Bell requested to move item 7F up on the Consent Agenda. A motion was made by Council Member Coriat, seconded by Council Member Mixon to move item 7F up on the Consent Agenda. Mayor Bell called for the vote and the motion passed 5-0.

- 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 WOLFBERG ALVAREZ & PARTNERS FOR PROFESSIONAL ENGINEERING AND DESIGN SERVICES FOR THE AQUATIC FACILITY CONCEPTUAL PLANS DESIGN AND COST ESTIMATE SERVICES; 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, SUPPORTING THE CITY OF HOMESTEAD'S RESOLUTION IN SUPPORT OF FEDERAL FUNDING FOR A NEW VETERAN'S AFFAIRS MEDICAL CLINIC IN HOMESTEAD, FLORIDA; PROVIDING FOR TRANSMITTAL AND PROVIDING FOR 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 IN THE AMOUNT NOT TO EXCEED \$74,579 TO KIMLEY-HORN AND ASSOCIATES, INC. FOR TOWN CENTER PLAZA CONCEPTUAL PLANS DESIGN AND COST ESTIMATE SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Resolution. At the request of Mayor Bell, Town Manager Rafael Casals provided highlights on the item. After discussion, a motion was made by Council Member Nixon, seconded by Council Member Coriat, that this Resolution be adopted. Mayor Bell called for the vote and the motion passed 5-0.

- F.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXPEND FUNDS IN THE AMOUNT OF \$27,275 FOR THE PURCHASE OF EQUIPMENT AS PER THE EXECUTED INTERLOCAL AGREEMENT BETWEEN THE MIAMI DADE COUNTY PUBLIC SCHOOLS AND THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jaqueline Wilson read the title of the Resolution. Town Manager Rafael Casals introduced Cutler Bay Senior High School Principal Lucas J. De La Torre and Miami-Dade County Public Schools Office of Intergovernmental Affairs and Grants Administration Director Eva Regueira to present the item. Town Manager Rafael Casals provided clarification on the Interlocal Agreement. Town Attorney Chad Friedman provided further clarification on the Interlocal Agreement. Council Member Loyzelle suggested the school district purchase the items first and provide the Town receipts for the purpose of reimbursement. Town Manager Rafael Casals notified the Council he will reconcile all checks written per the Interlocal Agreement and provide backup documentation to the Council and the District. A motion was made by Vice Mayor Sochin, seconded by Council Member Nixon, that this Resolution be adopted. Mayor Bell called for the vote and the motion passed 5-0.

## **8. RESOLUTIONS**

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO RESEARCH THE STATUS OF UNDEVELOPED PROPERTIES ALONG OLD CUTLER ROAD AND TO MEET WITH SUCH PROPERTY OWNERS RELATED TO THE SAME; AND PROVIDING FOR AN EFFECTIVE DATE

Town Clerk Jacqueline Wilson read the title of the Resolution. A motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted. Council Member Loyzelle requested a friendly amendment to research all vacant properties within the Town. Council Member Coriat seconded the amendment. Council Member Coriat spoke in favor of the item and thanked Town Manager Rafael Casals and Town Attorneys Chad Friedman and Mitchell Bierman for their efforts associated with the item. Mayor Bell requested an amendment to adjust the timeline from 90 days to 120 days. Vice Mayor Sochin spoke in opposition of additional parks.

A motion was made by Council Member Mixon, seconded by Council Member Coriat to extend the meeting past 11PM. The Mayor called for the vote and the motion passed 5-0.

Council Member Mixon spoke in favor of passive parks and in favor of the friendly amendments. After discussion, a motion was made by Council Member Coriat, seconded by Council Member Mixon, that this Resolution be adopted as amended. Mayor Bell called for the vote and the motion passed 5-0.

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

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE REQUEST OF CHANTERELLE PROPERTIES, INC. TO PERMIT A REZONING FROM SR (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO NR (NEIGHBORHOOD RESIDENTIAL DISTRICT) ON PROPERTY GENERALLY LOCATED ON S.W. 200TH TERRACE AND S.W. 87TH AVENUE (FOLIO NUMBER 36-6009-002-1820), AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 1.08 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Chad Friedman read the quasi-judicial statement and asked if anyone wished to speak on this issue that they be given an oath from the Town Clerk. Town Clerk Jacqueline Wilson provided the oath and read the title of the Ordinance. Town Manager Rafael Casals introduced Planning and Zoning Director Kathryn Lyon to present the item to the Council along with support from Calvin, Giordano and Associates consultant Sarah Sinatra Gould. Applicant Javier Giraud spoke on the project application.

Mayor Bell opened the public hearing. Ms. Jean McJilton spoke in opposition of the item. Mayor Bell closed the public hearing.

A motion was made by Vice Mayor Sochin, seconded by Council Member Coriat, that this Ordinance be approved on first reading. At the request of Council Member Mixon, Ms. Sarah Sinatra Gould and Planning and Zoning Director Kathryn Lyon provided clarification on density. After discussion, Mayor Bell called for a vote. The motion carried by the following vote:

**Yes:** 4 - Mayor Peggy Bell, Vice Mayor Ernest Sochin, Council Member Mary Ann Mixon and Council Member Roger Coriat

**No:** 1 - Council Member Sue Ellen Loyzelle

## 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, AMENDING SECTION 3-57 OF THE TOWN CODE OF ORDINANCES RELATING TO NR, NEIGHBORHOOD RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Manager Rafael Casals introduced Planning and Zoning Director Kathryn Lyon to present the item. 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 Mixon, 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 Mixon, 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, 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 introduced Building and Code Compliance Director Sandra Aronoff to present proposed changes to the Ordinance. 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 adopted on second reading.

Council Member Mixon suggested amending recreational vehicle storage maximum height to be as permitted by Florida State Law.

A motion was made by Council Member Mixon, seconded by Vice Mayor Sochin, that this Ordinance be approved on second reading as amended.

Mayor Bell announced efforts with the Town Manager on maintenance of residential fences and walls.

Mayor Bell called for the vote and 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

## 13. PUBLIC COMMENTS

Mayor Bell opened Public Comments. Ms. Barbara Condon spoke in opposition of prior comments made by Vice Mayor Sochin. Mr. Thomas. C. Condon spoke in opposition of prior comments made by Vice Mayor Sochin. Mayor Bell closed Public Comments.

**14. MAYOR AND COUNCIL COMMENTS**

Mayor Bell requested Council approval for expense account reimbursement of a Chamber South Excellence Award Luncheon. The Council granted approval by general consensus. Town Manager Rafael Casals requested Council approval for expense account reimbursement on behalf of Vice Mayor Sochin for the Miami-Dade County League of Cities Gala. The Council granted approval by general consensus.

**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 Vice Mayor Sochin. The meeting adjourned at 12:17AM.

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.