



# 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 Sue Ellen Loyzelle*

*Council Member Mary Ann L. Mixon*

*Council Member Michael P. Callahan*

*Council Member Roger Coriat*

#### **CHARTER OFFICIALS**

*Town Attorney Mitchell Bierman*

*Town Attorney Chad Friedman*

*Town Manager Rafael G. Casals*

*Town Clerk Debra E. Eastman, MMC*

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Wednesday, November 15, 2017

7:00 PM

Council Chambers

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

Mayor Peggy Bell called the meeting to order at 7:06 p.m. Town Clerk Debra Eastman called the roll with Council Members Roger Coriat, Michael Callahan, Mary Ann Mixon and Mayor Peggy Bell in attendance.

Cub Scout Pack 357 with Leader Jim Bryan presented the colors, led the Pledge of Allegiance and recited the Scout Oath.

Mayor Bell called for a moment of silence for those involved in recent church shootings and all of the victims and families of gun violence.

Council Member Coriat made a motion to pull items 5I, 5J and 5L to be taken up by the Town Council following completion of public comments. Council Member Mixon provided a second. Mayor Bell called for the vote and the motion passed 5-0.

**Present:** 5 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle, Council Member Mary Ann Mixon, Council Member Michael P. Callahan and Council Member Roger Coriat

### **2. TOWN COUNCIL ANNOUNCEMENTS, BOARD & COMMITTEE REPORTS**

- Town Council Monthly Reports November 2017

Robert Duncan, Chair of the Education Advisory Committee reported to the Town Council on behalf of the EAC that the committee voted in support of the legislative priorities as set by Miami Dade County Schools and the EAC voted in agreement and also requested that the Town Council support the legislative priorities as well. Mayor Bell thanked Mr. Duncan for his report.

Mayor Bell reported that she, Town Lobbyist Fausto Gomez, Vice Mayor Loyzelle, Town Attorney Mitchell Bierman and Town Manager Ralph Casals met in Tallahassee to endorse the Town's legislative priorities and met with State Legislators.

### **3. PUBLIC COMMENTS**

Frank Martin spoke in opposition to Item 10B on the agenda citing Roberts Rules

of Order and others.

Tom Condon and Kevin Voitke spoke in opposition to Item 10B.

Ms. Christopher spoke regarding the need for a road repair at Ingraham Avenue.

#### **4. REPORTS**

##### **A. TOWN MANAGER'S REPORT**

- Town Manager Monthly Report November 2017
- 2017 Local Mitigation Strategy Annual Report
- 2017 Flood Mitigation Projects Annual Report

Public Works Director Alfredo Quintero provided a report regarding the Floodplain Mitigation Master Plan and reported that they have earned an additional five percent off of flood insurance policies for property owners within the Town of Cutler Bay. Mr. Quintero also reported that the Town now has 6 certified flood plain managers on staff.

Major Leo Ricelli explained the Grinch Buster detail that will be taking place during the holidays.

Town Manger Ralph Casals explained that the property owner at 87 Avenue and Old Cutler Road has accepted the Town's offer and that the Town Attorneys will secure appraisals and work out the language of the contract.

- SMART Plan-South Dade Transitway

Alex David from Calvin Giordano and Associates spoke about the transit corridor study and status and elements of the Smart Plan.

##### **B. TOWN ATTORNEY'S REPORT**

There was no report from the Town Attorney.

##### **C. TOWN CLERK'S REPORT**

Town Clerk Debra Eastman reminded of the two hour training on ethics, sunshine law and public records scheduled for Tuesday, November 28 at 6:30 p.m.

#### **5. CONSENT AGENDA**

Council Member Michael Callahan requested to pull items 5M and 5O from the consent agenda for discussion.

#### **APPROVAL OF MINUTES**

- A.**
- June 6 2017 Town Council Workshop Minutes
  - July 26 2017 Town Council Workshop Minutes
  - August 10 2017 Town Council Workshop Minutes

The Minutes was approved on Consent.

- B.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY,

FLORIDA, RATIFYING THE TOWN MANAGER'S ISSUANCE OF A PURCHASE ORDER TO PHILLIPS & JORDAN, INC. FOR EMERGENCY DEBRIS CUT AND PUSH SERVICES ON TOWN OWNED AND MAINTAINED ROADS AS A RESULT OF HURRICANE IRMA; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- C. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RATIFYING THE TOWN MANAGER'S ISSUANCE OF A PURCHASE ORDER TO DRC EMERGENCY SERVICES, INC. FOR EMERGENCY DEBRIS CUT AND PUSH SERVICES ON TOWN OWNED AND MAINTAINED ROADS AS A RESULT OF HURRICANE IRMA; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- D. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING VISUALSCAPE, INC. FOR SERVICES RELATING TO DOWN AND LEANING TREES ON TOWN OWNED AND MAINTAINED ROADWAYS AND PARKS AS A RESULT OF HURRICANE IRMA; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- E. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO ENVIROWASTE SERVICES GROUP, INC. FOR EMERGENCY SIDEWALK REPAIRS ON TOWN OWNED AND MAINTAINED ROADS AS A RESULT OF HURRICANE IRMA; 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, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO VISUALSCAPE, INC. FOR TREE SERVICES AS A RESULT OF HURRICANE IRMA WITHIN THE TOWN OWNED AND MAINTAINED ROADWAYS; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- G. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE MIAMI-DADE COUNTY PUBLIC SCHOOL BOARD'S 2018 STATE LEGISLATIVE PROGRAM; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- H. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING WORKFORCE HOUSING LEGISLATIVE FINDINGS PURSUANT TO MIAMI-DADE COUNTY CODE SECTION 33-193.7; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- I.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPOINTING NEW MEMBERS TO THE YOUTH COUNCIL COMMITTEE AS PROVIDED IN EXHIBIT "A;" AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the resolution. Council Member Coriat explained that Daniella Cisar declined appointment and he would like to replace her name on the exhibit with Derricha Joseph-Taylor. Council Member Mixon made a motion to approve the resolution with the change and the motion received a second from Council Member Callahan. The Mayor called for the vote and it was adopted 5-0.

- J.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPOINTING AND FUNDING A CHARTER REVISION COMMISSION; PROVIDING FOR APPOINTMENTS TO THE CHARTER REVISION COMMISSION; PROVIDING FOR DISSOLUTION OF THE COMMISSION, AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title. Council Member Coriat introduced Mr. Abhijit Bhattacharyya as his appointee to the Charter Revision Commission. Council Member Coriat made a motion to adopt the resolution and it received a second from Council Member Mixon. Mayor Bell called for the vote and it was adopted 5-0.

- K.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE QUALIFICATIONS OF THE FIRMS TO PROVIDE GENERAL PLANNING AND DEVELOPMENT REVIEW SERVICES TO THE TOWN; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH SUCH QUALIFYING FIRMS; AND PROVIDING FOR AN EFFECTIVE DATE.

**This resolution was adopted on Consent.**

- L.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPOINTING A MEMBER TO THE EDUCATION ADVISORY COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the resolution. Council Member Coriat introduced his appointee to the Education Advisory Committee, Kerri Medina. Council Member Coriat made a motion to adopt the resolution and it received a second from Council Member Mixon. The Mayor called for the vote and it was adopted by a vote of 5-0.

- M.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING RESOLUTION 16-56, WHICH ADOPTED THE BUDGET FOR THE 2016/2017 FISCAL YEAR, BY REVISING THE 2016/2017 OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE TOWN MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the resolution. Council Member requested explanaton from Town Manager Ralph Casals. Finance Director Robert Daddario explained the process for amending the budget and requirements of law. Council Member Callahan made a motion to adopt the resolution. It received a second from Council Member Mixon. The Mayor called for the vote and it was adopted 5-0.

- N. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING STAR PAVING CORPORATION PURSUANT TO INVITATION TO BID NO. 17-07 FOR CONSTRUCTION OF THE CUTLER BAY MIDDLE SCHOOL SIDEWALK CONNECTIVITY PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- O. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING BALLPARK MAINTENANCE, INC. FOR BASEBALL FIELD REPAIRS AT LAKES BY THE BAY PARK; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the resolution. Council Member Callahan asked about the waiver of competitive bid and the Town Manager explained that he received three quotes as required. Vice Mayor Loyzelle spoke in favor. Council Member Callahan made a motion to approve the resolution. It received a second from Vice Mayor Sue Loyzelle. Mayor Bell called for the vote and the motion was adopted 5-0.

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

**(THESE HEARINGS ARE SCHEDULED FOR A TIME CERTAIN OF 8:00 P.M.)**

**EACH PARTY WILL BE LIMITED TO A PRESENTATION OF 20 MINUTES. THIS TIME LIMITATION MAY BE EXTENDED BY THE CHAIR OF THE MEETING.**

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

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

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

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 26 "PROPERTY MAINTENANCE AND CONTROL" OF THE TOWN CODE OF ORDINANCES RELATING TO THE REGISTRATION OF ABANDONED REAL PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT, AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the resolution. Code Compliance Director Sandra Aronoff explained the reason for the resolution and that it will provide more accurate information regarding foreclosures. Mayor Peggy Bell

opened the public hearing. There was no one wishing to speak and Mayor Bell closed the public hearing. Council Member Nixon made a motion to adopt the resolution and it received a second from Council Member Coriat. Mayor Bell called for the vote and the motion was adopted 5-0.

Yes: 5 - Mayor Peggy Bell, Vice Mayor Sue Ellen Loyzelle, Council Member Mary Ann Nixon, Council Member Michael Callahan and Council Member Roger Coriat

## 10. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, REDUCING TOWN PERMIT FEES FOR SOLAR PANELS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the resolution. Mayor Peggy Bell explained the solar cooperative and its association with PACE and that the discount has been negotiated with CAP. Mayor Bell passed the gavel to Council Member Nixon and made a motion to adopt the resolution. The motion received a second from Council Member Coriat. Council Member Nixon called for the vote and the motion was adopted 5-0.

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING RESOLUTION 06-05; ADOPTING RULES OF PROCEDURE RELATED TO DEBATE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the resolution. Mayor Bell explained why she was bringing this item to the Town Council and stated it is important that adopted items have finality. A motion to adopt the resolution was made by Council Member Nixon and it received a second from Council Member Coriat. Vice Mayor Sue Loyzelle spoke in opposition to the resolution. Council Member Callahan asked about a motion to reconsider being on the prevailing side and spoke in opposition. Town Manager Ralph Casals reminded the Town Council that the last action they adopted was for the Town Manager to issue a purchase order. After further discussion, Mayor Bell called for the vote and the motion failed 2-3, with Mayor Bell and Council Member Nixon voting in favor and Council Members Callahan and Coriat and Vice Mayor Loyzelle voting in opposition.

## 11. PUBLIC COMMENTS

Frank Martin spoke about civility policy. Tom Condon spoke about the Town Center Plaza and communication. Stacy Cusano spoke about communication with residents.

## 12. ADJOURNMENT

The meeting adjourned at 10:35 p.m.

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.