



# Town of Cutler Bay

Town Hall  
10720 Caribbean Blvd  
Cutler Bay, FL 33189

## Meeting Minutes Town Council

### *MAYOR AND COUNCIL MEMBERS*

*Mayor Tim Meerbott*

*Vice Mayor Sue Ellen Loyzelle*

*Council Member Robert "BJ" Duncan*

*Council Member Michael P. Callahan*

*Council Member Roger Coriat*

### *CHARTER OFFICIALS*

*Town Attorney Mitchell Bierman*

*Town Attorney Chad Friedman*

*Town Manager Rafael G. Casals, ICMA-CM, CFM*

*Town Clerk Debra E. Eastman, MMC*

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Wednesday, April 17, 2019

7:00 PM

Council Chambers

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

Mayor Tim Meerbott called the meeting to order at 7 p.m. Town Clerk Debra Eastman called the roll with Mayor Tim Meerbott, Vice Mayor Sue Loyzelle, Council Members Michael Callahan, Robert Duncan and Roger Coriat in attendance.

**Present:** 5 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert "BJ" Duncan, Council Member Michael P. Callahan and Council Member Roger Coriat

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

- Mayor Meerbott April 2019 Report
- Vice Mayor Loyzelle April 2019 Report
- Council Member Duncan April 2019 Report
- Council Member Callahan April 2019 Report
- Council Member Coriat April 2019 Report

Mayor Meerbott announced that he and other members of the Town Council attended the Miami Dade County Days in Tallahassee and that Senator Jose Rodriguez presented a plaque on the floor of the Senate to the Town for thier work as an age-friendly community. Students from the Cutler Bay Senior High School have reached out to Mayor Meerbott regarding the voluntary banning of plastic straws and styrofoam. The remainder of the Town Council requested that they be named as co-sponsors of any legislation that is prepared for this purpose. Mayor Meerbott thanked the students in attendance for taking this on as a project and reminded that they will be holding a clean up event on May 11 from 11 a.m. to 3 p.m.

Mayor Meerbott announced that the Town was presented with the 2019 R.E.A.L. Award in the Municipality/Community Category. The R.E.A.L. Award is organized by the Greater Miami Chamber of Commerce and held yearly. The award spotlights Miami Real Estate Achievers, Leaders and Partners who have achieved success. There were applause from the audience and congratulations from the Town Council.

### 3. PUBLIC COMMENTS

Mayor Meerbott opened public comments. Adam Skaronski asked about the Caribbean Boulevard bridge. Town Manager Ralph Casals explained that Miami-Dade County is still going to take care of it, but is not sure when this will happen.

### 4. REPORTS

#### A. TOWN MANAGER'S REPORT

Town Manager Ralph Casals gave a history of the many accomplishments and projects which Kathryn Lyon, Director of Planning and Zoning has been part of and thanked her for her service to the Town of Cutler Bay. Mr. Casals announced the 2019 Summer Youth Internship and that the Town will be hosting a meeting of potential business employers on May 9, 2019.

- Town Manager Monthly Report April 2019
- 2018 Miami-Dade Fire Rescue Annual Report

The Fire Chief Dave Downing provided his oral report to the Town Council and provided them with the Cutler Bay Fire Department insignia. The Town Council wished him the best as this was his last report prior to retirement.

#### B. TOWN ATTORNEY'S REPORT

The Town Attorney had no report.

#### C. TOWN CLERK'S REPORT

Town Clerk Debra Eastman introduced her friend and former colleague in the audience, Denise Gonyer, CMC.

### 5. CONSENT AGENDA

Mayor Tim Meerbott asked the Town Council if they would like to pull any items from the Consent Agenda. Council Member Coriat pulled 5F. A motion was made by Council Member Coriat to approve the balance of the Consent Agenda. The motion received a second from Council Member Duncan. Mayor Meerbott called for the vote and the motion was adopted 5-0.

### APPROVAL OF MINUTES

- A.
- March 20 2019 Local Planning Agency Minutes
  - March 20 2019 Regular Town Council Minutes

The Minutes were approved on Consent.

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ACCEPTING A 2019 NEAT STREETS MIAMI STREET TREE MATCHING GRANT AWARD; APPROVING AN AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR 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, SELECTING ESTRADA HINOJOSA & CO., INC. FOR FINANCIAL ADVISORY SERVICES; PROVIDING FOR AUTHORIZATION; 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, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO R.J. BEHAR & COMPANY, INC. FOR THE CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE GULFSTREAM ELEMENTARY COMPLETE STREETS PROJECT; PROVIDING FOR AUTHORIZATION; 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 ISSUANCE OF AN INVITATION TO BID (ITB) FOR MISCELLANEOUS ROADWAY AND DRAINAGE IMPROVEMENTS; 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, MODIFYING RESOLUTION 19-17, AS AMENDED, TO PROVIDE FOR A REVISED TOWN COUNCIL AGENDA FORMAT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Town Clerk Debra Eastman read the title of the resolution. Council Member Coriat asked for clarification regarding the intended time to begin the Quasi-judicial items. It was explained that the Quasi items would not start later than 8 p.m. Mayor Meerbott explained that the purpose is for efficiency. Council Member Coriat made a motion to adopt the resolution. The motion received a second from Vice Mayor Lozelle. Mayor Meerbott called for the vote and the motion was adopted 5-0.**

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

**Mayor Meerbott explained that the attorney for the applicant is in the audience and that they have submitted a request to defer to the May 15, 2019 Town Council meeting.**

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE FROM SECTION 3-59(5) OF THE TOWN CODE TO PERMIT 24.89% BUILDING FRONTAGE WHERE 75% IS REQUIRED ALONG A SECONDARY STREET FOR FRONTIER DEVELOPMENT LLC LOCATED AT 19875 SOUTH DIXIE HIGHWAY CONSISTING OF APPROXIMATELY .99 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE. (\*previously deferred per March 20, 2019 Regular Town Council Meeting to date certain April 17, 2019 Regular Town Council Meeting; previously deferred per April 17, 2019 Regular Town Council Meeting to date certain May 15, 2019 Regular Town Council Meeting)

**Vice Mayor Sue Loyzelle made a motion to defer the items to time certain May 15, 2019 no later than 8 p.m. Council Member Duncan provided the second. Council Member Roger Coriat explained he is concerned about multiple deferrals and that he hopes this item will be ready to be heard in May. Mayor Meerbott called for the vote and motion was adopted 5-0.**

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A SITE PLAN FOR FRONTIER DEVELOPMENT LLC TO PERMIT A COMMERCIAL MIXED-USE DEVELOPMENT CONSISTING OF 8,370 SQUARE FEET ON PROPERTY LOCATED AT 19875 SOUTH DIXIE HIGHWAY, CONSISTING OF APPROXIMATELY .99 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE. (\*previously deferred per March 20, 2019 Regular Town Council Meeting to date certain April 17, 2019 Regular Town Council Meeting; previously deferred per April 17, 2019 Regular Town Council Meeting to date certain May 15, 2019 Regular Town Council Meeting)

**A motion was made by Vice Mayor Loyzelle, seconded by Council Member Duncan, that this Resolution be deferred. The motion carried by an unanimous vote. (5-0)**

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

- A.** AN ORDINANCE OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 2, "ADMINISTRATION" OF THE TOWN CODE OF ORDINANCES TO PROVIDE FOR THE PROHIBITION OF BOARD, COMMITTEE, OR TASK FORCE MEMBERS FROM CONDUCTING ANY BUSINESS TRANSACTIONS WITH THE TOWN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Town Clerk Debra Eastman read the title of the Ordinance. A motion was made by Vice Mayor Loyzelle, seconded by Council Member Coriat, that this Ordinance be approved on first reading. Vice Mayor Loyzelle spoke in favor as the sponsor of the legislation. The motion carried by the following vote:**

**Yes:** 5 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY REPEALING AND REPLACING CHAPTER 18, "FLOODS"; ADOPTING FLOOD HAZARD MAPS, DESIGNATING A FLOODPLAIN ADMINISTRATOR, ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND ADOPTING TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Town Clerk Debra Eastman read the title of the Ordinance. A motion was made by Vice Mayor Loyzelle, seconded by Council Member Duncan, that this Ordinance be approved on first reading. Director of Public Works Alfredo Quintero explained the intent of the Ordinance. The motion carried by the following vote:**

**Yes:** 5 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

- C.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, ENTITLED "LOBBYIST REGISTRATION," BY ADDING SECTION 2-238 ENTITLED "PROHIBITING LOBBYING BY CAMPAIGN CONSULTANTS," BY PROHIBITING CAMPAIGN CONSULTANTS AND CERTAIN AFFILIATED PERSONS OR ENTITIES FROM LOBBYING TOWN COUNCIL MEMBERS FOR A PERIOD OF TIME AFTER AN ELECTION; PROVIDING FOR DEFINITIONS AND LIMITED EXEMPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Town Clerk Debra Eastman read the title of the Ordinance. A motion was made by Council Member Coriat, seconded by Council Member Callahan, that this Ordinance be approved on first reading. Council Member Coriat as the sponsor spoke in favor and explained the intent of the Ordinance. The motion carried by the following vote:**

**Yes:** 5 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

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

There were none.

## **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 SECTION 24-43 OF THE TOWN CODE, "PURCHASES OF MORE THAN \$5,000.00 BUT LESS THAN \$25,000.00;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (\*previously deferred per March 20, 2019 Regular Town Council Meeting to date certain April 17, 2019 Regular Town Council Meeting)

**Town Clerk Debra Eastman read the title of the Ordinance. Mayor Tim Meerbott opened the public hearing. There being no one wishing to speak, the public hearing was closed. A motion was made by Vice Mayor Loyzelle, seconded by Council Member Duncan, that this Ordinance be approved on second reading. Vice Mayor Sue Loyzelle as sponsor of the Ordinance spoke in favor. The motion carried by the following vote:**

**Yes:** 5 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

- B.** AN ORDINANCE OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 36, "UTILITIES" OF THE TOWN CODE OF ORDINANCES TO PROVIDE FOR STORMWATER MANAGEMENT REGULATIONS AND A FACILITY INSPECTION PROGRAM; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Town Clerk Debra Eastman read the title of the Ordinance. Mayor Tim Meerbott opened the public hearing. There being no one wishing to speak, he closed the public hearing. A motion was made by Council Member Coriat, seconded by Council Member Duncan, that this Ordinance be approved on second reading. The motion carried by the following vote:**

**Yes:** 5 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

## **10. RESOLUTIONS**

There were no Resolutions.

## **11. PUBLIC COMMENTS**

Mayor Tim Meerbott opened public comments, There was no one wishing to speak and public comments was closed. Mayor Meerbott thanked Parks and Recreation Director Etienne Bejarano for his excellent work at the Wings over Cutler Bay Event. Vice Mayor Sue Loyzelle reminded of the Easter Eggstravagnza on Saturday.

## **12. ADJOURNMENT**

There being no further business to come before the Town Council the meeting adjourned at 7:53 p.m.