



# 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, October 28, 2020

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 virtual Town Council meeting to order at 7:02 p.m. and led the Pledge of Allegiance. Town Clerk Debra Eastman called the roll and provided the instructions for meeting participation.

**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. PUBLIC COMMENTS

Town Clerk Debra Eastman provided information on how to participate in public comments. Hannah Keime was recognized by Mayor Meerbott and spoke about HeartCharged and the near tragedy in her own family regarding an undiagnosed heart condition which led to this new business venture.

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

- A.**
- Mayor Meerbott October 2020 Report
  - Vice Mayor Loyzelle October 2020 Report
  - Council Member Duncan October 2020 Report
  - Council Member Callahan October 2020 Report
  - Council Member Coriat October 2020 Report

Mayor Meerbott called attention to the Council Member reports provided in the agenda package.

**B. · Proclamation - HeartCharged Sudden Cardiac Awareness Month**

Mayor Meerbott recognized Bethany Keime via telephone and read a proclamation honoring Hannah and Bethany Keime who founded the non-profit HeartCharged and who have dedicated thousands of hours to bringing attention to an often undiagnosed heart condition. Mayor Meerbott congratulated the young women on their thousands of hours of service to the community. Vice Mayor Loyzelle spoke in appreciation of their dedication and selflessness. Bethany Keime thanked the Mayor and Town Council and offered the donation of an AED to the Town of Cutler Bay.

**4. REPORTS****A. TOWN MANAGER'S REPORT****· Town Manager Monthly Report October 2020**

Town Manager Ralph Casals provided a report to the Town Council including the upcoming virtual State of the Town event, Covid-19 expenses as it relates to the Federal Cares Act funds, reported on programs now becoming available to the town to assist the residents with mortgage and utility payments, Covid-19 enforcement expenses, turn signal installation and on-demand shuttle service.

**B. TOWN ATTORNEY'S REPORT**

Town Attorney Mitch Bierman spoke about virtual Town Council meetings coming to an end at the end of October as Governor De Santis will not be extending the emergency order beyond that date.

**C. TOWN CLERK'S REPORT**

Town Clerk Debra Eastman reminded about the Town's General Election which will take place on November 3, 2020 for the offices of Vice Mayor and Council Member Seat 2, along with federal, state and county offices and issues.

**5. CONSENT AGENDA**

Mayor Meerbott requested to pull item 5C from the Consent Agenda. A motion was made by Council Member Coriat to adopt the balance of the Consent Agenda. The motion received a second from Council Member Duncan. The motion was adopted 5-0.

**APPROVAL OF MINUTES**

- A. ·** August 10 2020 Town Council Workshop Minutes
- August 26 2020 Town Council Workshop Minutes
- August 26 2020 Local Planning Agency Minutes
- August 26 2020 Regular Town Council Minutes
- September 8 2020 First Budget Hearing Minutes
- September 22 2020 Final Budget Hearing Minutes

The Minutes were approved on Consent.

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING PARK USE AGREEMENTS WITH VARIOUS LOCAL YOUTH SPORTS ORGANIZATIONS FOR USE OF TOWN PARKS FOR SPORTS AND RECREATIONAL ACTIVITIES; 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, EXPRESSING STRONG SUPPORT FOR THE RENAMING OF SOUTH DIXIE HIGHWAY/U.S. 1 FROM S.W. 112TH AVENUE/SOUTH ALLAPATTAH ROAD TO S.W. 184TH STREET/EUREKA DRIVE TO THE "HARRIET TUBMAN HIGHWAY;" AND PROVIDING FOR AN EFFECTIVE DATE.

**Town Clerk Debra Eastman read the title of the Resolution. After discussion, a motion was made by Council Member Coriat, seconded by Vice Mayor Loyzelle, that this Resolution be adopted. The motion carried by the following vote:**

**Yes:** 4 - Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

**No:** 1 - Mayor Tim Meerbott

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA ESTABLISHING A FEE SCHEDULE FOR REGISTRATION OF VACATION RENTALS PURSUANT TO SECTION 3-179.1 OF THE LAND DEVELOPMENT REGULATIONS; 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, ACCEPTING A MIAMI-DADE COUNTY TRANSPORTATION PLANNING ORGANIZATION GRANT AWARD FOR THE 2020 TRANSPORTATION MASTER PLAN UPDATE PROJECT; APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE MIAMI-DADE COUNTY TRANSPORTATION PLANNING ORGANIZATION AND THE TOWN; PROVIDING FOR AUTHORIZATION; 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, ACCEPTING A FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT AWARD; APPROVING AN AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE TOWN; PROVIDING FOR AUTHORIZATION; 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, ACCEPTING A NATIONAL FISH AND WILDLIFE FOUNDATION GRANT AWARD FOR THE CUTLER BAY WETLAND HABITAT RESTORATION PROJECT; APPROVING AN AGREEMENT BETWEEN THE NATIONAL FISH AND WILDLIFE FOUNDATION AND THE TOWN; PROVIDING FOR AUTHORIZATION; 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, ACCEPTING MULTIPLE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT ALLOCATIONS FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR TRAINING AND OUTREACH CONDUCTED BY THE CUTLER BAY POLICING UNIT; PROVIDING FOR AUTHORIZATION; 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, ACCEPTING A FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT AWARD FOR THE FRANJO PARK RESTORATION PROJECT; APPROVING AN AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE TOWN; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- J.** 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 THE CORRADINO GROUP, INC. FOR THE PREPARATION OF THE TRANSPORTATION MASTER PLAN UPDATE; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- K.** 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 H & R PAVING, INC. FOR TOWN-WIDE SIDEWALK IMPROVEMENTS; 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, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO ENVIROWASTE SERVICES GROUP, INC. FOR THE SIDEWALK REPAIRS AND DRAINAGE WORKS PORTION OF THE CUTLER RIDGE SECTION 3 RESURFACING AND DRAINAGE IMPROVEMENTS PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- M.** 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 H & R PAVING, INC. FOR THE MILLING AND RESURFACING WORKS PORTION OF THE CUTLER RIDGE SECTION 3 RESURFACING AND DRAINAGE IMPROVEMENTS PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

**This Resolution was adopted on Consent.**

- N.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING RESOLUTION 19-74, WHICH ADOPTED THE BUDGET FOR THE 2019-20 FISCAL YEAR, BY REVISING THE 2019-20 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.

**This Resolution was adopted on Consent.**

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

There were no Quasi-Judicial Hearings.

## **7. PUBLIC COMMENTS**

Mayor Meerbott opened the floor for public comments. Town Clerk Debra Eastman provided instructions to participate virtually in public comments. There being no one wishing to speak, Mayor Meerbott closed public comments.

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

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING CHAPTER 9, TITLED "PUBLIC NUISANCES," AUTHORIZING A SPECIAL MAGISTRATE TO PRESIDE OVER NUISANCE ABATEMENT CASES AND IMPOSE FINES AND OTHER NONCRIMINAL PENALTIES PURSUANT TO SECTION 893.138, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the Ordinance for First Reading. Mayor Meerbott provided background information on the proposed ordinance. A motion was made by Council Member Coriat, seconded by Council Member Callahan, that this Ordinance be approved on first 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

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

There was none.

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

There was none.

## **11. RESOLUTIONS**

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CONFIRMING AMENDMENTS 3 AND 4 TO EMERGENCY ORDER NO. 20-04, DUE TO THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the Resolution. Town Manager Ralph Casals explained that the resolution ratifies the amendments that were made to the Town's emergency orders. A motion was made by Council Member Coriat, seconded by Vice Mayor Loyzelle, that this Resolution be adopted. The motion carried by an unanimous vote. (5-0)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, MAKING FINDINGS AND DESIGNATING REAL PROPERTY IDENTIFIED BY FOLIO NUMBERS 36-6009-005-0015, 36-6009-005-0010, 36-6009-006-0010, 36-6009-006-0012, and 36-6009-006-0011 AS A BROWNFIELD AREA PURSUANT TO SEC. 376.80(2)(A), FLORIDA STATUTES, FOR PURPOSES OF ENVIRONMENTAL REHABILITATION, JOB CREATION, AND ECONOMIC DEVELOPMENT; PROVIDING AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the Resolution. Town Attorney Mitch Bierman advised that public hearing is required for this item. Mayor Meerbott opened the public hearing. There being no one wishing to speak, Mayor Meerbott closed the public hearing. Town Manager Ralph Casals explained the Brownfield process and purpose. There were no comments from the Town Council. A motion was made by Vice Mayor Loyzelle, seconded by Council Member Duncan, that this Resolution be adopted. The motion carried by an unanimous vote. (5-0)

Mayor Meerbott expressed his thanks on behalf of the Town to Vice Mayor Sue Loyzelle for her many years of service to the Town of Cutler Bay and briefly recapped her many accomplishments. Members of the Town Council also expressed their appreciation to the Vice Mayor as this is her last scheduled meeting. Vice Mayor Loyzelle spoke about her years of service and thanked her colleagues and the Town staff for their assistance along the way.

## **12. ADJOURNMENT**

The meeting adjourned at 8:10 p.m.