



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, October 19, 2016

7:00 PM

Council Chambers

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

Mayor Bell called the meeting to order at 7:11PM. Town Clerk Jacqueline Wilson called the roll. At the request of Mayor Bell, Vice Mayor Sochin led the Pledge of Allegiance.

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. · Proclamation- Mr. Noah LeFleur

Mayor Bell and members of the Town Council presented a proclamation to The Miami Foundation's "Our Miami Public Space Challenge" grant recipient Mr. Noah LeFleur in honor of his accomplishments and service to the community.

B. · Proclamation- Vice Mayor Ernest Sochin

Mayor Bell and Council Members presented a proclamation to honor Town Vice Mayor Ernest "Ernie" Sochin for his outstanding contributions and accomplishments, dedicated service and fine leadership to the community.

C. · Presentation- Mr. Nate Ritter, Florida Green Building Coalition President "Silver" Certified Florida Local Government Designation

Mayor Bell and members of the Town Council presented a proclamation to Mr. Nate Ritter, Florida Green Building Coalition President in honor of his accomplishments and service to the community.

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

Town Attorney Mitchell Bierman requested a motion to defer Ordinance for first reading item 11C to date certain December 14, 2016.

3. APPROVAL OF MINUTES

- A.** · September 13 2016 Town Council Workshop Minutes
 · September 13 2016 First Budget Hearing Minutes
 · September 21 2016 Local Planning Agency Minutes
 · September 21 2016 Regular Town Council Minutes
 · September 27 2016 Executive Session Minutes
 · September 27 2016 Second Budget Hearing Minutes

A motion was made by Council Member Coriat, 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 his attendance at the South Miami-Dade Cultural Arts Center Backyard Bash. Council Member Loyzelle reported on the recent Town organized senior trip to the South Miami-Dade Cultural Arts Center. Council Member Loyzelle announced the upcoming Free Miami Health Fair on October 22, 2016, the 24 hour online donation event Give Miami Day on November 17, 2016, and the upcoming Florida Assisted Living Association brunch on October 20, 2016.

- A.** · Mayor Bell Monthly Report September 14-October 8 2016

Mayor Bell announced the upcoming Joint Vendor Outreach Event 'Doing Business with County and Local Government' on October 27, 2016, the upcoming Traffic Calming Master Plan Public Involvement Meeting on October 26, 2016 and the upcoming Complete Streets Corridor Analysis Kick-off Meeting on October 25, 2016. Mayor Bell also announced the upcoming 10 Year Anniversary Celebration for Town Employees on November 9, 2016 and recognized Building and Code Compliance Director Sandra Aronoff, Town Manager Rafael Casals, Finance Director Robert Daddario, Parks & Recreation Administrative Assistant Elizabeth Deveau, Public Works Neighborhood Enhancement Action Team (NEAT) Member Daniel Rodriguez and Code Compliance Officer Dennis Santiago.

5. PUBLIC COMMENTS

Mayor Bell opened Public Comments. Ms. Lucia Castillas spoke on Chanterelle Community Home Owners Association issues. Town Manager Rafael Casals clarified Chanterelle Community as a private gated community with private roads. Mr. Raul Vergara spoke in favor of Mayor Bell's sponsorship of item 7E on the Consent Agenda and spoke on solar industry regulations. Mr. Raul Vergara also spoke on issues with the Town's solar kiosk and stated he will correct them. Ms. Laura Reynolds spoke in favor 7E on the Consent Agenda. Ms. Laura Reynolds also spoke on state guidelines on the Coastal High Hazard Areas and inquired if Town staff contacted Miami-Dade County. Mr. Eduardo Verona spoke on Coastal High Hazard Area and requested clarification on Ordinances for First Reading item 11B. Mayor Bell closed Public Comments.

A motion was made by Council Member Coriat, seconded by Council Member Mixon, to pull item 7E from the Consent Agenda. Mayor Bell called for the vote and the motion passed 5-0.

6. REPORTS

A. TOWN MANAGER'S REPORT

Town Manager Rafael Casals reported on Code Compliance Division cases, the recent Hurricane Matthew, and the Miami-Dade County Mosquito Abatement Program. Town Manager Rafael Casals also reported on the Caribbean Boulevard Roadway Improvement Gap 2 project and the audit process for the Town IT Department. At the request of Council Member Loyzelle, Town Manager Rafael Casals provided clarification on the Red Light Camera Program end date. Building & Code Compliance Director Sandra Aronoff provided further clarification on the Red Light Camera Program end date. Council Member Loyzelle reported on a meeting with the Enclave Home Owners Association to discuss crime. Miami-Dade County Police Major Julie Miller provided a report on public outreach efforts regarding crime.

- 2015-16 Miami-Dade Transit Circulator Annual Report

Town Manager Rafael Casals introduced Mr. Gerald Bryan of Miami-Dade County Transit Department to present the Annual Transit Circulator Report for 2015-2016 in accordance with the Interlocal Agreement to operate the municipal circulator. There was discussion on the Town Circulator Bus.

- Robert Daddario, Finance Department- Quarterly Financial Report

Town Manager Rafael Casals introduced Finance Director Robert Daddario to present an overview of the Town's Quarterly Financial Report and the results from the year and third quarter ended June 30, 2016. Mayor Bell inquired about Social Security percentage allotment.

B. TOWN ATTORNEY'S REPORT

Town Attorney Mitchell Bierman deferred his report in the interest of time.

C. TOWN CLERK'S REPORT

Town Clerk Jacqueline Wilson announced vacancies for the Floodplain Mitigation Plan Committee and the Youth Council Committee.

D. BOARD AND COMMITTEE REPORTS

Council Member Loyzelle reported on Communities For a Lifetime Committee efforts. Vice Mayor Sochin reported on Education Advisory Committee efforts. Council Member Mixon reported on the recent Floodplain Mitigation Plan Advisory Committee meeting, and announced the next Floodplain Mitigation Plan Advisory Committee Meeting on December 8, 2016. Mayor Bell announced the upcoming Economic Growth Committee Meeting on October 20, 2016 and the upcoming Cutler Ridge Woman's Club Bunco Event on October 22, 2016. Council Member Coriat reported on Parks & Recreation Committee Meeting efforts and the completion of the sand volleyball courts at Lakes by the Bay Park. Council Member Coriat announced the upcoming Public Involvement Meetings for the Town Center Plaza and Aquatic Facility on October 22, 2016. Council Member Coriat reported on the ongoing Senior Games. Council Member Coriat announced several upcoming events and the upcoming Parks & Recreation Committee Meeting on November 14, 2016. Council Member Loyzelle reported on participation in the Senior Games Horseshoe Competition and also reported on the National Veterans Golden Games. Mayor Bell announced the upcoming 11th Annual Thanksgiving Employee Luncheon on November 17, 2016, the Annual Employee Holiday Dinner on December 2, 2016, and the American Public Works Association (APWA) Luncheon on December 2, 2016. Mayor Bell reported on Mosquito control efforts.

7. CONSENT AGENDA

Town Attorney Mitchell Bierman pulled item A from the Consent Agenda. A motion was made by Council Member Coriat, seconded by Council Member Mixon to approve items B, C, D, G and H 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, AMENDING RESOLUTION 15-67, WHICH ADOPTED THE BUDGET FOR THE 2015/2016 FISCAL YEAR, BY REVISING THE 2015/2016 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 Attorney Mitchell Bierman pulled the item in order to allow a public hearing. Town Clerk Jacqueline Wilson read the title of the Resolution. 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 Resolution be adopted. Mayor Bell 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, ACCEPTING URBAN AND COMMUNITY FORESTRY MATCHING GRANT AWARD IN THE AMOUNT OF \$13,500; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A FEDERAL FINANCIAL ASSISTANCE SUBRECIPIENT AGREEMENT WITH THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, 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 CEEPCO CONTRACTING, LLC TO PROVIDE GENERAL CONTRACTOR SERVICES; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO A GENERAL CONTRACTOR SERVICES AGREEMENT; 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 AND APPROVING AMENDMENT NO. 2 TO THE COMPREHENSIVE LANDSCAPE/GROUNDS MAINTENANCE SERVICES AGREEMENT BETWEEN THE TOWN AND VALLEYCREST LANDSCAPE MAINTENANCE, INC. TO REFLECT A NAME CHANGE TO BRIGHTVIEW LANDSCAPING SERVICES INC.; AUTHORIZING EXECUTION OF THE AMENDMENT; 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, OPPOSING AND URGING RESIDENTS TO VOTE "NO" ON AMENDMENT 1, "RIGHTS OF ELECTRICITY CONSUMERS REGARDING SOLAR ENERGY CHOICE," SCHEDULED FOR THE NOVEMBER 8, 2016 GENERAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Resolution. Mayor Bell spoke in favor of the item. Mayor Bell passed the gavel to Vice Mayor Sochin. A motion was made by Mayor Bell, seconded by Council Member Coriat, that this Resolution be adopted. Council Member Mixon spoke in opposition of Florida State Constitutional Amendment 1 Solar Energy Choice legislation. Council Member Coriat thanked Mayor Bell for sponsorship and provided a brief history on solar issues. Vice Mayor Sochin 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, TO APPOINT NEW MEMBERS AND A NEW SCHOOL DISTRICT LIAISON TO THE YOUTH COUNCIL COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Resolution. Mayor Bell introduced Youth Council Committee Member Appointees Robert Henry, Zoe Fundora, Matthew Reno, James Vazquez, Anissa Molloy and School District Liaison Ms. La-Shanda West and invited them to speak. Mayor Bell provided background on the Youth Council Committee and passed the gavel to Vice Mayor Sochin. A motion was made by Mayor Bell, seconded by Council Member Mixon, that this Resolution be adopted. Vice Mayor Sochin called for the vote, and the motion passed 5-0.

- G.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A THIRD AMENDMENT TO THE LANDSCAPE MAINTENANCE SERVICES (RIGHT-OF-WAYS) AGREEMENT WITH VISUALSCAPE, INC. FOR ADDITIONAL SCOPE OF SERVICES WITHIN TOWN DESIGNATED RIGHT-OF-WAYS; AUTHORIZING THE TOWN MANAGER TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT, AND PROVIDING 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, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO ENVIROWASTE SERVICES GROUP, INC. FOR TOWNWIDE SIDEWALK IMPROVEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

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, CLARIFYING SECTION 3-102 OF THE TOWN CODE OF ORDINANCES RELATING TO MINIMUM BUFFER AREA STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Ordinance. Planning and Zoning Director Kathryn Lyon provided the staff report. Mayor Bell opened the public hearing. There being no one wishing to speak, 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. After discussion, 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

- B.** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA AMENDING THE COASTAL MANAGEMENT ELEMENT WITHIN THE TOWN'S COMPREHENSIVE PLAN TO BE CONSISTENT WITH RECENT STATE LAW LEGISLATION; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Ordinance. Planning and Zoning Director Kathryn Lyon provided the staff report with consultant support from Alex David with Alex David and Associates. Mayor Bell opened the public hearing. There being no one wishing to speak, 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. 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

- C.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN BY CLARIFYING THE MIXED USE REQUIREMENTS WITHIN THE TOWN; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Council Member Loyzelle, seconded by Council Member Mixon, that this Ordinance be deferred to date certain December 14, 2016. Mayor Bell called for the vote and the motion passed 5-0.

12. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA ADOPTING A CLIMATE CHANGE ELEMENT TO BE INCLUDED IN THE TOWN GROWTH MANAGEMENT PLAN; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Manager Rafael Casals introduced consultant Alex David of Alex David and Associates to present the staff report. At the request of Town Manager Rafael Casals, consultant Alex David provided information on agencies that review the Town plans. Mayor Bell opened the public hearing. There being no one wishing to speak, Mayor Bell closed the public hearing. Mayor Bell passed the gavel to Vice Mayor Sochin. A motion was made by Council Member Nixon, seconded by Mayor Bell, 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

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING AND ENACTING A NEW CODE OF ORDINANCES FOR THE TOWN OF CUTLER BAY, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Jacqueline Wilson read the title of the Ordinance. Town Attorney Mitchell Bierman presented the staff report. 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 Nixon, 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. There being no one wishing to speak, Mayor Bell closed Public Comments.

14. MAYOR AND COUNCIL COMMENTS

Vice Mayor Sochin expressed gratitude to members of Council and Town Staff for the privilege of working with them. Town Attorney Mitchell Bierman expressed pleasure in working with Vice Mayor Sochin.

15. OTHER BUSINESS

There was no Other Business.

16. ADJOURNMENT

A motion was made by Vice Mayor Sochin to adjourn. The motion received a second from Council Member Nixon. The meeting adjourned at 10:23PM.

For complete audio recording of this meeting, please visit www.cutlerbay-fl.gov