



# Town of Cutler Bay

Town Hall  
10720 Caribbean Blvd  
Cutler Bay, FL 33189

## Action Summary Charter Revision Commission

### COMMISSION MEMBERS

*Chair Teresa Long*

*Vice Chair Timothy Meerbott*

*Commission Member Abhijit Bhattacharyya*

*Commission Member Stacy Cusano*

*Commission Member Eduardo Wolmers*

### CHARTER OFFICIALS

*Town Attorney Mitchell Bierman*

*Town Attorney Haydee S. Sera*

*Town Clerk Debra E. Eastman, MMC*

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Wednesday, February 28, 2018

6:30 PM

Council Chambers

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### 1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Vice Chair Tim Meerbott at 6:38 p.m. Town Clerk Debra Eastman called the roll and present were Abi Bhattacharyya, Tim Meerbott and Stacy Cusano. Ed Wolmers arrived at 6:45 and Chair Terry Long arrived at 6:46 p.m.

### 2. APPROVAL OF MINUTES

#### A. • February 7, 2018 Charter Revision Commission Minutes

A motion was made by Stacy Cusano, seconded by Abi Bhattacharyya, that the minutes be approved. The motion carried with Stacy Cusano, Abi Bhattacharyya and Tim Meerbott voting in favor. Ed Wolmers and Terry Long were not in attendance for the vote.

### 3. UNFINISHED BUSINESS

#### A. • Section 2.6 Compensation

Pending Consideration of Ms. Long's Proposal re: Increases

**This item was withdrawn by the proposer because it was resolved at a prior meeting.**

#### B. • Section 3.1 Manager

Statute on Severance Limitations

Town Attorney Mitch Bierman explained that he provided the State Statutes regarding severance payments in the agenda that was requested by the Commission. Terry Long requested that the Charter Commission members review the information and let her know if they wish to take any further action.

#### C. • Section 4.11 Borrowing

Town Attorney Municipal Charter Research

Item C was addressed along with item D.

**D.** • Teresa Long Borrowing Proposal

Terry Long presented additional language for Town Charter section 4.1.1 Borrowing. A motion was made by Ed Wolmers to discuss this item and it received a second from Stacy Cusano. There was no vote. Ms. Long read as follows: The assumption of debt in accordance with the above limits is subject to approval by a majority vote of the Town Council. (2) The limitations set forth in paragraph (1) shall not apply to: General Obligation Bonds (GOB) or any other debt which requires an ad valorem tax, the purpose of which has been approved by the council and the majority of qualified voters in a general or special election. Bonding and types of bonds and limitations were discussed. After discussion the proposer withdrew the proposal and no further action was taken.

**E.** • Referenda Requirement on Development Orders

Town Attorney Mitch Bierman explained and the proposer withdrew the item. There was no action.

## 4. CHARTER REVIEW

**A.** • Proposed Charter Changes Guide

Chair Terry Long reviewed the matrix that she prepared of charter changes to date and the Commission reviewed the document.

It was noted that Section 2.3 (E)(2) proposed language is as follows: No person who has served the maximum time allowed under the above provisions will be eligible to run for office again until the next regularly scheduled election in the next even numbered year. (approved 2/7/18)

As a follow up to previous conversation, it was agreed to recommend to the Town Council that they make the compensation package of the Mayor and Town Council available to the public either on the website or some other convenient source.

Also, to be added to the matrix is a change to 4.11 Borrowing, Section (3)(i) the words "human-caused". (approved 2/7/18)

It was also noted that section 2.5 Vacancies, section (C)(3) change should also be added to the matrix to read in the last sentence as follows: "The appointment or election of the person to complete the term of vice mayor shall be automatically rescinded." (Approved 2/7/18)

**B.** • Town Charter Working Copy

Town Attorney Bierman indicated that he will have a working copy of the changes to date for the Commission at their next meeting.

**C.** • Citizen's Bill of Rights Proposed Addition of a #15  
Section 2.5 Vacancies

## Timothy Meerbott Public Comments Item

This item was chaired by Vice Chair Tim Meerbott as Chair Terry Long was absent at the start of the discussion. A motion to open discussion of this item was made by Stacy Cusano and it received a second from Abi Bhattacharyya.

There was a discussion about whether a change should be made to section 2.5 Vacancies (1)(b) in order to allow a council member representing one of the three seats to fill out their term, if during their term they move from within their seat boundaries, from which they were elected initially.

After discussion, Town Attorney Mitch Bierman read proposed language as "A residential council member who ceases to reside in his/her respective residential area during his/her term shall continue to serve until the next regularly scheduled town election, at which time an election shall be held to fill the seat for the unexpired term or a new term, if applicable." Ed Wolmers spoke in opposition to the change. A motion was made by Chair Terry Long, and was seconded by Abi Bhattacharyya, that the amendment be adopted. The motion carried with a 4-1 vote, with Ed Wolmers voting in opposition.

## 5. CONFIRMING DATE & TIME OF NEXT MEETING

After discussion, it was decided that there is a need to hold an additional meeting to recap the proposed changes and prepare a report to the Town Council. It was decided to meet on Tuesday, March 20, 2018 at 6:30 p.m.

## 6. PUBLIC COMMENTS

Mayor Peggy Bell was recognized and thanked the members of the Charter Review Commission for serving on the Commission and for serving the Town of Cutler Bay.

## 7. OTHER BUSINESS

There was no other business.

## 8. ADJOURNMENT

The meeting adjourned at 7:55 p.m.