



# 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, September 16, 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 Regular Town Council meeting to order at 7:02 p.m. Town Clerk Debra Eastman called the roll and read the instructions for those wishing to participate in the meeting.

**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

Mayor Meerbott opened public comments. There being no one wishing to speak, Mayor Meerbott closed public comments.

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

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

Vice Mayor Loyzelle discussed the waiving of fines for downed fences that happen during a hurricane. After discussion it was determined that the Town Manager has this authority currently.

## 4. REPORTS

### A. TOWN MANAGER'S REPORT

· Town Manager Monthly Report September 2020

Town Manager Ralph Casals reported on COVID related town expenses and that the Town has been approved for over \$248,000 through the County CARES Act funds allocation. He informed that two Emergency Orders were issued after the agenda for this meeting was published--one is Amendment 3 Parks Order opening Cutler Ridge Park pool with limited CDC guidelines and also Amendment 4 to Parks is that the sports lighting is extended from 8pm to 10pm at 3 parks--Lakes by the Bay, Cutler Ridge, and Saga Bay tennis. Town Manager Casals thanked Town law firm Weiss Serota et al and Attorney Chad Friedman for help with application for EEL. He also thanked County Commissioner Cava's office. Mr. Casals announced upcoming meetings as the Second Budget Hearing on Sept 22 and a Special Call Town Council Meeting on Sept 24 at 5pm.

**B. TOWN ATTORNEY'S REPORT**

Town Attorney Mitch Bierman spoke about the EEL and noted that Commissioner Levine Cava wants to make this happen prior to leaving the Commission. Attorney Bierman commended staff and the Town Manager on his prompt response in respect to accessing CARES Act funds.

**C. TOWN CLERK'S REPORT**

Town Clerk Debra Eastman provided a reminder of early voting and the November 3, 2020 election.

**5. CONSENT AGENDA**

**APPROVAL OF MINUTES**

**A. · July 15 2020 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, ADOPTING THE 2020 MIAMI-DADE COUNTY LOCAL MITIGATION STRATEGY; AUTHORIZING THE TOWN MANAGER TO IDENTIFY AND PRIORITIZE HAZARD MITIGATION GRANT PROGRAM PROJECTS TO BECOME A PART OF THE LOCAL AND STATE-WIDE HAZARD MITIGATION STRATEGY; 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 public comments. There being no one wishing to speak Mayor Meerbott closed public comments.

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

There were none.

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

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE FUTURE LAND USE MAP (FLUM) WITHIN THE TOWN'S COMPREHENSIVE PLAN FROM MEDIUM DENSITY RESIDENTIAL WITH RESIDENTIAL CONSERVATION OVERLAY TO INSTITUTIONAL ON PROPERTY LOCATED AT 8165 SW 210TH STREET CONSISTING OF APPROXIMATELY 8.45 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE. \*previously deferred per August 26, 2020 Regular Town Council Meeting to date certain September 16, 2020 Regular Town Council Meeting.

Town Clerk Debra Eastman read the titles of both item 9A and 9B. Town Attorney Mitch Bierman advised that if item A does not pass, there is no need to address item B. The two items were deferred from the Regular Town Council Meeting on August 26, 2020.

Town Manager Ralph Casals introduced Community Development Director Jared Munster. Mr. Munster explained the amended letter of intent which reduced area to 6.86 acres of land to be re-designated in order to meet setback requirements. This evening being proffered is a draft covenant where they commit to preserving 1.86 acre as wetland in perpetuity, and offering to convey remaining 13.12 acres of property to the town in exchange for credit. Attorney Miguel Diaz De La Portilla presented on behalf of developer. Mayor Meerbott opened to Council discussion. Attorney De La Portilla provided information to the Town Council questions. Mayor Meerbott opened the public hearing. After the instructions to participate were read, there was no one wishing to speak and Mayor Meerbott closed the public hearing. A motion was made by Vice Mayor Loyzelle, seconded by Council Member Coriat, that this Ordinance be approved. The motion failed by the following vote:

**Yes:** 2 - Vice Mayor Sue Ellen Loyzelle and Council Member Roger Coriat

**No:** 3 - Mayor Tim Meerbott, Council Member Robert Duncan and Council Member Michael Callahan

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE ZONING MAP FROM NEIGHBORHOOD RESIDENTIAL TO INSTITUTIONAL ON PROPERTY LOCATED AT 8165 SW 210TH STREET CONSISTING OF APPROXIMATELY 8.45 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE. \*previously deferred per August 26, 2020 Regular Town Council Meeting to date certain September 16, 2020 Regular Town Council Meeting.  
(QUASI-JUDICIAL)

There was no action taken on this ordinance.

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

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTIONS 3-141 - "GENERAL PRINCIPALS" AND 3-142 - "PARKING SPECIFICATIONS" RELATING TO PARKING, DRIVEWAY, AND LOADING AREA REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read title of ordinance. Council Member Callahan provided an update since first reading. Mayor Meerbott opened the public hearing. Town Clerk Debra Eastman read the instructions to participate. There being no one wishing to speak Mayor Meerbott closed the public hearing. Mayor Meerbott closed public hearing

A motion was made by Council Member Callahan, seconded by Council Member Coriat, that this Ordinance be adopted. 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 CHAPTER 3 LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES BY AMENDING SECTION 3-60 – "TC, TOWN CENTER DISTRICT" RELATING TO IMPERVIOUS AREA, OPEN SPACE, AND ROADWAY STANDARDS; 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. Mayor Meerbott opened the public hearing and there being no one wishing to speak closed the public hearing. There was no discussion. A motion was made by Council Member Duncan, seconded by Vice Mayor Loyzelle, that this Ordinance be adopted. 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 AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$3,100,000.00 OF TAXABLE CAPITAL IMPROVEMENTS REVENUE BONDS OF THE TOWN OF CUTLER BAY, FLORIDA FOR THE PURPOSE OF FINANCING A PORTION OF THE COST OF PROPERTY PURCHASED FROM GCF INVESTMENTS, INC; PROVIDING FOR A SUPPLEMENTAL RESOLUTION SETTING FORTH THE DETAILS OF SAID BONDS; PROVIDING THAT THE BONDS MAY BE ISSUED AS A SEPARATE SERIES OF BONDS AS PART OF THE SAME OFFERING OF THE BONDS AUTHORIZED BY ORDINANCE NO. 20-09 ADOPTED ON AUGUST 26, 2020; PROVIDING FOR AUTHORIZATION FOR NEGOTIATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the ordinance. There was no discussion. Mayor Meerbott opened the public hearing and there being no one wishing to speak closed the public hearing. A motion was made by Council Member Coriat, seconded by Council Member Duncan, that this Ordinance be adopted. 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

## **11. RESOLUTIONS**

There were no Resolutions.

## **12. ADJOURNMENT**

The meeting adjourned at 8:38 p.m.