



# 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, January 15, 2020

7:00 PM

Council Chambers

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

Vice Mayor Sue Ellen Loyzelle called the Regular Town Council Meeting to order. She requested a moment of silence for those affected by the recent earthquakes in Puerto Rico and for those affected by the fires in Australia and for any other moment of family and friends. Town Clerk Debra Eastman called the roll:

**Present:** 4 - Vice Mayor Sue Ellen Loyzelle, Council Member Robert "BJ" Duncan, Council Member Michael P. Callahan and Council Member Roger Coriat

**Absent:** 1 - Mayor Tim Meerbott

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

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

Council Member Michael Callahan spoke about the tradition of holding a Founder's Day celebration as a milestone event and that the Parks and Recreation Committee previously recommended that the event take place at milestones and that the Town Council in previous years recommended that the event be held every five years. Council Member Michael Callahan made a motion to hold a Founder's Day celebration and combine the event with the annual Wings over the Bay event on April 25, 2020. The motion received a second from Council Member Duncan. Town Manager Ralph Casals stated that he would extend the event hours. Vice Mayor Lozyelle called for the vote and motion carried 4-0.

Council Member Coriat announced the work day for the coastal wetlands site on January 25 and 26 from 8:30 to 1:30 p.m. and invited others to attend.

Vice Mayor Loyzelle announced the West Perrine Development Corporation, Martin Luther King Day annual parade on January 18, 2020. Vice Mayor Loyzelle passed the gavel to Council Member Callahan and made a motion to participate in the Martin Luther King Day Parade. The motion received a second from Council Member Coriat. Council Member BJ Duncan expressed that he would participate in the parade. Council Member Callahan called for the vote and the motion carried 4-0.

Vice Mayor Loyzelle made a motion to approve \$1,500 sponsorship to allow participation in the Council on Aging conference and would allow two staff members and two Community for a Lifetime Committee members to attend. The motion received a second from Council Member Duncan. Council Member Callahan called for the vote and the motion passed 4-0.

### **3. PUBLIC COMMENTS**

Devon Vickers on behalf of applicant requested a deferral of agenda items 8A and 6B to date certain of Feb. 19, 2020 Town Council Meeting due to an unforeseen conflict. Town Attorney Mitch Bierman explained the request. Council Member Coriat made a motion to defer agenda items 8A and 6B to the date certain of February 19, 2020 Regular Town Council meeting. The motion received a second from Council Member Callahan. Vice Mayor Loyzelle called for the vote and the motion passed 4-0.

Town of Cutler Bay Youth Council Members Teresa Schuster, Leticia Parrilla and Niloy Bhattacharyya spoke regarding youth and vaping. They requested that the Town Council adopt a resolution on anti-vaping. Council Member Coriat asked that the Youth Council Committee work together to draft the resolution and that Council Member Duncan can present the resolution at a Town Council meeting. Vice Mayor Loyzelle suggested that the Committee prepare a brochure or posting on Facebook as part of their project.

### **4. REPORTS**

#### **A. TOWN MANAGER'S REPORT**

- Town Manager Monthly Report January 2020

Town Manager Ralph Casals reported on the recruitment of a Community Development Director, the Franjo Park improvements bid progress. Peter England of the Economic Development Council of South Miami Dade spoke about a series of meetings being held currently to garner public input. Ms. Francesca Taylor and Mr. Peter Calaburton reported and presented the Department of Transportation and Public Works Bus Express Rapid Transit System Plan.

## B. TOWN ATTORNEY'S REPORT

Town Attorney Mitch Bierman explained the opportunity to join in an Amicus Brief regarding Presidential moves on major environmental actions and weakening of standards for fuel efficiency and air quality. He noted that there would be no cost to the Town of Cutler Bay. It was the sense of the Town Council to join. Town Attorney Bierman will bring forward a Resolution.

## C. TOWN CLERK'S REPORT

Town Clerk Debra Eastman brought forth a proposal by Mayor Meerbott to begin Town Council meetings at 6:30 p.m., rather than 7 p.m. The members of the Town Council did not agree to the proposal. The Town Clerk reminded the Town Council about upcoming meetings.

## 5. CONSENT AGENDA

Council Member Duncan requested to pull item 5C and Council Member Callahan requested to pull item 5B. A motion was made by Council Member Coriat to adopt the balance to the Consent Agenda. The motion received a second from Council Member Duncan. Vice Mayor Loyzelle called for the vote and the motion passed 4-0.

## APPROVAL OF MINUTES

- A. · October 16 2019 Regular Town Council Minutes  
· November 6, 2019 Town Council Workshop Minutes  
· November 13 2019 Special Call Meeting Minutes  
· November 20 2019 Local Planning Agency Minutes  
· November 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, APPROVING AN AWARD OF \$2,500.00 IN GRANT FUNDING FROM THE CUTLER BAY COMMUNITY FUND TO SUPPORT MAMI SOUTHRIDGE SENIOR HIGH SCHOOL IN EXPANDING ITS SPORTS PROGRAM; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the Resolution. Council Member Callahan recognized the recipients. A motion was made by Council Member Callahan, seconded by Council Member Coriat, that this Resolution be adopted. The motion carried by an unanimous vote. (4-0)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A JOINT PARTICIPATION AGREEMENT WITH MIAMI-DADE COUNTY FOR THE FRANJO ROAD ROADWAY IMPROVEMENTS PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Council Member Duncan, seconded by Council Member Coriat, that this Resolution be adopted. The motion carried by an unanimous vote. (4-0)

- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A FIRST AMENDMENT TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENTS WITH MARLIN ENGINEERING, INC., R. J. BEHAR & COMPANY, INC., AND STANTEC CONSULTING SERVICES, INC.; 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, APPROVING A COVENANT FOR MAINTENANCE OF CERTAIN IMPROVEMENTS ALONG S.W. 211 STREET FROM S.W. 112 AVENUE (ALLAPATTAH ROAD) TO S.W. 108 COURT WITH MIAMI-DADE COUNTY; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

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

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE SITE PLAN OF CUTLER BAY TOWN CENTRE, LLC TO PERMIT A MIXED-USE DEVELOPMENT WITH NINETY-THREE (93) RESIDENTIAL UNITS, 8,977 SQUARE FEET OF COMMERCIAL AND 9,754 SQUARE FEET OF OFFICE USES ON PROPERTY LOCATED AT 10100 SW 186 STREET (FOLIO # 36-6005-001-0091), AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY +/-1.36 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Mitch Bierman read the Quasi-Judicial statement. Town Clerk Debra Eastman read the title of the Resolution and administered the oath to those wishing to speak. Interim Community Development Director Alex David and Consultant Scarlett Hammonds provided a report and recommendation on the site plan. Mr. Andy Atrio provided a presentation as applicant. Vice Mayor Loyzelle opened the public hearing. There being no one wishing to speak, the public hearing was closed. Vice Mayor Sue Ellen Loyzelle spoke in favor of the project. A motion was made by Council Member Duncan, seconded by Council Member Coriat, 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

**Absent:** 1 - Mayor Tim Meerbott

- B.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE REQUEST OF COUGAR HOLDINGS, LLC TO PERMIT A REZONING FROM SR (SINGLE- FAMILY RESIDENTIAL DISTRICT) TO NC-1 (NEIGHBORHOOD CENTER 1 DISTRICT) ON PROPERTY GENERALLY LOCATED AT 8495 S.W. 200 STREET (FOLIO NO. 36-6003-035-0060 & 36-6003-002-0040) AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY +/- .82 NET ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.( \* previously deferred per January 15, 2020 Regular Town Council Meeting to date certain February 19, 2020 Regular Town Council Meeting. )

A motion was made by Council Member Coriat, seconded by Council Member Callahan, that this Ordinance be deferred to a date certain of February 19, 2020. The motion carried by an unanimous vote. (4-0)

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

## **8. 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 TOWN'S COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR PROPERTY LOCATED AT OLD CUTLER ROAD AND SW 200 STREET (FOLIO NO. 36-6003-035-0060) FROM LOW DENSITY RESIDENTIAL TO MIXED USE; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (\* previously deferred per January 15, 2020 Regular Town Council Meeting to date certain February 19, 2020 Regular Town Council Meeting.)

A motion was made by Council Member Coriat, seconded by Council Member Callahan, that this Ordinance be deferred to a date certain of February 19, 2020. The motion carried by an unanimous vote. (4-0)

## **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 2-236 "LOBBYISTS AND PRINCIPALS" OF THE TOWN CODE OF ORDINANCES RELATING TO THE REGISTRATION FEES OF LOBBYISTS AND PRINCIPALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the ordinance and explained the intent of the fee update. Vice Mayor Loyzelle opened the public hearing. There being no one wishing to speak, the public hearing was closed. 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:** 4 - Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

**Absent:** 1 - Mayor Tim Meerbott

- B.** 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 GROWTH MANAGEMENT PLAN FROM ESTATE DENSITY-CONSERVATION AND LOW DENSITY-CONSERVATION TO CONSERVATION ON THE PROPERTIES GENERALLY DESCRIBED AS: (1) EAST OF OLD CUTLER ROAD, WEST OF BISCAYNE NATIONAL PARK, NORTH OF S.W. 188 STREET, AND SOUTH OF S.W. 184 STREET; AND (2) EAST OF S.W. 87 AVENUE, WEST OF BISCAYNE NATIONAL PARK, NORTH OF S.W. 232 STREET, AND SOUTH OF S.W. 216 STREET; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the ordinance. Council Member Coriat explained the purpose of the ordinance. Interim Community Development Director Alex David provided a report to the Town Council. Vice Mayor Loyzelle opened the public hearing. There being no one wishing to speak, the public hearing was closed. A motion was made by Council Member Coriat, seconded by Council Member Callahan, that this Ordinance be approved on second reading. 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

**Absent:** 1 - Mayor Tim Meerbott

- C.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, EXTENDING THE MORATORIUM ADOPTED BY ORDINANCE 19-13; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the title of the ordinance. Town Manager Ralph Casals explained that staff is requesting that the moratorium be extended to until April 17. Vice Mayor Loyzelle opened the public hearing. There being no one wishing to speak, the public hearing was closed. 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:** 4 - Vice Mayor Sue Ellen Loyzelle, Council Member Robert Duncan, Council Member Michael Callahan and Council Member Roger Coriat

**Absent:** 1 - Mayor Tim Meerbott

## 10. RESOLUTIONS

There were no resolutions.

## 11. PUBLIC COMMENTS

Vice Mayor Sue Ellen Loyzelle opened public comments. There being no one wish to speak, public comments was closed.

## 12. ADJOURNMENT

The meeting adjourned at 8:26 PM