



# 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, July 29, 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 meeting being held virtually via Adobe Connect to order at 7:01 p.m. Deputy Town Clerk Mauricio Melinu called the roll. Mayor Meerbott led the Pledge of Allegiance. Deputy Town Clerk Melinu provided announcements and instructions for the virtual meeting.

**Present:** 4 - Mayor Tim Meerbott, Vice Mayor Sue Ellen Loyzelle, Council Member Robert "BJ" Duncan and Council Member Roger Coriat

**Absent:** 1 - Council Member Michael P. Callahan

### 2. PUBLIC COMMENTS

Mayor Meerbott opened public comments. Deputy Town Clerk Mauricio Melinu provided instructions for those wishing to participate in the meeting. There being no one wishing to speak, Mayor Meerbott closed public comments.

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

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

Council Member Duncan announced two vacancies on the Youth Council Committee.

Council Member Coriat announced that the Miami-Dade County School Board made a decision to push back the beginning of the school year one week to August 31, 2020, and all classes will be one hundred percent virtual. The School Board will assess changing situations and hope to open campuses possibly by October 5, 2020.

#### 4. REPORTS

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

- Town Manager Monthly Report July 2020

Town Manager Rafael Casals announced the Miami-Dade County Land Acquisition Selection Committee (LASC) virtual meeting scheduled to take place on August 5, 2020. Town Manager Casals also spoke on a reported drop in State revenue from last fiscal year, item 5C on the Consent Agenda, and the Town's preparations for Tropical Storm Isaias.

At Vice Mayor Loyzelle's request, Town Manager Casals provided background information on the 2020 Award of Excellence, Innovations and Planning for all age categories for the Cutler Bay Communities For a Lifetime, recently awarded to the Town by the American Planning Association .

##### B. TOWN ATTORNEY'S REPORT

Town Attorney Mitchell Bierman announced the potential filing of an amicus brief regarding the Fourth District Court of Appeals decision called Haver versus West Palm Beach, where the Haver decision brought into doubt the former precedent that local government was immune from actions by private citizens to try to require local government to exercise its code enforcement authority and take action, say, against a perceived violator.

The Town Council came to a consensus to participate in the amicus brief.

##### C. TOWN CLERK'S REPORT

Deputy Town Clerk Mauricio Melinu provided a reminder that qualifying for the offices of Vice Mayor and Town Council Seat Two began on Friday, July 24 at Noon and will end at Noon on Friday, August 7th.

#### 5. CONSENT AGENDA

Mayor Meerbott requested any pulls from the Consent Agenda. There being no pulls, a motion was made by Council Member Duncan, seconded by Vice Mayor Loyzelle to approve the Consent Agenda. Mayor Meerbott called for the vote and the motion passed 4-0.

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AWARD OF \$7,500.00 IN GRANT FUNDING FROM THE CUTLER BAY COMMUNITY FUND TO SUPPORT LOCAL NOT-FOR-PROFIT ORGANIZATIONS PROVIDING EDUCATIONAL DEVELOPMENT AND SOCIAL SERVICE PROGRAMS FOR THE TOWN'S YOUTH; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Resolution was adopted on Consent.

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, EXPRESSING OPPOSITION TO A PROPOSED COUNTY ORDINANCE RELATING TO PERMIT FEES AND OTHER REQUIREMENTS FOR WORK ON COUNTY RIGHT-OF-WAY; PROVIDING FOR TRANSMITTAL; 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, APPROVING A FEDERALLY FUNDED SUBAWARD AND GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT FOR REIMBURSEMENT OF EXPENSES INCURRED DUE TO THE NOVEL CORONAVIRUS DISEASE 2019 (COVID-19); PROVIDING FOR AUTHORIZATION; 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. Deputy Town Clerk Mauricio Melinu provided instructions for those wishing to participate in the meeting.**

**Mr. Alberto Carillo spoke in favor of agenda item 11B on behalf of the Miami Realtors Association.**

**There being no one else 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 AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$15,250,000.00 OF CAPITAL IMPROVEMENTS REVENUE BONDS OF THE TOWN OF CUTLER BAY, FLORIDA FOR THE PURPOSE OF FINANCING THE COSTS OF IMPROVEMENTS TO FRANJO PARK, ACQUIRING VACANT LAND FOR PRESERVATION, CONSERVATION AND RESILIENCY PURPOSES, AND REIMBURSING THE TOWN FOR THE ACQUISITION OF VACANT LAND FOR THE SITE OF A NEW CIVIC CENTER AND PUBLIC PARK; PROVIDING FOR A SUPPLEMENTAL RESOLUTION SETTING FORTH THE DETAILS OF SAID BONDS; PROVIDING FOR AUTHORIZATION FOR NEGOTIATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Deputy Town Clerk Mauricio Melinu read the title of the Ordinance.**

**Town Manager Rafael Casals provided an explanation of the item.**

**A motion was made by Vice Mayor Loyzelle, seconded by Council Member Duncan, that this Ordinance be approved on first reading. The motion carried by the following vote:**

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

**Absent:** 1 - Council Member Michael Callahan

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

There were no Ordinances for First Reading Requiring a Public Hearing.

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

There were no Ordinances for Second Reading Requiring a Public Hearing.

## **11. RESOLUTIONS**

- A.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC BUDGET HEARINGS AS REQUIRED BY LAW; DIRECTING THE TOWN CLERK AND TOWN MANAGER TO FILE THIS RESOLUTION, IF REQUIRED, WITH THE MIAMI-DADE COUNTY PROPERTY APPRAISER; AUTHORIZING THE TOWN MANAGER TO CHANGE BUDGET HEARING DATES IF NEEDED; AND PROVIDING AN EFFECTIVE DATE. (\*previously deferred per July 15, 2020 Regular Town Council Meeting to date certain July 29, 2019 Regular Town Council Meeting)

Deputy Town Clerk Mauricio Melinu read the title of the Resolution.

Town Manager Rafael Casals explained the process of setting the ceiling millage rate, and announced the budget hearing dates on September 8, 2020 and September 22, 2020. He also announced budget workshops on August 10, 2020 and August 26, 2020. Town Manager Casals explained that the Executive Order from the Governor of Florida allowing for virtual meetings expires on August 1, and the indications are that order will be extended. If the order is extended, instructions for the virtual meeting process will be included in the trim notice. A motion was made by Council Member Coriat, seconded by Council Member Duncan, that this Resolution be adopted. The motion carried by an unanimous vote. (4-0)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SUPPORTING THE SOUTH DADE CHAMBER OF COMMERCE MILITARY AFFAIRS COMMITTEE'S ESTABLISHMENT OF A MILITARY HOUSING RENTAL PROGRAM WITHIN SOUTH DADE TO ASSIST ACTIVE MILITARY MEMBERS, RESERVISTS, VETERANS, AND THEIR FAMILIES TO OBTAIN AFFORDABLE HOUSING; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Town Clerk Mauricio Melinu read the title of the Resolution.

Town Manager Rafael Casals acknowledged Julio Guzman and Kerry Black with the South Dade Chamber of Commerce for their support of the item.

Mayor Meerbott spoke in favor of the item and thanked the South Dade Chamber of Commerce for their support of the item.

Council Member Duncan and Vice Mayor Loyzelle thanked Mayor Meerbott for bringing the item forward and thanked the South Dade Chamber of Commerce for their support of the item.

A motion was made by Council Member Coriat, seconded by Council Member Duncan, 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, REDUCING TOWN PERMIT FEES, EXPEDITING BUILDING PERMIT SERVICES, AND PROVIDING TECHNICAL ASSISTANCE FOR PROPERTIES LOCATED IN THE TOWN CENTER (TC) AND TRANSIT CORRIDOR (TRC) DISTRICTS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Town Clerk Mauricio Melinu read the title of the Resolution.

Vice Mayor Loyzelle provided additional information on the item.

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

Mayor Meerbott spoke on the possibility of joining a lawsuit by the League of Cities against Miami-Dade County to force mediation on Coronavirus Aid, Relief, and Economic Security (CARES) Act fund distribution. After discussion, there was Council consensus not to join the lawsuit. There was also Council consensus to give Mayor Meerbott the authority to make the decision to join any action taken on behalf of the Council if the situation changes.

## **12. ADJOURNMENT**

The meeting adjourned at 7:51 p.m.