

TOWN OF CUTLER BAY

MINUTES TOWN COUNCIL MEETING

Thursday, May 18, 2006

7:00 PM

East Ridge Retirement Village

19301 S.W. 87 Avenue

Cutler Bay, FL 33157

Meeting commenced at 7:14 PM

INVOCATION: Mayor Vrooman asked all to join him in a moment of silence.

I. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE:

Mayor Vrooman called the meeting to order. The following members of the town council were present:

Mayor Paul S. Vrooman
Vice Mayor Edward MacDougall
Council Member Timothy J. Meerbott
Council Member Ernest N. Sochin
Council Member Peggy R. Bell

The following staff members were present:

Interim Town Manager Steve Alexander
Interim Town Attorney Mitchell Bierman
Interim Town Attorney Chad Friedman
Interim Town Attorney Andrew Mai
Interim Town Clerk Elizabeth Sewell

II. PROCLAMATIONS, AWARDS, PRESENTATIONS

- A. Presentation by United Citizens for South Link concerning the extension of metro rail services from Dadeland to Florida City.

Mr. Ernie Martinez and Mr. Wayne Collins of United Citizens for South Link provided a power point presentation regarding the South Link Metro Rail Project and supporting the need for the extension of metro rail services to citizens residing south of Kendall to Florida City.

- B. Mr. Wilson Fernandez of Miami-Dade Metropolitan Planning Organization provided a report of the status of the development and continuous improvement strategies eventually leading to the metro rail extension project.

Mr. Joe Corradino, the project manager for Metro Rail extension provided a power point presentation regarding the alternative analysis of transportation systems that are being considered for the implementation of the extension of metro rail services from south of Kendall to Florida City.

Mr. James Guilmartin, Secretary for United Citizens for South Link asked the council and public to consider the convenience and travel time of the alternative systems as oppose to the convenience and travel time of the metro rail extension.

Mayor Vrooman asked the council if they would like to take action to support or oppose this effort in the form of a resolution supporting the extension of the Metro Rail South Link.

Council Member Bell made a motion requesting staff to create a resolution supporting the development and implementation of Alternative 5 for the extension of metro rail services to residents residing south of Kendall to Florida City. Seconded by Vice Mayor MacDougall. All voted in favor. The motion was carried unanimously (5-0)

- C. Mr. Subrata Basu, Assistant Director for Miami-Dade County Planning Department, provided a report regarding the charrette area plan report for Old Cutler Road.

Mr. Jess Linn, Senior Planner for Miami-Dade County Planning Department provided a power point presentation regarding the charrette area plan report technical improvements and traffic engineering study for the charette area on Old Cutler Road.

III. TOWN MANAGER'S REPORT

- A. The town manager provided a report regarding the town's first interim budget. He advised that he and the town attorney was working on the interlocal agreements with Miami-Dade County to present at the June council meeting. He advised that the town had achieved an appropriation \$250,000 from the legislature for storm water planning and projects, and he met with the governor last week regarding potential veto of this item by the Governor. He suggested planning a trip to Tallahassee for the Mayor and Council if he received an appointment subsequent to his letter to the governor to meet with him in person. On Monday he had a tour with the Beacon Council around the town and he was able to promote the business community in Cutler Bay. He reported that there have been several committee meetings and the Hurricane/Disaster Committee had a very

productive meeting. He advised that there will always be a police officer at council meetings to act as sergeant of arms. He reported that he would be interviewing a police commander next week.

IV. TOWN ATTORNEY'S REPORT – None at this time

V. BOARD AND COMMITTEE REPORTS

A. Town Clerk/Communications Committee

Council Member Bell provided a brief report regarding the interviewing process of the town clerk. She reported that the committee had completed all interviews and was working on completing the committee's summary report, and at the next council meeting on May 25, 2006 will present their recommendation to the council for interviews.

VI. ADDITIONS, DELETIONS, AND DEFERRALS

A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A MODIFICATION TO AN APPROVED SITE PLAN TO ALLOW FOR REDEVELOPMENT OF A MOVIE THEATER INTO A COMMERCIAL BUILDING AND APPROVAL OF AN UNUSUAL USE FOR OUTDOOR DINING FOR THE SHOPPING CENTER LOCATED AT 18403 SOUTH DIXIE HIGHWAY; AND PROVIDING FOR AN EFFECTIVE DATE.

The town manager provided a brief report regarding this resolution. The town attorney advised that the applicant was requesting that this matter be deferred to the June 7, 2006 council meeting.

Council Member Meerbott moved to defer with modification of site plan for a date certain June 7, 2006. Seconded by Council Member Bell. All voted in favor. The proposed resolution was deferred unanimously (5-0).

VII. CONSENT AGENDA

A. Minutes of the May 4, 2006 Council Meeting

B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ESTABLISHING A TOWN POLICY RELATED TO FLOODS IN ORDER TO BE INCLUDED IN THE NATIONAL FLOOD INSURANCE PLAN; PROVIDING AN EFFECTIVE DATE

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE INTERIM TOWN MANAGER TO HIRE SUPPORT STAFF; AND PROVIDING FOR AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA RELATING TO FINANCE; AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY IN ORDER TO RECEIVE FUNDING FROM MIAMI-DADE COUNTY IN THE AMOUNT OF \$600,000; PROVIDING FOR AN EFFECTIVE DATE.
- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPOINTING MEMBERS TO THE TOWN OF CUTLER BAY TOWN MANAGER MEMBER-CITIZEN COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Bell moved to approved. Items VII. A through E. Seconded by Council Member Sochin. All voted in favor. Consent Agenda Items VII.A through VII.E. were adopted unanimously (5-0).

VIII. RESOLUTIONS – None at this time

IX. RESOLUTIONS REQUIRING PUBLIC HEARING – None at this time

X. ORDINANCES FOR FIRST READING AND EMERGENCY ORDINANCES

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 33, “ZONING” ARTICLE VI, “SIGNS,” DIVISION 2, “GENERAL PROVISIONS” OF THE TOWN’S CODE OF ORDINANCES, BY PROVIDING FOR THE PROHIBITION OF OFF-PREMISES SIGNAGE WITHIN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Vrooman asked if anyone from the public wished to speak in favor of this ordinance. No one requested an audience.

Mr. Carlos Gimenez, - 200 SE Biscayne Blvd. Miami, he advised that there were two billboards within the town limits located at 20300 South Dixie Highway.

The town attorney advised that these would be essentially grandfather in under the adoption of this ordinance.

Council Member Bell moved to adopt. Seconded by Council Member Sochin.

A roll call vote was taken as follows: Mayor Vrooman, Yes; Vice Mayor MacDougall, Yes; Council Member Meerbott, Yes; Council Member Sochin, Yes; Council Member Bell, Yes. The proposed ordinance was adopted on first reading unanimously (5-0).

- B. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AND ADOPTING THE INTERIM BUDGET FOR THE TOWN OF CUTLER BAY FOR FISCAL YEAR 2005-06; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The town manager provided a brief presentation regarding the creation of the first interim budget.

Dianne Wright of Government Services Group, Inc., introduced the team working on the interim budget. She provided a brief presentation regarding the development of the first interim budget for fiscal year 2005-06.

Council Member Meerbott moved to adopt. Seconded by Vice Mayor MacDougall.

A roll call vote was taken as follows: Council Member Bell, Yes; Council Member Meerbott, Yes; Council Member Sochin, Yes; Vice Mayor MacDougall, Yes; Mayor Vrooman, Yes. The proposed ordinance was adopted on first reading unanimously (5-0).

XI. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, PROVIDING FOR A MORATORIUM ON THE ISSUANCE OF DEVELOPMENT ORDERS AND DEVELOPMENT PERMITS WITHIN THE AREA GENERALLY LOCATED SOUTH OF THE INTERSECTION OF THE HOMESTEAD EXTENSION OF THE FLORIDA TURNPIKE (HEFT) AND U.S. 1, WEST OF THE HEFT TO THE TOWN LIMITS, AND NORTH OF THE C-1 CANAL (BLACK CREEK CANAL); EXEMPTING CERTAIN DEVELOPMENT; PROVIDING FOR WAIVERS; PROVIDING FOR SEVERABILITY; PROVIDING PROCEDURES FOR VESTED RIGHTS AND JUDICIAL REVIEW FOR THE SPECIFIC MATTERS

ADDRESSED HEREIN; PROVIDING FOR A TERM; PROVIDING FOR A REPEALER; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

The town attorney provided a brief explanation of this ordinance. He explained that there was one exemption included in the UCD moratorium for buildings being built by Miami-Dade County.

Mayor Vrooman asked if anyone from the public wished to speak. No one requested an audience.

Mayor Vrooman explained that the vision of the moratorium in the urban center district was the citizens were asking private owners of to meet a higher standard in the urban center district and he was expecting the county to meet the same standards. As a result he asked the council if they were in agreement for this ordinance to be amended removing the exemption for projects being built by Miami-Dade County.

Council Member Sochin moved to amend the ordinance removing the exemption for projects being built by Miami-Dade County. Seconded by Council Member Bell.

A roll call vote was taken as follows: Mayor Vrooman, Yes; Vice Mayor MacDougall, Yes; Council Member Meerbott, Yes; Council Member Sochin, Yes; Council Member Bell, Yes. The proposed ordinance was amended on second reading unanimously (5-0).

XII. PUBLIC COMMENTS

The following individual addressed the council: Richard Cruzan, 8781 SW 213 Terrace, Cutler Bay.

XIII. OTHER BUSINESS

- A. Council Member Sochin advised that he attended the Hurricane/Disaster Committee meeting. He asked staff what was the requirement of notification in advance of the citizen committee advisory meetings.
- B. Vice Mayor MacDougall advised that he was pleased with the improvement with the town's web site.
- C. Council Member Meerbott asked about the status report regarding the development of sign-in cards to be given to the public and anyone wishing to address the council at council meetings in advance. He asked for the council's

opinion regarding the attendance at conferences because there is not a travel policy in place at present because he would like to attend the Y5 Conference in Orlando on June 29.

Mayor Vrooman advised that if there is money budgeted for the conference then council members can attend this conference.

The town manager advised that there was money in the budget to attend this conference.

Council Member Bell thanked the town clerk/communications committee for their diligence in the selection process of hiring a town clerk. She provided a brief report of her attendance of the Cutler Bay Business Association meeting. She provided a report on the progress regarding the grant application for Lakes by the Bay Park. Council Member Bell advised that she would begin the process for the Logo Committee in June. She advised that she is the liaison for the United Citizens of South Link and she thanked them for their presentation and asked for continued support for this organization.

- D. Mayor Vrooman advised that there is a need to improve the council's communications with the public regarding what they are doing. He advised that he had spoken with Ms. Alicia Gonzales from Media Relations who has agreed to donate some pro bona services in order to communicate with the public.

Mayor Vrooman thanked Mr. Kramer of East Ridge Retirement Village for their hospitality and hosting the town council meeting at their facility.

XIV. NEXT MEETING ANNOUNCEMENT AND ADJOURNMENT

Special Council Meeting May 25, 2006 at South Dade Governmental Center.

The meeting was officially adjourned at 9:14 pm.

Prepared and submitted by:

Elizabeth Sewell, Interim Town Clerk

*Adopted by the Town Council on this
this 25th day of May, 2006.*

Paul S. Vrooman, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.