

**TOWN OF CUTLER BAY
TOWN COUNCIL MEETING
MINUTES**

Wednesday, June 7, 2006

7:00 PM

South Dade Regional Library
10750 SW 211 Street, 2nd floor
Cutler Bay, Florida 33189

I. CALL TO ORDER/ROLL CALL OF MEMBERS: The meeting was called to order by the mayor at 7:35 PM. Present were the following:

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

Interim Town Manager Steven Alexander
Interim Town Attorney Mitchell Bierman
Interim Town Attorney Chad Friedman
Town Clerk Erika Gonzalez-Santamaria

Mayor Vrooman led the pledge of allegiance.

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

III. PROCLAMATIONS, AWARDS, PRESENTATIONS:

- A. The mayor, on behalf of the Town Council, presented a proclamation in recognition of Victoria Reynaldo, winner of the Whispering Pines essay contest, "How Are We Going to Be Different as a Town."

IV. APPROVAL OF MINUTES:

- A. Councilmember Meerbott made a motion approving the minutes of the meeting of May 25, 2006. The motion was seconded by Vice Mayor MacDougall and adopted by a unanimous 5-0 voice vote. The vote was as follows: Council Members Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

V. ADDITIONS, DELETIONS, AND DEFFERALS:

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING THE SECTION ENTITLED, "NUISANCE VEGETATION ABATEMENT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Meerbott made a motion to defer the proposed ordinance to the July 5, 2006 council meeting. The motion was seconded by Vice Mayor Macdougall. All voted in favor. The proposed ordinance was deferred until the July 5, 2006 council meeting.

- B. 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.

Vice Mayor MacDougall made a motion to defer the proposed resolution to the July 5, 2006 council meeting. Council Member Meerbott left the meeting momentarily. The motion was seconded by Council Member Bell. All present voted in favor. The proposed resolution was deferred until the July 5, 2006 council meeting.

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THAT AN ELECTION BE HELD TO FILL THE REMAINING TERM OF OFFICE OF THE VICE-MAYOR; DESIGNATING THE QUALIFICATION PROCEDURES FOR THE ELECTION; AUTHORIZING THE TOWN CLERK TO NOTIFY THE SUPERVISOR OF ELECTION DATE AND QUALIFYING PERIOD AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Meerbott made a motion to approve the resolution. The motion was seconded by Vice Mayor MacDougall and adopted by a unanimous 5-0 voice vote. The vote was as follows: Council Members Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

VI. TOWN MANAGER'S REPORT:

VII. TOWN ATTORNEY'S REPORT

VIII. BOARD AND COMMITTEE REPORTS

IX. CONSENT AGENDA

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING ADMINISTRATIVE ORDER NO. 06-2; AND PROVIDING FOR AN EFFECTIVE DATE.
- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO CONTRACTS; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A CONSULTING AGREEMENT WITH INTERNATIONAL DATA CONSULTANTS, INC., FOR INFORMATION TECHNOLOGY RELATED SERVICES; PROVIDING AN EFFECTIVE DATE.
- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO EMERGENCY MANAGEMENT; PROVIDING FOR A WAIVER OF COMPETITIVE BIDDING REQUIREMENTS; AUTHORIZING THE ACTING TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH A HURRICANE DEBRIS REMOVAL CONTRACTOR OR CONTRACTORS; PROVIDING AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO CONTRACTS; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A VEHICLE LEASE-PURCHASE AGREEMENT FOR MOTOR VEHICLES AND RELATED EQUIPMENT FROM BLAKE CHEVROLET IN AN AMOUNT NOT TO EXCEED \$60,000; PROVIDING AN EFFECTIVE DATE.
- E. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO CONTRACTS; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE TOWN MANAGER TO ENTER INTO A VEHICLE LEASE-PURCHASE AGREEMENT FOR MOTOR VEHICLE AND RELATED EQUIPMENT FROM MAROONE HONDA IN AN AMOUNT NOT TO EXCEED \$28,000; PROVIDING AN EFFECTIVE DATE.
- F. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO OFFICE FURNITURE; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A LEASE/PURCHASE AGREEMENT FOR THE TOWN HALL FURNISHINGS FROM J.C. WHITE QUALITY OFFICE FURNITURE, AND ITS FINANCE PARTNER FOR A COST NOT TO EXCEED \$75,000; PROVIDING AN EFFECTIVE DATE.
- G. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, RELATING TO OFFICE SPACE; AUTHORIZING THE ACTING VILLAGE MANAGER TO ENTER INTO A LEASE AGREEMENT FOR APPROXIMATELY 4,000 SQUARE FEET OF

OFFICE SPACE; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

- H. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA SUPPORTING THE SOUTH LINK ALTERNATIVE ANALYSIS, CITIZENS ADVISORY COMMITTEE (CAC) RECOMMENDATION OF ALTERNATIVE 5 METRORAIL AND ALL OF THE INTERIM IMPROVEMENTS BETWEEN DADELAND AND FLORIDA CITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- I. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA AUTHORIZING THAT AN ELECTION BE HELD TO FILL THE REMAINING TERM OF OFFICE OF THE VICE-MAYOR; DESIGNATING THE QUALIFICATION PROCEDURES FOR THE ELECTION; AUTHORIZING THE TOWN CLERK TO NOTIFY THE SUPERVISOR OF ELECTIONS OF THE ELECTION DATE AND QUALIFYING PERIOD AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Bell made a motion to approve all items on the consent agenda. The motion was seconded by Council Member Sochin and adopted by unanimous 5-0 voice vote. The vote was as follows: Council Members Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

X. QUASI-JUDICIAL CONSENT AGENDA PUBLIC HEARING: None at this time.

XI. QUASI-JUDICIAL HEARINGS: None at this time.

XII. PUBLIC HEARINGS:

A. RESOLUTIONS: None at this time.

B. ORDINANCES: The clerk read the following ordinance, on first reading, by title:

- 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 FOR ALL PROPERTIES ABUTTING OLD CUTLER ROAD FROM S.W. 184 STREET SOUTH TO THE TOWN LIMITS; 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 presentation regarding the proposed ordinance.

Mayor Vrooman opened the public hearing. There were no speakers present.

Council Member Bell made a motion to approve the ordinance on first reading. The motion was seconded by Council Member Sochin and adopted by unanimous roll call vote. The vote was as follows: Council Members Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

The clerk read the following ordinance, on first reading, by title:

- b. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING PROCEDURES FOR ZONING WORKSHOPS; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Vrooman opened the public hearing. There were no speakers present.

Council Member Bell made a motion to approve the ordinance on first reading. The motion was seconded by Council Member Sochin and adopted by unanimous roll call vote. The vote was as follows: Council Members Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

The clerk read the following ordinance, on second reading, by title:

- 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 opened the public hearing. Ed Scheer, of CVS, addressed the Council.

Vice mayor MacDougall made a motion to approve the ordinance on second hearing. The motion was seconded by Council Member Bell and adopted by unanimous roll call vote. The vote was as follows: Council Members Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

- 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 CARRYOVER OF FUNDS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Vrooman opened the public hearing. Diane Wright addressed the Council.

Council Member Meerbott made a motion to approve the ordinance on second reading. The motion was seconded by Council Member Bell and adopted by a unanimous roll call vote. The vote was as follows: Council Members Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

XIII. PUBLIC COMMENTS:

The following individuals spoke: Joy Cooper, 9365 Nassau Drive, Louise Lockwood, 9071 Richmond Drive.

XIV. MAYOR AND COUNCIL MEMBER COMMENTS:

The mayor reminded the public that the Village of Palmetto Bay will be hosting a Hurricane workshop at the Deering Estate on Saturday.

Member Meerbott encouraged the public to attend the Miami-Dade Metrolink June 17th meeting.

XV. OTHER BUSINESS: None at this time.

XVI. NEXT MEETING ANNOUNCEMENT AND ADJOURNMENT:

The next council meeting will be held on July 5, 2006, at the South Dade Regional Library.

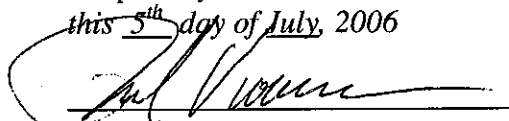
The meeting was officially adjourned at 9:12 P.M.



Respectfully submitted:


Erika Gonzalez-Santamaria
Town Clerk

*Adopted by the Town Council on
this 5th day of July, 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 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.