

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

Tuesday, September 19, 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 7:10 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

Town Manager Steven J. 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 Town Clerk swore-in Edward P. MacDougall to the Office of the Vice-Mayor.

IV. APPROVAL OF MINUTES:

A. Councilmember Meerbott made a motion approving the minutes of the meeting of September 6, 2006. The motion was seconded by Councilmember Bell and adopted by a unanimous 5-0 voice vote. The vote was as follows: Councilmembers Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

The Mayor recessed the regular Council meeting and called to order the Second Budget Hearing at 7:20 P.M. The regular Council meeting resumed at 8:05 P.M.

V. ADDITIONS, DELETIONS, AND DEFFERALS:

A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL, AMENDING CHAPTER 24 OF THE MIAMI-DADE COUNTY CODE AS MADE APPLICABLE TO THE TOWN BY SECTION 8-3 OF THE TOWN CHARTER, ENTITLED "ENVIRONMENTAL PROTECTION" ARTICLE VI, "IN

GENERAL,” DIVISION 1, “GENERAL PROVISIONS”, SECTION 24-49 “PERMITS FOR TREE REMOVAL AND RELOCATION, IMPROPERLY ISSUED PERMITS, VIOLATION OF PERMIT CONDITIONS, EXEMPTIONS FROM TREE REMOVAL PERMITS; MORTGAGE EXEMPTION FROM LIABILITY”, BY PROVIDING FOR ADDITIONAL PROTECTIONS FOR TREES WITHIN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

The Town Manager recommended deferral of the ordinance to a later date.

Councilmember Bell made a motion approving the Manager’s recommendation on deferring the resolution for an indefinite period. The motion was seconded by Councilmember Meerbott and adopted by a unanimous 5-0 voice vote. The vote was as follows: Councilmembers Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

VI. TOWN MANAGER’S REPORT:

The Town Manager advised that additional permits that were previously on hold have been processed. He also informed Council that the plans for the Police Department and the Building Department have been completed and forwarded for building permits. The manager thanked staff member Yani Ramos for her assistance with purchasing essential office items. The manager also advised that our Town Police Department would like to implement a proclamation program for arresting police officers to be honored and recognized for their endless efforts. The Police Chief advised Council of the status of a recent case and also emphasized that community assistance is most appreciated.

VII. TOWN ATTORNEY’S REPORT: None at this time.

VIII. BOARD AND COMMITTEE REPORTS:

The Mayor discussed his successful completion of the CERT Training. He thanked all those who participated and also thanked the organizers.

Councilmember Bell introduced the logo committee and its members to Council, Chairperson Denise Cebrero, Vice Chairperson Tom Condon, Secretary Beth Parets and Committee Member Terry Long. Committee Chairperson Cebrero addressed Council and presented their findings.

After extensive discussion, Councilmember Meerbott made a motion to approve Logo Selection 8B with modifications as the Grand Prize recipient. The motion was seconded by Councilmember Bell and failed by a 2-3 voice vote. The vote was as follows: Councilmember Bell and Councilmember Meerbott voting Yes; Councilmember Sochin, Vice Mayor MacDougall and Mayor Vrooman voting No.

Vice Mayor MacDougall made a motion to approve Logo Selection 130N with modifications as the Grand Prize recipient. The motion was seconded by Councilmember Sochin and approved by a 3-2 voice vote. The vote was as follows: Councilmember Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes; Councilmember Bell and Councilmember Meerbott voting No.

Councilmember Bell made a motion approving Logo Selection 8B for Second Place. The motion was seconded by Vice Mayor MacDougall and approved by a 4-1 voice vote. The vote was as follows: Councilmembers Bell, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes; Councilmember Meerbott voting No.

Councilmember Sochin made a motion recommending Logo Selection 106 as the winner for the twelve (12) and under category. The motion was seconded by Councilmember Bell and approved by unanimous voice vote: The vote was as follows: Councilmembers Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

Vice Mayor MacDougall made a motion recommending Logo Selection 25A as the winner for the thirteen (13) to seventeen (17) category. The motion was seconded by Councilmember Sochin and approved by a 4-1 voice vote. The vote was as follows: Councilmembers Bell, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes; Councilmember Meerbott voting No.

IX. CONSENT AGENDA: None at this time.

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

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

XII. PUBLIC HEARINGS:

A. RESOLUTIONS

1. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING THE PARKS AND RECREATION ADVISORY COMMITTEE; PROVIDING FOR AN APPOINTMENT PROCEDURE FOR MEMBERS OF THE PARKS AND RECREATION ADVISORY COMMITTEE; PROVIDING FOR DISSOLUTION OF THE COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE. **(NOT A PUBLIC HEARING)**

Councilmember Meerbott made a motion approving the resolution. The motion was seconded by Vice Mayor MacDougall and Resolution 06-97 was adopted by unanimous voice vote. The vote was as follows: Councilmembers Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

B. ORDINANCES:

1. **FIRST READING:** None at this time.
2. **SECOND READING:** 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, CREATING

REGULATIONS RELATED TO TEMPORARY STORAGE UNITS; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR REQUIREMENTS FOR PLACEMENT OF TEMPORARY STORAGE UNITS; PROVIDING FOR PLACEMENT OF TEMPORARY STORAGE UNITS IN OTHER ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

The mayor opened the public hearing. Joy Cooper, 9365 Nassau Drive, addressed the Council.

Councilmember Bell made a motion to adopt the ordinance on second reading. The motion was seconded by Vice Mayor MacDougall and approved by unanimous 5-0 roll call vote. The vote was as follows: Councilmembers 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, AMENDING REGULATIONS RELATED TO ROADSIDE SALES BY AMENDING SECTIONS 33-243, 33-251.1, 33-253.5 AND 33-256.4 EACH ENTITLED "PROHIBITED USES"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

The mayor opened the public hearing. Beth Parets, 19301 Holiday Road, addressed the Council.

Councilmember Bell made a motion to adopt the ordinance on second reading. The motion was seconded by Councilmember Sochin and approved by unanimous 5-0 roll call vote. The vote was as follows: Councilmembers Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

XIII. PUBLIC COMMENTS:

The following individuals spoke: Beth Parets, 19301 Holiday Road.

XIV. MAYOR AND COUNCIL MEMBER COMMENTS:

Councilmember Sochin discussed his attendance on various events beginning with the Pinecrest Business Association who presented Grant Miller with the Community Service Award. He attended the 9/11 fundraiser for a recent fallen firefighter's family at R.J. Gators. He was invited to visit the Bay Point School and suggested that a representative of the school address Council at a future meeting. Member Sochin suggested that Council should consider a rule, much like the "4 Day Rule" utilized by the County Commission.

Vice Mayor MacDougall discussed the receipt of emails from constituents who collectively email all members of Council on issues. He suggested that each district respond to their emails as it applies to their area. Those members not representing a district should forward necessary emails to the

corresponding district representative or to the Town Manager if within his authority. He also spoke on an upcoming resolution that will provide a committee to organize the tram system for the elderly.

Councilmember Bell thanked all the members of the Logo Committee for their participation and dedication. She also thanked members of Council for approving the Parks Committee resolution. Member Bell also discussed her attendance to the Cutler Ridge Soccer opening at Cutler Ridge Park which included a tree dedication in honor of Mayor John Cosgrove. She also stated that Members Meerbott, Sochin, and the Town Manager were in attendance at the ceremony.

Councilmember Meerbott discussed his meeting with Annie Condon, to acquire public lands for the Town. He informed Council that it would be beneficial to have her present the different services available from her organization. Member Meerbott suggested that a newsletter should circulate within the Town with vital information on the Town and inform residents of their district Council representative.

XV. OTHER BUSINESS: None at this time.

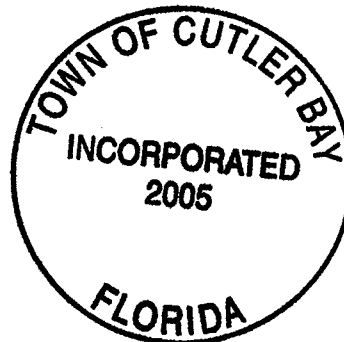
XVI. NEXT MEETING ANNOUNCEMENT AND ADJOURNMENT:

The next council meeting will be held on October 4, 2006, at the South Dade Regional Library.

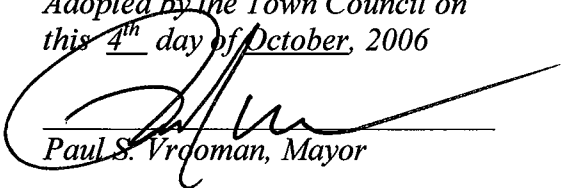
The meeting was officially adjourned at 10:15 P.M.

Respectfully submitted:


Erika Gonzalez-Santamaria, CMC
Town Clerk



*Adopted by the Town Council on
this 4th day of October, 2006*


Paul S. Vrdoman, 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.