

TOWN OF CUTLER BAY
MINUTES TOWN COUNCIL MEETING
Thursday, May 25, 2006
7:00 PM
South Dade Governmental Center
10710 SW 211 Street, Room 203
Miami, FL 33189

Meeting commenced at 7:06 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 P. MacDougall – via telephone conference
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 Clerk Elizabeth Sewell

Mayor Vrooman led the pledge allegiance.

II. PROCLAMATIONS, AWARDS, PRESENTATIONS

None at this time.

III. TOWN MANAGER'S REPORT

The town manager advised that he and the town attorney were still in negotiations with Miami-Dade County regarding interlocal agreements and revenues. He provided a report regarding the hiring of the town police commander. He advised that Lieutenant Richard Pichardo was recommended to the Miami-Dade Police Department to fill that position.

Commander Pichardo addressed the council and thanked the town council for selecting him to be the town police commander. He introduced the implementation team that would be working along with him.

Mayor Vrooman welcomed Commander Pichardo and his team.

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

V. BOARD AND COMMITTEE REPORTS

- A. Council Member Bell made a brief presentation regarding the selection process of finding the permanent town clerk. She recognized and thanked the town clerk's committee members for their hard work in the selection process of the town clerk.

Ms. Rosie Alvarez provided a report of the town clerk citizens committee. She presented three applicants to the town council. Beverly Brown, Ericka Gonzales Santamaria, and Carol Simpson Walker. Ms Alvarez provided an explanation of the interview process utilized by the committee. The applicants were rated on the following categories: education, work experience and computer knowledge and experience.

VI. ADDITIONS, DELETIONS, AND DEFERRALS

- 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. – Date Certain June 7, 2006.

Council Member Meerbott moved to defer the proposed ordinance to June 7, 2006 council meeting. Seconded by Council Member Sochin. All voted in favor. The proposed ordinance was deferred until June 7, 2006 council meeting.

VII. CONSENT AGENDA

- A. Minutes of the May 18, 2006 Council Meeting

Council Member Meerbott moved to approve the minutes of the May 18, 2006 council meeting as amended. Seconded by Council Member Bell. All voted in favor. The minutes were approved as amended unanimously.

VIII. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A TOWN CLERK; PROVIDING FOR AN EFFECTIVE DATE.

The town council conducted interviews with each applicant at the council meeting. Each applicant had to make a presentation regarding their knowledge and experience of their previous employment. After, the interviews the

candidates elected to leave the meeting room while the council discussed the qualifications and experience of each individual.

Council Member Bell moved to approve Erika Gonzalez-Santamaria as the town clerk and amend the resolution to authorize Council Member Bell to negotiate an employment contract with Ms. Santamaria. Seconded by Council Member Sochin.

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 resolution was adopted unanimously (5-0).

IX. RESOLUTIONS REQUIRING PUBLIC HEARING - None at this time

X. ORDINANCES FOR FIRST READING AND EMERGENCY ORDINANCES:
None at this time

XI. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING THE SECTION ENTITLED, "FLOODPLAIN MANAGEMENT REGULATIONS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The town attorney provided a brief presentation regarding floodplain ordinance. He advised that the town is required to participate in the National Flood Insurance program. It is a FEMA administered program which allows the town to obtain insurance for otherwise uninsurable property and in order for the town to be eligible for certain type of FEMA disaster relief benefits. Additionally, for residents to be able to be eligible for federally backed insurance through this program in flood areas. This ordinance creates code restrictions. Most of those restrictions by and large are already in place by virtue of the adoption of Miami-Dade County code of ordinance.

Mayor Vrooman asked if anyone from the public would like to speak in favor or in opposition of this ordinance.

No one from the audience spoke in regards to this ordinance

Council Member Meerbott moved to approve. Seconded by Council Member Sochin.

A roll call vote was taken as follows: Mayor Vrooman, Yes; Vice Mayor MacDougall, not present; Council Member Meerbott, Yes; Council Member Sochin, Yes; Council Member Bell, Yes. The proposed ordinance was adopted on second reading. (4-0)

- B. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA CREATING A CHAPTER OF THE TOWN CODE OF ORDINANCES, ENTITLED "VENDORS' CAMPAIGN CONTRIBUTION DISCLOSURE," PROVIDING FOR PROCEDURES FOR DISCLOSURE OF CAMPAIGN CONTRIBUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

The town attorney provided a brief explanation regarding the purpose of this ordinance.

No one from the public spoke regarding this ordinance.

Council Member Meerbott asked that the ordinance be amended to include that the disclosure be made known publicly by the town clerk at the council meeting.

The town attorney explained that this ordinance shall be amended in paragraph "C" to read that the town clerk shall inform the council on the record at a public meeting of any disclosures that were made in relation to any items before the council prior to the hearing or prior to the awarding of the contract.

Council Member Meerbott moved to amend. Seconded by Council Member Sochin.

A roll call vote was taken as follows: Mayor Vrooman, Yes; Vice Mayor MacDougall, absent; Council Member Meerbott, Yes; Council Member Sochin, Yes; Council Member Bell, Yes. The proposed ordinance was adopted on second reading. (4-0).

- C. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN COUNCIL AGENDA FORMAT; CREATING TOWN COUNCIL MEETING PROCEDURES; CREATING ADVERTISEMENT AND NOTICE REQUIREMENTS; PROVIDING FOR A REPEALER; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Vrooman provided a brief explanation regarding the changes on this ordinance.

The following individuals spoke in regards to this proposed ordinance: Joy Cooper, 9365 Nassau Drive; Beth Parets, 19301 Holiday Road.

The town attorney provided an explanation regarding the requirements for land use matters and courtesy notices.

Council Member Bell moved to approve. Seconded by Council Member Bell.

A roll call vote was taken as follows: Mayor Vrooman, Yes; Vice Mayor MacDougall, absent; Council Member Meerbott, Yes; Council Member Sochin, Yes; Council Member Bell, Yes. The proposed ordinance was adopted on second reading (4-0).

XII. PUBLIC COMMENTS

The following individuals spoke: Bill Mickeljohn, 9311 Stirling Drive; Joy Cooper, 9365 Nassau Drive; Louise Lockwood 9071 Richmond Drive.

XIII. OTHER BUSINESS

- A. Council Member Bell reported that the logo committee's first meeting will be next month. She advised that she had notified the past presidents about the passing of the town's former mayor. President Bill Clinton responded with his condolences to the town and mayor's family.
- B. Council Member Sochin provided a brief report regarding his attendance at the hurricane preparedness committee meeting. He advised that he would be attending the Florida League of Cities conference.
- C. Council Member Meerbott made a suggestion about selecting committee members to serve on the various citizens advisory committees. He advised that council members should be careful not to select the same individuals to participate on the various committees repeatedly.
- D. Mayor Vrooman provided a status report regarding the funding for storm water request made to the state was vetoed today.

XIV. NEXT MEETING ANNOUNCEMENT AND ADJOURNMENT

Presentation by student from Whispering Pines who participated in essay contest entitled "how are we going to be different as a town", at the next council meeting.

The next council meeting will be held on June 7, 2006 at South Dade Governmental Center.

The meeting was officially adjourned at 8:55 pm.

Prepared and submitted by:

*Elizabeth A. Sewell, CMC
Interim Town Clerk*

*Adopted by the Town Council on
this 7th day of June, 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.