

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

Wednesday, August 2, 2006

7:00 PM

South Dade Government Center
10750 SW 211 Street, Room 203
Cutler Bay, Florida 33189

I. CALL TO ORDER/ROLL CALL OF MEMBERS: The meeting was called to order by the mayor at 7:25 PM. Present were the following:

Councilmember Peggy R. Bell
Councilmember Timothy J. Meerbott
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

Councilmember Ernest N. Sochin was absent.

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:

IV. APPROVAL OF MINUTES:

A. Councilmember Meerbott made a motion approving the minutes of the meeting of July 19, 2006. The motion was seconded by Vice Mayor MacDougall and adopted by a unanimous 4-0 voice vote. The vote was as follows: Councilmembers Bell, Meerbott, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

V. ADDITIONS, DELETIONS, AND DEFFERALS:

VI. TOWN MANAGER'S REPORT:

The Town Manager thanked Council for selecting him as the first Town Manager of Cutler Bay. The manager also informed the Council that he is diligently working on the town's first budget which is approximately \$14 million. The manager discussed that the plans for the

police build-out is almost complete. Also, the administration is almost done with the permitting process. The manager reported that the five surplus vehicles have been pushed to the September 12th county commission agenda. He also stated that the police commander has identified five surplus buses that are also available. Three of which will be used as a mobile EOC or command center for the police department. The other two buses would be used for transporting people around for certain purposes. The Town Manager discussed that once his contract is complete, a bond must be placed on the manager as per the town charter, which is done through the Florida League of Cities. He was also pleased to present his "First 180 Days Report," which detailed the important events up until the present and will be presenting another report for the next six months. The manager commended the police department and their efforts to capture two burglary gangs while in progress and making the community as safe as possible.

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

VIII. BOARD AND COMMITTEE REPORTS: None at this time.

IX. CONSENT AGENDA:

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

A motion to approve the consent agenda was made by Councilmember Meerbott. The motion was seconded by Councilmember Bell. Resolution 06-70 was adopted by unanimous voice vote. The vote was as follows: Councilmembers Bell, Meerbott, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

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

XI. QUASI-JUDICIAL HEARINGS: Refer to Public Hearing item under Resolutions.

XII. PUBLIC HEARINGS:

- A. **RESOLUTIONS:** The following quasi-judicial hearing was held by Council.

All witnesses giving testimony were sworn-in by the clerk.

- 1. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, GRANTING FINAL PLAT APPROVAL TO JULIO ABASCAL FOR PROPERTY GENERALLY LOCATED AT THE INTERSECTION OF S.W. 205TH STREET/SW 79TH AVENUE AND S.W. 204TH TERRACE (FOLIO # 36-6010-010-1010), AS LEGALLY DESCRIBED IN EXHIBIT "A;" CONSISTING OF 1 SINGLE FAMILY HOME ON APPROXIMATELY 17,268

SQUARE FEET; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Meerbott made a motion to approve the resolution. The motion was seconded by Vice Mayor MacDougall and adopted Resolution 06-71 by unanimous voice vote. The vote was as follows: Councilmembers Bell, Meerbott, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

2. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING MIAMI-DADE COUNTY TO CONTINUE THE PROCESS OF CREATING A SPECIAL TAXING DISTRICT FOR SECURITY GUARD GATES FOR THE LAKES BY THE BAY SOUTH COMMONS; AND PROVIDING FOR AN EFFECTIVE DATE. (NOT A PUBLIC HEARING)

The Town Manager gave the Council background information in reference to the resolution.

Graham Penn, 200 S. Biscayne Boulevard, Jorge Sapiro representing Lennar Homes, and Mercedes Henderson, representing the Isles of Bayshore Master Association, addressed the council.

Councilmember Bell made a motion to approve the resolution. The motion was seconded by Vice Mayor MacDougall and adopted Resolution 06-72 by unanimous voice vote. The vote was as follows: Councilmembers Bell, Meerbott, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

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

All witnesses giving testimony were sworn-in by the clerk.

- a. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, REZONING PROPERTIES FROM BU-1A, BU-2, AND BU-3 TO THE URBAN CENTER DISTRICT (UCD) ZONING DESIGNATION CONSISTING OF APPROXIMATELY 207 ACRES 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); AS LEGALLY DESCRIBED IN EXHIBIT "A;" PROVIDING FOR A REPEALER; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.

Michael DeParaiso, co-owner of 20001 South Dixie Highway, addressed the council.

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

Second reading of the ordinance for August 16, 2006.

- b. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, IMPLEMENTING SECTION 3.10 OF THE TOWN CHARTER, ESTABLISHING PURCHASING REGULATIONS; PROVIDING FOR REPLACEMENT OF SECTION 2-8.1 ET SEQ. OF THE MIAMI-DADE COUNTY CODE TO THE EXTENT APPLICABLE, PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The Town Manager discussed the ordinance in detail.

Councilmember Meerbott made a motion to approve the ordinance on first reading. The motion was seconded by Vice Mayor MacDougall and approved by a 3 – 1 roll call vote. The vote was as follows: Councilmembers Meerbott, Vice Mayor MacDougall and Mayor Vrooman voting Yes; and Councilmember Bell voting No.

Second reading of the ordinance for August 16, 2006.

XIII. PUBLIC COMMENTS:

The following individuals spoke: Nancy McCue, 8603 Franjo Road, Barbara Condon, 19641 Holiday Road, Ed Wolmers, 9370 Dominican Drive.

XIV. MAYOR AND COUNCIL MEMBER COMMENTS:

Councilmember Meerbott discussed his communication with Trust for Public Land to acquire additional lands for parks within the town.

Councilmember Bell thanked everyone for their participation in the strategic planning workshops and reminded the public that two other strategic meetings are being planned.

Mayor Vrooman referenced that the five surplus vehicles from the County are to be used as decoys for the police department. He also wanted to remind staff that a resolution be drawn up to dissolve the Manager Search Committee. The mayor also wanted to endorse an alliance

among Commissioner Sorenson, the mayor of Palmetto Bay, and the Town of Cutler Bay in support of all the charettes along US1. The mayor hopes to market the charettes to gain support for the projects. He also reminded that the CERT training is coming up at Town Hall.

XV. OTHER BUSINESS: None at this time.

XVI. NEXT MEETING ANNOUNCEMENT AND ADJOURNMENT:

The next council meeting will be held on August 16, 2006, at the South Dade Government Center.

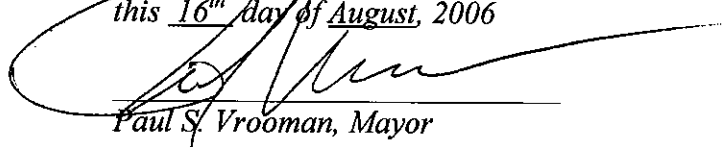
The meeting was officially adjourned at 10:40 P.M.

Respectfully submitted:


Erika Gonzalez-Santamaria
Town Clerk



*Adopted by the Town Council on
this 16th day of August, 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.