



**Town of Surfside
Town Commission Meeting
MINUTES
April 8, 2014
7 p.m.**

**Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
Surfside, FL 33154**

1. Opening

A. Call to Order

Mayor Dietch called the meeting to order at 7:02 P.M

B. Roll Call of Members

Town Clerk Sandra Novoa called the roll with the following members present:
Mayor Dietch, Vice Mayor Tourgeman, Commissioner Cohen, Commissioner
Karukin and Commissioner Olchyk.

Mayor Dietch recognized the Honorable Commissioner Sally Heyman and former
Commissioner Kligman.

C. Pledge of Allegiance

Chief David Allen led the Pledge of Allegiance

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Commissioner Olchyk said she would appreciate if fellow Commissioners keep their
remarks to a minimum and to the point so meetings do not extend beyond 11:00 p.m.

Mayor Dietch said the Town received an award from the Miami-Dade County Image
Advisory Board for the Gateway Beautification for the recently completed Harding
Avenue Streetscape Project.

The Mayor recognized four students from Nautilus Middle High School who
participated in the successful I Share Project.

The Mayor welcomed the new members of the Commission, Vice Mayor Eli
Tourgeman and Commissioner Barry Cohen

E. Agenda and Order of Business Additions, deletions and linkages

Vice Mayor Tourgeman made a motion to defer for thirty days item 9B Presentation
of Report: Parking Solution: The Next Step. The motion received a second from
Commissioner Olchyk and all voted in favor.

Mayor Dietch asked to move item 1F to the end of the opening section to discuss the
pulled items.

Commissioner Olchyk made a motion to move item 9D up on the agenda to follow
item 3 Consent Agenda. The motion received a second from Commissioner Karukin
and all voted in favor.

Commissioner Karukin made a motion that after the approval of the consent agenda the Commission discuss the pulled items and also move item 1F Community Notes to the end of the opening section. The motion received a second from Vice Mayor Tourgeman and all voted in favor.

- F. Community Notes – Mayor Daniel Dietch (Report given after 1.I)**
Mayor Dietch announced the upcoming community events which can be found on the Town's website.
- G. Presentation from Miami Dade County Commissioner Sally Heyman –**
Former Commissioner Kligman thanked Commissioner Heyman for her leadership and support on the anti-bullying ordinance.
- H. Employee of the Quarter Award – Joe Damien, Code Compliance Director –**
Michael P. Crotty, Town Manager
Town Manager Crotty presented the Employee of the Quarter Award to Code Compliance Director Joe Damien.
- I. Recognition of Legal Intern Vitaliy Usten – Linda Miller, Town Attorney**
Town Attorney presented an Award of Recognition to Legal Intern Vitaliy Usten.

2. Quasi-Judicial Hearings (None)

3. Consent Agenda (*Set for approximately 7:30 p.m.*)

Items pulled as follows:

Mayor Dietch pulled item 15, page 25; item 17, page 26 and item 3I, page 73.

Vice Mayor Tourgeman pulled item 38, page 36 and item 39, page 37.

Commissioner Karukin pulled item 3A, page 8; item 11, page 23; item 15, page 25; item 27, page 32; item 28, page 33; item 34, page 35 and item 3E, page 43.

Commissioner Karukin made a motion to approve the consent agenda minus the pulled items. The motion received a second from Commissioner Olchyk and all voted in favor.

- A. Minutes – March 11, 2014 Regular Town Commission Meeting**
Pulled by Commissioner Karukin –3A.4 Resort Tax - to add to the minutes the request for the legal department to look into (1) remove the annual review for the Chair of the Committee (2) put a cap on the 34% (3) combining TVAC and DVAC
- B. Budget to Actual Summary as of January 30, 2014 – Donald Nelson, Finance Director**
- *C. Town Manager's Report – Michael P. Crotty, Town Manager**
Pulled Items:
 - Item 15 95th Street End Project – Commissioner Karukin asked Town Manager Crotty for clarification of the new text in the note. Town Manager Crotty gave an update.
 - Item 17 Beach Renourishment – Town Manager Crotty gave a brief overview of the project. Building Official Ross Prieto gave an update on the project.

-Item 38 Tennis Programming – Commissioner Tourgeman combined Item 38 and Item 39 and indicated the town should explore the possibilities of sponsorships and grants for these types of programs. Commissioner Olchyk spoke in support of the programs the Parks and Recreation Department provide and how well they have done.

-Item 39 Pilot Spring Adventure Camp

-Item 28 FEMA – Commissioner Karukin asked about the Committee that was established which he had no knowledge of. Building Official Ross Prieto gave an overview of the Programs for Public Information Committee.

-Item 11 Downtown Vision Project – Commissioner Karukin suggested that the Sign Code review be placed under the Planning and Zoning section as a separate item.

-Item 34 ERP – Commissioner Karukin reminded the Commission that the cost of modifying the software can be extremely costly.

-Item 26 Charter Review Board – Commissioner Karukin asked Town Manager Crotty when this will be brought back to the Commission and Town Manager Crotty indicated it will be on the May agenda.

-Item 10 Harding Avenue Streetscape Plan – Mayor Dietch asked Town Manager Crotty for an update on the project.

***D. Town Attorney’s Report – Linda Miller, Town Attorney**

***E. Projects Progress Report – Calvin, Giordano and Associates, Inc.**

Commissioner Karukin asked that CGA include in their report all items they do for the town.

F. Committee Reports – Michael P. Crotty, Town Manager

- **January 27, 2014 Downtown Vision Advisory Committee**
- **February 10, 2014 Parks and Recreation Committee Meeting Minutes**

G. Approval of Improvements to the Town Hall Unimproved Parking Lot – Michael P. Crotty, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE IMPROVEMENT PROJECT FOR THE TOWN HALL SOUTHEAST UNIMPROVED PARKING LOT IN AN AMOUNT NOT TO EXCEED \$23,850; AUTHORIZING AN AMENDMENT TO THE 2013-2014 BUDGET AND APPROPRIATION OF \$23,850 TO ACCOUNT NO. 107-8500-541-6310 FOR THE UNIMPROVED SOUTHEAST PARKING LOT IMPROVEMENTS; PROVIDING AUTHORIZATION AND PROVIDING AN EFFECTIVE DATE.

Adopt on Consent

H. Proposed Memorandum of Understanding for the Miami-Dade County New 700/800 MHz Regional Radio System – David Allen, Chief of Police

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE MEMORANDUM OF UNDERSTANDING

**BETWEEN THE TOWN OF SURFSIDE AND MIAMI-DADE COUNTY;
AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO
EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE
MOU; AND PROVIDING FOR AN EFFECTIVE DATE.**

Adopt on Consent

I. Central Everglades Planning Project Support– Mayor Daniel Dietch

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA SUPPORTING
CONSTRUCTION OF THE CENTRAL EVERGLADES PLANNING
PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR
AN EFFECTIVE DATE.**

Mayor Dietch recused himself from this item.

Commissioner Karukin made a motion for discussion purposes. The motion received a second from Commissioner Olchyk.

Commissioner Olchyk wanted to make sure that there was no funding from the town on this project. Town Manager Crotty said that was correct.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Olchyk. The motion carried 4-0 with Mayor Dietch absent from the Dais.

Commissioner Karukin made a motion to approve all pulled items from the consent agenda. The motion received a second from Commissioner Olchyk. The motion carried 4-0 with Mayor Dietch absent from the Dais.

4. Ordinances

(Set for approximately N/A p.m.) (Note: Good and Welfare must begin at 8:15)

A. Second Readings (Ordinances and Public Hearing)

(Set for approximately 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)

B. First Reading Ordinances

1. Dock Projection Ordinance – Sarah Sinatra, Town Planner

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF
SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” OF THE
CODE OF THE TOWN TO AMEND SECTION 90-57 “MARINE
STRUCTURE” TO EXTEND THE LENGTH OF THE DOCK
PROJECTION INTO BISCAYNE BAY AND TO PROVIDE FOR A
COURTESY NOTIFICATION PROVIDING FOR SEVERABILITY;**

PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Planner Sarah Sinatra presented the item to the Town Commission.

Mayor Dietch passed the gavel to Vice Mayor Tourgeman.

Mayor Dietch made a motion for discussion purposes. The motion did not receive a second. Motion died for lack of a second.

2. Ordinance Amending Section 66-7 “Disposal of grass cuttings and hedge trimmings.” – Joseph Kroll, Public Works Director

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 66-7, “DISPOSAL OF GRASS CUTTINGS AND HEDGE TRIMMINGS” OF THE CODE OF ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE BY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Works Director Joseph Kroll presented the item to the Town Commission.

Commissioner Cohen made a motion for discussion purposes. Mayor Dietch passed the gavel to Vice Mayor Tourgeman. The motion received a second from Mayor Dietch.

Code Compliance Director Joe Damian and Town Manager Michael Crotty gave more information on the item. Mayor Dietch thanked the staff for putting together a comprehensive approach for handling the disposal of this trash. Commissioner Karukin said citizens need to be educated on the item before more codes are put in place. Commissioner Cohen indicated that notices should be followed up by certified mail to assure that the homeowner received it and that the homeowner should be able to appeal.

Commissioner Cohen made a motion to approve with the amendment that there is follow up with certified mail and due process for appeal. After passing the gavel, Mayor Dietch seconded the motion. The motion carried 4-1 with Commissioner Karukin voting in opposition.

5. Resolutions and Proclamations

(Set for approximately 9:00 p.m.) (Note: Depends upon length of Good and Welfare)

A. Certification of Municipal election Results – March 18, 2014 – Sandra Novoa, Town Clerk

RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA CERTIFYING AND DECLARING THE

RESULTS OF THE TOWN OF SURFSIDE GENERAL MUNICIPAL ELECTION HELD ON MARCH 18, 2014 TOWN COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Linda Miller read a revised title of the resolution into the record. The correct title is as follows:

“RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA CERTIFYING AND DECLARING THE RESULTS OF THE TOWN OF SURFSIDE GENERAL MUNICIPAL ELECTION HELD ON MARCH 18, 2014 FOR THE ELECTION OF MAYOR ELECTED BY OPERATION OF LAW AND FOUR (4) TOWN COMMISSIONERS; AND PROVIDING FOR AN EFFECTIVE DATE.”

Commissioner Karukin made a motion to accept. The motion received a second from Vice Mayor Tourgeman and all voted in favor.

B. Approval to Award Contract for the Tennis Center Hut Mitigation and Building Hardening – Joseph Kroll, Public Works Director

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATION TO RETAIN DECON ENVIRONMENTAL AND ENGINEERING, INC. TO PROVIDE MOLD REMEDIATION AND RESTORATION SERVICES FOR THE SURFSIDE TENNIS CENTER; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO EXECUTE AN AGREEMENT WITH DECON ENVIRONMENTAL AND ENGINEERING INC., BY PIGGYBACKING OFF OF A COMPETITELY BID AGREEMENT FOR THE SAME SERVICES AWARDED BY THE BROWARD COUNTY SCHOOL BOARD; AUTHORIZING THE AMENDMENT TO THE 2013/2014 BUDGET AND APPROPRIATION NOT TO EXCEED \$50,755 TO ACCOUNT 310-4400-572-3191; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Works Director Joseph Kroll presented the item to the Town Commission.

Commissioner Karukin made a motion for discussion. The motion received a second from Commissioner Olchyk.

Town Manager Crotty gave a detailed update on the item. Commissioner Karukin questioned the amount it will cost to oversight the project and what percentage was used. Commissioner Olchyk also questioned the cost and if labor is also included then a breakdown be submitted as perhaps some of the labor can be done by our own staff. Director Kroll explained that by law the removal of mold can only be done by someone that is certified and our staff does not have that certification. Town Manager Crotty asked the Commission to look at the breakdown report provided which gives a better explanation of each line item.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Olchyk and all voted in favor.

6. Good and Welfare (Set for approximately 8:15 p.m.)

The Mayor opened the meeting to Good and Welfare.

Public Speaker Louis Cohen welcomed the new members of the Commission and wished all a successful year. Mr. Cohen suggested that new email accounts be set up to allow people who cannot come to the meeting but watch at home have a way to communicate with the Commission during the meeting. The Mayor gave some input on this idea and Commissioner Karukin felt that this can become distracting during the meeting.

Mr. Cohen also said that any member of the Commission who belongs to an organization that has an agenda item should reclude them self. Mayor Dietch said they are bound by a very strong ethical ordinance.

Public Speaker Daniel Grelmchinsky representing the Shul thanked the Commission for their service to the community. He also stated that they are supportive of the parking plan and hope it will move forward.

Public Speaker Marianne Meischeid spoke about the new sand placed on the beach as it looks like dirt. Public Speaker George Kousoules also spoke about the beach and the removal of mounds of sand. Building Official Ross Prieto addressed the issue and said the grade of sand was beach quality and also addressed the issue of the removal. Mr. Prieto said the sand will bleach out and become white and gave an overview of the item.

No one else wishing to speak the Mayor closed the meeting to Good and Welfare and resumed to item 9D.

7. Town Manager and Town Attorney Reports

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

A. Initial Report on Development Impact Coordination – David Allen Chief of Police

Chief Allen gave a report indicating some of the problems his Dept. faces and had some suggestions. There was some discussion regarding the traffic issue.

Town Manager Crotty will pursue with developers the possibility of sharing costs to help with these problems and report back to the Commission.

Building Official Ross Prieto gave a detailed update report.

B. Presentation of Report: Parking Solution: The next Step - Michael P. Crotty, Town Manager

C. Committee/Board Members Appointment – Sandra Novoa, Town Clerk

The Commissioners gave their recommendations for the various committees.

PLANNING & ZONING
Peter Glynn (Dietch)
Jennifer Zawid (Cohen)
Armando Castellanos (Olchyk)
Jorge Gutierrez (<i>Design Review Board</i>)

PERSONNEL APPEALS BOARD
Jayne Bengio (Tourgeman)
Niza Motola (Karukin)
Chase Berger (Cohen)
Norma Parron (Olchyk)

PARKS & RECREATION
Eliana Salzhauer (Dietch)
Alberto Aguirre (Tourgeman)
Retta Logan (Karukin)
Sholom Danzinger (Cohen)
Veronica Lupinacci (Olchykt)

TOURIST BOARD
Barbara Cohen (Dietch)
Elizabeth Levine (Tourgeman)
Sandra Argow (Karukin)
Joel Baum, CPA (Cohen)
Michelle Kligman (Olchyk)

Commissioner Olchyk made a motion that Coach Arnie Notkin be a member emeritus to the Parks and Recreation Committee. The motion received a second from Commissioner Karukin. The motion carried 4-1 with Vice Mayor Tourgeman voting in opposition.

Commissioner Karukin made a motion to abolish the IT Committee. The motion received a second from Vice Mayor Tourgeman and all voted in favor.

Mayor Dietch passed the gavel to the Vice Mayor and made a motion to appoint Jorge Gutierrez to the Design and Review Board. The motion received a second from Commissioner Karukin and all voted in favor.

Liaisons: Mayor Dietch – Personnel Appeals Board
Vice Mayor Tourgeman - Tourist Board
Commissioner Olchyk – Parks and Recreation Committee

Commissioner Cohen – Planning and Zoning Board
Commissioner Karukin – Charter Review Board

D. Town Attorney Expense Authority – Commissioner Marta Olchyk

Commissioner Olchyk had concerns about the hiring of outside legal expertise and suggested that the Commission be consulted when the Legal Dept. expenses exceed \$8,500 that is not budgeted. She indicated that the Charter Review was very costly.

Town Attorney Miller and Finance Director Donald Nelson spoke on the issue. Commissioner Cohen spoke and indicated that in some cases there is not enough time to call a meeting and get approval.

Commissioner Olchyk made a motion that if the Legal Dept wants to allocate funds over \$8,500 that have not been budgeted that the funds receive approval by the Commission.

The item was paused to meet the timeline of Good and Welfare and resumed after Good and Welfare closed.

Motion died for lack of a second.

Recognition/Awards: Scheduled for 6:30pm? – Michael P. Crotty, Town Manager

Vice Mayor Tourgeman made a motion to have recognition awards presented at 6:30 p.m. before the 7:00 p.m. regular Commission Meeting. The motion received a second from Commissioner Olchyk. The motion carried 3-2 with Commissioner Karukin and Mayor Dietch voting in opposition.

E. Community Center Expansion (Second Story) – Michael P. Crotty, Town Manager

Commissioner Karukin made a motion that the first workshop for community outreach discussion be scheduled in thirty days. The motion received a second from Vice Mayor Tourgeman and all voted in favor.

F. Miami Dade County League of Cities Director Designation (Verbal)– Michael P. Crotty, Town Manager

Commissioner Cohen volunteered and Vice Mayor Tourgeman will be backup.

10. Adjournment

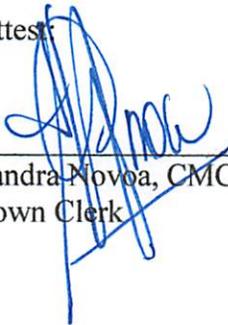
There being no further business to come before the Commission, the meeting adjourned at 10.49 p.m.

Accepted this 13th day of May, 2014



Daniel Dietch, Mayor

Attest:



Sandra Novoa, CMC
Town Clerk