



**Town of Surfside
Town Commission Meeting
April 13, 2010
7 p.m.**

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

MINUTES – agenda workshop on 4-12-10

1. Opening

A. Call to Order

Mayor Daniel Dietch called the meeting to order at 8:30 a.m.

B. Roll Call of Members

Mayor Daniel Dietch, Vice Mayor Joe Graubart, Commissioners Edward Kopelman, Michael Kaurkin were in attendance. Commissioner Marta Olchyk was absent.

Mayor Daniel Dietch explained the purpose of the pre-agenda meetings and asked to add a section entitled Community Notes and a section for Mayor's Comments to the agenda for the Regular Meeting.

C. Pledge of Allegiance – No discussion.

D. Agenda and Order of Business (Additions, Deletions) No discussion.

E. Special Presentations No discussion.

1. **Police Officer of the Month – Chief David Allen**

2. **Employee of the Quarter – Tim Milian, Director of Parks and Recreation**

3. **Barbara Cohen – Census Update**

4. **Heather Oppenheimer – Baynanza April 17, 2010**

2. Quasi-Judicial Hearings

3. Consent Agenda

All items on the consent agenda are considered routine by the Town Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which event, the item will be moved to the main agenda under the appropriate heading for consideration.

Recommended Motion: To approve all consent agenda items as presented below.

**A. Minutes – Town Commission Meeting Minutes March 9, 2010
Town Commission Induction Meeting March 17, 2010
Town Commission Workshop April 1, 2010**

No discussion.

**B. Monthly Budget to Actual Summary - Martin Sherwood, Finance Support Services
Department Head**

Town Manager, Gary Word explained the purpose of the report and the benchmark process.

- C. **Projects Progress Report – George Keller, Calvin, Giordano & Associates**
It was requested that the Community Center update be pulled from this report and not appear on the consent agenda for the regular meeting, but rather appear in the presentation section.
- D. **Resolution Certifying Election Results – Debra Eastman, Town Clerk**
A 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 16, 2010 FOR THE ELECTION OF MAYOR AND FOUR (4) TOWN COMMISSIONERS; AND PROVIDING FOR AN EFFECTIVE DATE.
- E. **Proposed Mutual Aid Agreement with the City of Coral Gables Police Department – Chief David Allen**
A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER AND TOWN CLERK TO EXECUTE A MUTUAL AID AGREEMENT FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE WITH THE CITY OF CORAL GABLES POLICE DEPARTMENT.
Commissioner Karukin requested that the ordinances include a summary in plain English on the agenda. The Town Attorney will provide that.

4. **Ordinances and Public Hearings**

A. **Second Readings (Ordinances)**

1. **Regulated Use Ordinance – Town Planner, Sarah Sinatra and Town Attorney, Lynn Dannheisser**
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 AND SPECIFICALLY SECTION 90-2 “DEFINITIONS” AND ARTICLE IV SECTION 90-41 “REGULATED USES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.
Town Attorney, Lynn Dannheisser explained that the ordinance will allow licensed therapeutic massage. After discussion, Town Attorney Lynn Dannheisser agreed to amend the ordinance to ensure that the therapeutic massage would be in connection with another business and not a standalone facility.

2. **First Readings (Public Hearings on Ordinances)**

A. RLUIPA Ordinance – Lynn Dannheisser, Town Attorney
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY ARTICLE IV “DISTRICT REGULATIONS”; AMENDING SECTION 90-41 “REGULATED USES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney, Lynn Dannheisser explained places of public assembly, where they must currently be located, the proposed amendment and the process that the ordinance will follow from first reading through possible adoption.

B. Landscape Ordinance – Lynn Dannheisser, Town Attorney
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY ARTICLE VIII “LANDSCAPE REQUIREMENTS”; AMENDING SECTIONS 90-92, 90-94, 90-95 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney, Lynn Dannheisser explained landscape buffers in the business district and the need for the amendment to the Town Code. It was decided that future agenda meetings will include the Town Planner and other staff who can assist with further explanation.

Vice Mayor Joe Graubart inquired about the purpose of the pre-agenda meeting and the decision to have the meeting at this hour of the day. Barbara McLaughlin requested that notice of the meeting be available on the website. Mayor Daniel Dietch explained that he will announce at the Regular Meeting where the notice will be posted for future meetings.

C. Construction Fencing Ordinance – Sarah Sinatra, Town Planner
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY AMENDING SECTION 90-56 “FENCES, WALLS AND HEDGES”; CREATING 90-56.1 “CONSTRUCTION FENCING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney, Lynn Dannheisser explained that the Planning and Zoning Board strives to make the zoning code readable and understandable and that this amendment will make clear the requirements of construction fencing. She further explained the bond requirement.

D. Notice Requirement for Site Plan Approval – Lynn Dannheisser, Town Attorney

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING" AND SPECIFICALLY AMENDING SECTION 90-35 "PLANNING AND ZONING BOARD; APPLICATIONS FOR SPECIAL EXCEPTIONS, ZONING CHANGES, CONDITIONAL USES AND VARIANCES; RULES OF PROCEDURE" TO PROVIDE THAT NOTICE WILL BE REQUIRED FOR SITE PLAN APPROVAL AND ALL NOTICES SHALL BE AT APPLICANT'S COST; OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSIN IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney, Lynn Dannheisser explained that it recently came to the attention of the town that site plan approval does not require notification and that the amendment to the Town Could would now provide for it.

5. Resolutions and Proclamations

A. Proposed Strike Force – Chief David Allen

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER AND TOWN CLERK TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE WITH THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES.

Town Manager, Gary Word explained the intention of the resolution.

B. Sod and other incidental repair work at 96th Street Park – Tim Milian, Director of Parks and Recreation

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, WAIVING THE BID PROCESS PURSUANT TO SECTION 3-13(3) OF THE TOWN OF SURFSIDE CODE OF ORDINANCES, APPROVING REPLACEMENT OF SOD AND OTHER INCIDENTAL REPAIR WORK AT 96TH STREET PARK TO BE PROVIDED BY COUNTRY BILL'S LAWN MAINTENANCE; PIGGYBACKING ON CITY OF NORTH MIAMI BID #12-06-07, AUTHORIZING EXECUTION OF PURCHASE ORDERS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager, Gary Word explained the intensive use of the field, the process of piggybacking the bid process and plans to explore replacement of the turf with artificial in the future.

C. Adoption of Committee Rules – Lynn Dannheisser, Town Attorney

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AND ADOPTING UPDATED RULES AND PROCEDURES FOR COMMITTEES CREATED BY THE TOWN COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney, Lynn Dannheisser explained that the new Commission will have the opportunity to appoint new committee members and to ratify committees and to set a mission statement for the committees. It was suggested that this topic may be one that requires a separate workshop meeting to discuss.

D. Amendment to Community Shuttle Bus Service Contract – Fernando Rodriguez, Director of Public Works

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE AMENDMENT TO THE AGREEMENT BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND LIMOUSINES OF SOUTH FLORIDA, INC.; AUTHORIZING THE TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT TO THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager, Gary Word explained that this is an amendment to the contract for a \$2.00 per hour increase. There was discussion about coordinating bus service with neighboring communities.

6. Good and Welfare

Public comments for subjects or items not on the agenda. Public comment on agenda items will be allowed when agenda item is discussed by the Commission.

7. Town Manager and Town Attorney Reports

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

A. Mayor's remarks on Agenda Discussion Items – Mayor Daniel Dietch

Mayor Daniel Dietch encouraged the Commission to provide backup information for inclusion with any agenda item. Mayor Dietch explained that he will distribute a template that he prefers for the Commission to use for their agenda items. He asked that the deadline for submission of information be provided to the Commission.

B. Charter Changes – Commissioner Michael Karukin

It was discussed that this item will probably require a separate workshop.

C. Committee Appointments – Debra Eastman, Town Clerk

Mayor Dietch suggested that this item might also require a workshop.

Mayor Dietch suggested that the Good and Welfare portion still be heard at 8:15 as in the past. He suggested that the agenda be re-ordered. Town Manager, Gary Word will look into the order of the agenda.

10. Adjournment

The meeting adjourned at 10:45 a.m.

Accepted this 26 day of May, 2010.



Daniel Dietch, Mayor

Attest:



Debra E. Eastman, MMC
Town Clerk