



**Town of Surfside  
Town Commission Meeting  
MINUTES**

**December 13, 2011  
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> 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 Graubart, Commissioner Karukin and Commissioner Olchyk. Commissioner Kopelman was absent.

**C. Pledge of Allegiance**

Chief Allen led the Pledge of Allegiance.

**D. Mayor and Commission Remarks – Mayor Daniel Dietch**

Commissioner Olchyk spoke about how gratified she was to see how much the Town has saved in all of the departments on the Budget Summary.

Mayor Dietch spoke about the property taxes and how they have decreased compared to previous years.

The Mayor thanked his colleagues, the administration and the members of the Community Garden for realizing a long time vision of the Commission and making the Community Garden a reality. He spoke about a few residents wanting to develop another location for a dog park and invited the community to contact him or the Town Manager to schedule a meeting sometime in January to talk about how it can be done.

The Manager spoke about the feral cat program and how hard it has been to find volunteers to help administer this program. He encouraged any cat lover or a responsible resident who would like to help with the program to come forward and contact the Town Manager. The Mayor also spoke about the Street Sweeper and announced that the sweeper will begin to operate on a daily basis starting in January. The Town of Surfside bus system has been linked to the Sunny Isles Beach route and explained that the information is available on the Town's website.

Vice Mayor Graubart spoke about the property taxes and agreed with the Mayor's statement that they lowered the millage rate but in his opinion most of it was due to lower assessment values.

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

The Mayor stated that there were two agenda requests for time certain. One was related to Points of Light number one for 8:45 p.m. and proceeding that item 9B related to Parking Feasibility Study for 8:30p.m.

Vice Mayor Graubart pulled Item 3C, pages 37-48 Points of Light, Item 3C, #24, page 43; Item 3C, #35, page 45; Item 3E, page 105 and page 106, Landscape Architecture. Item 3C, #1, page 49-92; Item 3C, #32, page 93.

Commissioner Olchyk pulled item Downtown vision project, item # 4, page 38; item #5, page 38; item # 29, page 44 and 3D1.

Town Attorney, Lynn Dannheisser pulled item 3D1 which is the Miami Dade County Commission on Ethics and Public Trust Campaign Skills Seminar. She explained that the Town's qualifying period is from January 25, 2011 – February 14, 2011 and Mr. Joe Centurino, Executive Director of the Commission on Ethics has agreed to present a Campaign Skills Seminar Do's and Don'ts of Campaign Finances in the Town of Surfside where they will invite surrounding towns as well. The proposed day is Thursday, January 12, 2011 from 6:30 p.m. – 8:30 p.m. The Mayor asked for the seminar to be broadcast on channel 77 and Vice Mayor Graubart requested to put the information on the web as well.

She also announced an Attorney/Client Session on the litigation entitled Young Israel Bal Harbor Inc. vs. Town of Surfside, Case # 110CB24392 in the United States District Court. The Town Attorney is seeking advice concerning litigation and the meeting will be confined to this discussion. There is a mediation schedule for January 4, 2011 and the meeting is called for 6:30 pm on Monday, January 9, 2011 in the Manny Crawford Conference Room.

**F. Community Notes – Mayor Daniel Dietch**

The Mayor announced that the next Eye on Surfside meeting will take place on December 20, 2011 at 6:00 p.m. in the Police training room. The Holiday Toy Give Away will be on December 21, 2011 between 3:00 – 5:00 p.m. in the Commission Chambers. Winter Break Camp will be held from December 19, 2011 – December 30, 2011, registration is now in progress. There will be a Senior Trip to the Hard Rock on Thursday, December 15, 2011. The farmers market will be in Surfside Sunday, December 18, 2011 from 9:00 a.m. – 2:00 p.m. The fall pool hours are daily from 9:00 a.m. – 5:00 p.m. The Buy A Brick program is still available and anyone who is interested is more than welcome to inquire at the Community Center. The Mayor reminded everybody that the Town is looking for Volunteers for Community Projects. He reminded all residents that the Community Center is now available for private parties and information is available at the Community Center.

Vice Mayor Graubart announced that on December 2, 2011 he attended the Miami Dade League of Cities Best Practices Conference and he took a lot of toys on behalf of the Town of Surfside. He also announced the Relay for Life event that will take place on May 5, 2012 and there is a need for volunteers to join the overnight event.

**G. Certificate of Achievement for Excellence in Financial Reporting-** Martin Sherwood, Finance Director

Mr. Sherwood, Finance Director presented the prestigious Certificate of Achievement for Excellence in Financial Reporting. He explained that the Certificate of Achievement program has been in effect since 1946 and spoke about the purpose of the program.

Town Manager, Roger M. Carlton and Mayor Dietch presented Mr. Martin Sherwood with a plaque in appreciation of his years of service to the Town of Surfside.

**H. Recognition of Donna Natale Planas, Volunteer photographer for the Town of Surfside Police Department – David Allen, Chief of Police**

Dina Goldstein, Executive Assistant to the Chief of Police presented Ms. Donna Natale Planas with a plaque of appreciation for volunteering her time in many community and crime prevention events by documenting the events in pictures.

**2. Quasi-Judicial Hearings (None)**

**3. Consent Agenda**

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

**A. Minutes - October 11, 2011 Commission Meeting Minutes**

November 8, 2011 Commission Meeting Minutes

**B. Budget to Actual Summary as of September 30, 2011- Martin Sherwood, Finance Director**

**\*C. Town Manager's Report (Points of Light) – Roger M. Carlton, Town Manager**

Item 1, page 37 – Commissioner Olchyk had questions about the retention of a professional marketing/advertising firm. Town Manager Carlton explained that the Town doesn't have the skills set to do some of the projects. Commissioner Olchyk made a motion to spend a maximum of \$8,000.00 plus \$2,000.00 donated from two downtown business owners to assist in the effort of this project. The motion received a second from Commissioner Karukin and all were in favor

Item 2, page 37 – Commissioner Olchyk asked Town Manager Roger M. Carlton to provide them with more details on the financing opportunity with Bal Harbour and the State of Florida. Town Manager Carlton explained the options and explained that he will bring back the different finance options and recommendations for their approval.

Item 4, page 38 – Commissioner Olchyk stated that the Town has been dealing with the feral cat and dog feces concerns for a while and she doesn't see an end to it. Mayor Dietch explained that the Town's goal is to develop a program to stabilize the population but the Town is having trouble finding volunteers. Commissioner Olchyk made a motion to pay a stipend of minimum wage for five (5) hours a week to any resident that wishes to volunteer for this program and see how it works on a month to

month basis. The motion received a second from Commissioner Karukin and all voted in favor.

Item 5, page 38 – Commissioner Olchyk asked the Manager to talk more about the deadlines that he will be using for the Tax Receipt Programs. Roger M. Carlton, Town Manager, spoke about the auditing firms and will have more information available on the January 17, 2012 meeting.

Item 29, page 44 – Commissioner Olchyk asked how items are currently being placed on the agenda. Town Manager Roger M. Carlton explained that items should be placed on the agenda on a first come first serve basis and that's the way it would be done from now on. Vice Mayor Graubart asked not to make it any stricter than what it is for a small Town. Commissioner Olchyk made a motion to take this item off the Points of Light. The motion received a second from Commissioner Karukin and all were in favor.

Item 35, page 45 – Vice Mayor Graubart expressed his disagreement with town staff for not placing a utility payment lock box at Publix.

Item 32, page 93 – Vice Mayor Graubart spoke about his concerns, he wanted to know the difference of establishing a credit union and if it would help facilitate a program that would best benefit the employees. He also asked about counseling availability and living wage. Town Manager, Roger M. Carlton, explained that living wage is federally governed. He also talked about the Town's consideration in re-joining the Miami Dade County Credit Union but explained that the BMG loan program is for small and quick loans with lesser credit checks for employees and they also provide them with counseling. Vice Mayor Graubart made a motion to approve. The motion received a second from Commissioner Karukin and all were in favor.

Presentation of Item 1, page 37 – Mr. Chris Rogers from Yazı Design in Coral Gables made a presentation on the Town Wayfinding Program. Town Manager, Roger M. Carlton answered questions posted by Commissioners. Commissioner Olchyk made a motion to accept the design theme and authorize the Town Manager to go out and get pricing. The motion received a second from Commissioner Karukin and all voted in favor.

**\*D. Town Attorney's Report** – Lynn M. Dannheisser, Town Attorney

1. Miami Dade Commission on Ethics and Public Trust Campaign Skills Seminar

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

Page 105 – Vice Mayor Graubart asked CGA if there were any updates regarding the Water/Sewer/Storm Drainage Project that the Commission should be aware of as they are approaching the end of Phase I. Mr. Giordano stated that the only large change order that they approved was the deducted change order for the direct purchase option which provides that the Town purchases materials since the Town is a Tax Exempt entity and the Town saves money by doing that. He spoke about some change orders/claims that are not finalized.

Mayor Dietch requested that as we transition from Phase I to Phase II, a public meeting be schedule to speak about not only lessons learned but to gather questions from residents that are going to be affected.

**\*F. JGB Bank Temporary Construction Fence-** Sarah Sinatra, Town Planner  
Item approved on consent.

**\*G. Proposed agreement with the Miami-Dade State Attorney's Office to prosecute criminal municipal ordinances** – David Allen, Chief of Police  
Item approved on consent.

#### **4. Ordinances**

##### **A. Second Readings (Ordinances and Public Hearing)**

None

##### **B. First Readings Ordinances**

###### **\*1. Temporary Construction Fences – Sarah Sinatra, Town Planner**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING" AND SPECIFICALLY AMENDING SECTION 90-56.1 "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.**

The ordinance received a motion for approval on first reading by Commissioner Karukin. The motion was seconded by Commissioner Olchyk. The ordinance was approved on first reading 4-0 with Commissioner Kopelman absent.

###### **\*2. Town of Surfside Amended off Street Parking compliance for SD-B40 and Religious Places of Public Assembly Ordinance – Lynn Dannheisser, Town Attorney (Linked to Item 5E)**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING," ARTICLE VII "OFF-STREET 1. PARKING AND LOADING," DIVISION 1 "OFF-STREET PARKING," SECTION 90-77 "OFF-STREET PARKING REQUIREMENTS" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES FURTHER CLARIFYING OFF-STREET PARKING COMPLIANCE FOR THE SD-B40 ZONING DISTRICT AND OFF-STREET PARKING COMPLIANCE FOR RELIGIOUS PLACES OF PUBLIC ASSEMBLY; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN**

**CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

The Ordinance received a motion for approval on first reading by Commissioner Karukin. Mayor Dietch seconded the motion. The ordinance passed on first reading 3-1 with Vice Mayor Graubart voting in opposition and Commissioner Kopelman absent.

**\*3. Awning Ordinance – Sarah Sinatra, Town Planner**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 14 “BUILDINGS AND BUILDING REGULATIONS” AND SPECIFICALLY AMENDING SECTION 14-52 “COMMERCIAL STANDARDS ESTABLISHED”; AND CHAPTER 90 “ZONING” AND SPECIFICALLY AMENDING SECTION 90-47 “YARDS GENERALLY, ALLOWABLE PROJECTIONS”; SECTION 90-49 “AWNINGS AND CANOPIES”; AND SECTION 90.99 “APPENDIX-EXHIBIT A, DESIGN GUIDELINES FOR SINGLE FAMILY RESIDENTIAL PROPERTIES, MULTIFAMILY AND COMMERCIAL PROPERTIES.”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Vice Mayor Graubart made a motion to approved Ordinance on first reading. The motion received a second from Commissioner Karukin and all voted in favor with Commissioner Kopelman absent.

**5. Resolutions and Proclamations**

**\*A. Town wide Landscape Maintenance Contract Consideration with Luke’s Landscaping – Bill Evans, Public Works Director**

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

**B. Children’s Movement of Florida – Vice Mayor Joe Graubart**

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

**C. Termination of the Beautification Committee and Appreciation to the Volunteer Members – Roger M. Carlton, Town Manager**

Commissioner Karukin made a motion to terminate the Beautification Committee. The motion received a second from Vice Mayor Graubart and all voted in favor. A token of appreciation and a certificate will be awarded to each member of the Beautification Committee.

**\*D. Solid Waste and Recycling Intergovernmental Cooperation Agreement with the Miami-Dade County Property Appraiser and Miami-Dade County Tax Collector Office's - Martin Sherwood, Finance Director**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR A UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR RECYCLING SERVICES AND SOLID WASTE SERVICES; AUTHORIZING ENTER INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY TO PLACE THE TOWN'S PROPOSED NON-AD VALOREM ASSESSMENTS ON THE COUNTY TAX BILL; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**E. Cost Recovery Consultant Fee Schedule – Roger M. Carlton, Town Manager (Linked to Item 4B2)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE FLORIDA, ADOPTING A COST RECOVERY CONSULTANT FEE SCHEDULE TO BE ESCROWED AND MAINTAINED FOR PURPOSES OF REIMBURSING THE TOWN FOR CONSULTANT FEES INCURRED; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Commissioner Olchyk made a motion to approve. The motion received a second from Commissioner Karukin. The motion passed 3-1 with Vice Mayor Graubart voting in opposition.

Commissioner Olchyk made a motion to extend the meeting until 11:45 p.m. The notion received a second from Commissioner Karukin and all were in favor.

**6. Good and Welfare**

Mr. Sasha Plutno was called to speak and was not in the Chambers.

Mr. Louis Cohen spoke about a program led by Dr. Flax and suggested the Town should consider it for Winter Camp 2011.

**7. Town Manager and Town Attorney Reports**

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

**8. Unfinished Business and New Business**

## 9. Mayor, Commission and Staff Communications

### **\*A. Adjustment to Town Commission Meeting Calendar for Calendar Year 2012 –**

Roger M. Carlton, Town Manager

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

### **\*B. Parking Garage Feasibility Study Discussion – Roger M. Carlton, Town Manager**

Town Manager, Roger M. Carlton, spoke about getting authorization from the Commission to put an RFP out for the Parking Garage Feasibility Study.

Commissioner Olchyk asked the Manager if he had an idea of how much money would the study cost. The Manager explained that you put out the specs and then you rank the proposals considering the cost that they are proposing as a factor to make a decision.

Vice Mayor Graubart asked the Manager if this is something he would like for them to vote on. The Manager stated that this is an acknowledgment that the administration is moving forward and that this project will come back in front of the Commission at many steps. The Manager said that there were a few merchants interested in speaking to this matter.

Vice Mayor Graubart stated they may be putting the horse in front of the cart because he feels that the Town's auxiliary streets can easily gridlock and he doesn't know where the cars are going to go. He asked if there is a traffic study that should be done first. He thinks that the capacity of cars on Byron, Abbott, Collins and Harding is at a maximum as they turn into our small feeder streets like 95 Street, Abbott and Byron. He talked about when a traffic light was out and there was gridlock on the entire NE of the Town. The Manager answered by saying that there will be a traffic study required in the RFP.

Mr. Shaun Grenald spoke in favor of the item.

Mr. Jack Stevens spoke in favor of a parking garage.

Ms. Jessie Flax spoke in favor of the item and getting people of the Town's streets. Commissioner Karukin agreed with the Manager that it will be a good idea to have the study started fairly quickly so that we could get winter counts and compare them to summer counts.

Commissioner Olchyk spoke about the possibility of doing an in house study instead of spending Town funds.

The Manager spoke about different strategies to minimize the impact to the downtown area during construction and stated that he doesn't see any tenants going out of business due to this project.

Vice Mayor Graubart said that he is concerned for the Surfside residents. That the primary responsibility of the Commission is the constituents and that the residents he speaks to are not in favor of this project and that he represents them regardless of what he wants personally.

Commissioner Karukin made a motion to accept staff's recommendation. The motion received a second from Mayor Dietch. The motion passed 3-1 with Vice Mayor voting in opposition.



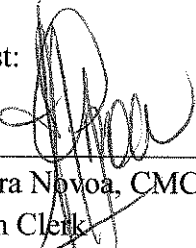
- \*C. Town Sponsored Candidate Debate – Mayor Daniel Dietch**  
Commissioner Olchyk made a motion to approve. Motion received a second from Commissioner Karukin and passed 3-1 with Vice Mayor Graubart in opposition and Commissioner Kopelman absent.  
Commissioner Olchyk made a motion to have the meeting televised. The motion received a second from Commissioner Karukin and all voted in favor.
- \*D. Campaign Transparency – Mayor Daniel Dietch**  
Vice Mayor Graubart made a motion to approve. The motion received a second from Commissioner Karukin and all voted in favor.
- \*E. Outcome of Communications Workshop – Roger M. Carlton, Town Manager (Verbal)**  
Town Manager, Roger M. Carlton gave a report on the outcome of the Communication Workshop. He explained that the Town would like to negotiate with E-Cities based on a competitive procurement that they had at the Town of Deland. The Town Manager explained all the benefits that the Town of Deland's website offers.  
Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Olchyk and all voted in favor.
- F. Not schedule any future (Special) Town Hall meetings until after the elections – Commissioner Marta Olchyk**  
Commissioner Olchyk would not like to have any Special Town Hall meetings until after the elections. She explained that she doesn't want people to use the Town meetings as a political platform. Everyone was in agreement and no Special Town Hall meetings will be schedule until after March 20, 2012.
- \*G. Purchase of Audio/Visual Equipment for North Multi-Purpose Room – Vice Mayor Joe Graubart (Linked to Item 9I)**  
Vice Mayor Graubart made a motion to approve and to try to purchase the equipment before the Winter Camp. The motion received a second from commissioner Karukin and all were in favor.  
Mr. Span Flax spoke in favor of the item
- H. Five Years Financial and Strategic Plan Operations Point Staff Retreat Update– Roger M. Carlton, Town Manager (Verbal)**  
Town Manager, Roger M. Carlton spoke about the Five Year Financial and Strategic Plan and explained that it will be updated in the next month with the new vision for each department.
- \*I. Expanded Programming in the Community Center – Roger M. Carlton, Town Manager (Linked to Item 9G)**  
Commissioner Karukin made a motion to approve a position at \$30,000.00 annual salary plus benefits. The motion received a second from Vice Mayor Graubart and all voted in favor.

**10. Adjournment**

There being no further business to come before the Commission, the meeting adjourned at 11:30 p.m.

Accepted this 14 day of Feb, 2012

  
\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:   
\_\_\_\_\_  
Sandra Novoa, CMC  
Town Clerk