



**Town of Surfside
Town Commission Meeting
MINUTES
September 8, 2015
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 7:01 P.M.

B. Roll Call of Members

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Dietch, Commissioner Olchyk, Commissioner Karukin and Vice Mayor Tourgeman. Commissioner Cohen arrived at 7:05 PM.

C. Pledge of Allegiance

Police Chief Allen led the Pledge of Allegiance

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Commissioner Karukin reminded all that the Alzheimer's car wash is on September 20th and the walk will be November 7th.

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

F. Community Notes – Mayor Daniel Dietch

Mayor Dietch announced the upcoming community events which can be found in the Gazette and on the Town's website. The Mayor asked for a moment of silence as one of the city employees Lilliane Subirats passed away.

G. Master Municipal Clerk (MMC) Plaque Presentation to Sandra Novoa, MMC – Florida Association of City Clerks (FACC) President-Elect Chevelle D. Nubin, MMC, City of Delray Beach

President Elect Nubin spoke about the FACC and explained that the MMC degree has only been attained by 124 people out of 566 members in the State of Florida. Ms. Nubin told of the various committees Sandra Nova has served on as well as serving as President of the Miami-Dade County Municipal Clerks for two consecutive terms. She applauded Ms. Nova for achieving this very distinguished award. Ms. Nubin presented Ms. Nova with a plaque and MMC pin. With great emotion Ms. Nova thanked her children, mother, boyfriend, the members of the Town Commission and all who helped and encouraged her in this endeavor.

The Commission praised Sandra and thanked her for her hard work and service to the town of Surfside.

2. Quasi-Judicial Hearings (None)

3. Consent Agenda

Mayor Dietch pulled item 1 (SeeClick Fix)

Vice Mayor Tourgeman made a motion to approve the consent agenda minus the pulled item. The motion received a second from Commissioner Karukin and all voted in favor.

Pulled Item 1 – The Mayor asked they set performance standards to clarify how this really works as he has had some feedback from the community that they really don't understand the process. The Town Manager said they would work on it. The Commission had some suggestions for the Town Manager to consider.

Commissioner Olchyk made a motion to take Good and Welfare next. The motion received a second from Commissioner Karukin and all voted in favor.

A. Minutes – Sandra Novoa, CMC, Town Clerk

August 11, 2015 – Regular Commission Meeting

B. Budget to Actual Summary as of June 30, 2015 – Guillermo Olmedillo, Town Manager

***C. Town Manager's Report** – Guillermo Olmedillo, Town Manager

- See Click Fix
- Parking Structure RFEI
- Resort Tax Board Ordinance
- Ten Year Water Supply Plan
- Development Applications
- Code Compliance
- Enterprise Resource Planning (ERP)
- Public Safety Issues
- Police Department Events
- Information Technology & TV Broadcast
- Town-Owned Seawall Repair

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

E. Committee Reports – Guillermo Olmedillo, Town Manager

- May 6, 2015 Parks and Recreation Committee Meeting Minutes
- June 11, 2015 Pension Board Meeting Minutes

F. After the Fact Approval to Increase the Parking Meter Rate from \$1.25 to \$1.50 Per Hour – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE ("TOWN"), FLORIDA, APPROVING AN AFTER THE FACT INCREASE OF THE PARKING METER RATE FROM \$1.25 TO 1.50 PER

HOUR FOR ALL TOWN PARKING SPACES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

4. Ordinances

A. Second Reading Ordinances

B. First Reading Ordinances

1. Structure Window Requirements – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND SPECIFICALLY AMENDING SECTION 90-50 “ARCHITECTURE AND ROOF DECKS” TO MODIFY THE CODE TO REQUIRE FRONT AND STREET SIDE FAÇADES TO HAVE A WINDOW LOCATED ON EACH WALL PLANE AND A TOTAL OF 10% WALL OPENINGS PER ELEVATION FOR SINGLE FAMILY HOMES; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance.

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

2. Number of Stories – 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 90 ZONING; SPECIFICALL AMENDING SECTION 90-43 MAXIMUM BUILDING HEIGHTS; PROVIDING FOR INCLUSION IN THE CODE: PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance.

Commissioner Karukin made a motion for discussion. The motion received a second from Commissioner Cohen. Town Manager Olmedillo explained the ordinance and that there was an inconsistency in the zoning code and the comprehensive plan and this ordinance brings them together. A representative from CGA gave further details for clarification.

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

Commissioner Karukin made a motion to take item 1G next. The motion received a second from Commissioner Olchyk and all voted in favor.

5. Resolutions and Proclamations

A. Employee Health Benefits Contract Renewal FY 15-16 – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE GROUP HEALTH AND VISION WITH UNITEDHEALTHCARE, DENTAL COVERAGE WITH GUARDIAN AND TERM LIFE INSURANCE, ACCIDENTAL DEATH, SHORT TERM DISABILILTY, AND LONG TERM DISABILITY WITH MUTUAL OF OMAHA; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the resolution. Human Resources Director, Yamileth Slate-McCloud gave a brief overview on the item.

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

B. Employee Health Insurance Broker Services – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE CONTINUATION OF INSURANCE BROKER SERVICES WITH ADAMS BENEFIT, INC. TO BE THE INSURANCE BROKER FOR ALL OF THE TOWN'S SERVICES RELATED TO EMPLOYEE HEALTH, DISABILITY, LIFE, DENTAL, AND OTHER RELATED BENEFITS PROGRAMS; AUTHORIZING THE TOWN MANAGER TO ACCEPT THE PROPOSAL SUBMITTED BY

**ADAMS BENEFITS, INC.; PROVIDING FOR AUTHORIZATION;
PROVIDING FOR AN EFFECTIVE DATE.**

Chief David Allen read the title of the resolution. Resources Director, Yamileth Slate-McCloud gave a brief overview on the item and recommends the continuation with Adams Benefits, Inc.

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

C. Beach Nourishment Resolution – Mayor Daniel Dietch

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, SUPPORTING THE DADE COUNTY BEACH EROSION CONTROL AND HURRICANE PROTECTION PROJECT, AND URGING MIAMI-DADE COUNTY, THE STATE OF FLORIDA, AND THE UNITED STATES ARMY CORPS OF ENGINEERS TO PROVIDE RECURRING APPROPRIATIONS TO ADVANCE BEACH RENOURISHMENT IN SURFSIDE AND MIAMI-DADE COUNTY ON OR AHEAD OF SCHEDULE; PROVIDING DIRECTION TO THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA CLERK OF THE HOUSE, GOVERNOR, SENATE PRESIDENT, HOUSE SPEAKER, CHAIR AND MEMBERS OF THE MIAMI-DADE STATE LEGISLATIVE DELEGATION, AND THE UNITED STATES ARMY CORPS OF ENGINEERS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the resolution. Mayor Dietch gave an update on the item.

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

6. Good and Welfare

The Mayor opened the meeting to public speakers.

Public Speakers:

-Lou Cohen said he was in favor of the Abbott parking lot and not to consider just the cost as he feels this is the best location.

-Lynn O’Halpin would like a proposal enforcing that all dog owners must have their dogs on a leash. She has been attacked and her dog has been attacked with resulted in severe injuries.

-Jeffrey Platt wished everyone of the Jewish community a Healthy and Happy New Year.

-Terry Cohen had concerns about a large gas generator in the setback of the house next to hers and there was no permit issued. She notified the city and they said it should not be there. It has been several months and nothing has been done.

-Dr. Marvin Shuster was concerned about boarded school buses speeding through the area. He said they when empty they speed through even faster. He has reported this to the police but it is not under control and fears there will be a terrible accident. He suggests more speed bumps.

-Pieter Bakker had serious concerns about his house on the south side of the new synagogue. He does not understand how only a 90 inch setback was allowed on a structure that is over 25,000 sq. ft. He quoted from the code which says the minimum should be 15 feet. He provided the Commission with a photo booklet and said he will be deprived of light, air and privacy. The three minute time limit was up and Mr. Bakker asked for a few more minutes to complete his statement.

Vice Mayor Tourgeman made a motion to grant Mr. Bakker two additional minutes. The motion received a second from Commissioner Karukin and all voted in favor.

-Clara Diaz-Leal Parker said in the evening the lights are always on at the Young Israel Synagogue and they are almost like stadium lights which shine into people's homes. She feels there must be some regulation for this and also mentioned exiting turns out of the synagogue. She agreed with Dr. Shuster and said many vehicles speed through the residential streets.

No one else wishing to speak the Mayor closed Good and Welfare.

Commissioner Olchyk said she has been approached many times regarding dog problems and suggested they come to a Commission meeting and voice their concerns. Commissioner Olchyk said she has brought up this subject many times as well as picking up after their dogs and some residents had negative remarks when she voiced her feelings. She also acknowledged the speeding problem and said with all the new construction and businesses the town is growing and that comes with problems but people tell her they are loving it. It seemed like she was the only one who sees these problems and thanked the ladies who came forth this evening and voiced their concerns.

Mayor Dietch said there are laws on the books regarding dogs and unfortunately there are irresponsible people who let their dogs loose. He said he feels badly as to what happened to Ms. O'Halpin. In speaking to Chief Allen he said the best thing to do is call the police as soon as you seen a loose dog. He said we have a very responsible Police Department and they will respond. He also addressed the speeding problem. As to Young Israel all requirements will be met and checked by staff.

Town Manager Olmedillo said they are getting proposals for parking and the Abbott lot is being considered. Addressing Ms. Cohen he said unfortunately violators find ways to get around the laws and stall the resolution process. For the record he said after he speaks with Code Compliance Director Joe Damien he will send an email to Ms. Cohen with an update. Addressing speeding he said speed bumps are scheduled for installation. He addressed Mr. Bauker and said there were three instruments they will be reviewing to assure all conditions were met.

Mayor Dietch said for the record that the town has been advised by Shirley and Pieter Bakker that they are requesting that the decision of the August 27, 2015 Design and Review Board to place a fence instead of a wall between the two properties that the Commission reverse and nullify that approval and be placed on the regular Commission

Meeting of October 13, 2015. Town Attorney Miller said that will be a Quasi-Judicial Hearing.

Commissioner Cohen needed clarification as to which streets the County has designated as county roads. His understanding was the city has no jurisdiction in reducing speeds on county roads. Manager Olmedillo said they are in conversations with the County on this issue and speed limits are controlled by the County. However the city can provide a traffic study, which they have done, and the study has been approved. The issue of closing of the streets and installing sidewalks was discussed as this is a safety problem.

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

- A. Appointment to the Police Retirement Trust Fund per F.S. Ch. 185 (Verbal) – Guillermo Olmedillo, Town Manager**
Manager Olmedillo said they had two applicants.

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

9. Mayor, Commission and Staff Communications

- A. Appointment to the Design Review Board (Verbal) – Guillermo Olmedillo**
Manager Olmedillo read the credentials of an applicant for consideration. Commissioner Karukin said he was not prepared to make a decision and would like the opportunity to submit another applicant for consideration.

Commissioner Karukin made a motion to defer till next month. Passing the gavel, the Mayor seconded the motion. The motion passed 4/1 with Vice Mayor Tourgeman voting in opposition.

- B. Ad-Hoc Business District Improvement Committee – Vice Mayor Tourgeman**
Vice Mayor Tourgeman presented the item.

Vice Mayor Tourgeman made a motion to approve. The motion died for a lack of a second.

10. Adjournment

The meeting adjourned at 8:39 p.m.

Respectfully submitted,

Accepted this 13th day of October, 2015



Daniel Dietch, Mayor

Attest:



Sandra Novoa, MMC
Town Clerk