



**Town of Surfside  
Special Town Commission Meeting  
MINUTES**

**June 22, 2016**

**5:00 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**1. Opening**

**A. Call to Order Call to Order**

Mayor Dietch called the meeting to order at 5:02 P.M.

**B. Roll Call of Members**

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Daniel Dietch, Commissioner Michael Karukin, Commissioner Tina Paul and Commissioner Daniel Gielchinsky. Vice Mayor Barry Cohen was absent.

**C. Pledge of Allegiance**

Police Chief Allen led the Pledge of Allegiance

Commissioner Gielchinsky made a motion to permit Vice Mayor Cohen to participate by phone. The motion received a second from Mayor Dietch after passing the gavel, and all voted in favor.

As a point of order, Commissioner Gielchinsky said he has to leave at 6:50 p.m.

**2. Code Compliance Process and Priorities – Alan Graham, Code Compliance Director**

Town Manager Olmedillo introduced the item and the purpose of the meeting was to seek policy direction on each type of violation. He explained that life safety has to be dealt with immediately.

Code Compliance Director, Alan Graham gave a power point presentation on each item. He said some of the codes are regulated by County and State and the Town of Surfside. He explained the process of code compliance from warnings all the way through going to a special magistrate and liens.

- Code Compliance Mission
- Code Compliance Responsibilities
- Overview of the Code Compliance Process
- Reasons for Establishing Enforcement Priorities
- Current Code Enforcement Priorities – Single-Family District
- Current Code Enforcement Priorities – Multi-Family District
- Current Code Enforcement Priorities – Business District

- Commonly Occurring Violations
- Compliance Periods & Civil Penalties
- Compliance Time Periods
- Civil Penalties
- Questions & Answers

Commissioner Karukin gave a power point presentation based on public survey with most responses from single family homes. He thanked the Code Compliance Director for a good job in handling the town.

The Mayor opened the Public Hearing.

Public Speakers

-Victor May spoke about the cost of fines and feels they are too excessive and called it robbery.

-Barbara McLaughlin spoke about barking dog noise and that the imposed extension on fines has not been discussed.

-Deborah Cimadevilla thanked the new Code Compliance team. Littering should be enforced more in neighborhoods and on the beach. She also mentioned short term rentals.

- Jeff Platt asked if the open cases mentioned by Director Graham are listed and can be viewed by the public.

No one else wishing to speak the Mayor closed the public hearing.

The Mayor gave a brief overview of the history of the town regarding code compliance and enforcement.

Commissioner Paul thanked the staff and Commissioner Karukin for their presentations. She said before this item came up she did not quite understand the actual process and how it goes to a special magistrate. She believes we have to determine the priorities and issues facing the town and come to a conclusion on how to best deal with it.

Commissioner Gielchinsky asked Director Graham where we stand in cleaning up the alleys and citations issued. Director Graham said of the 30 citations given 24 are now in compliance. He said of the few that have not complied they have handed out hearing notices yesterday and as of Jul 20<sup>th</sup> if they have not complied they will have to go before the town special magistrate. Regarding parking in the alley Director Graham said he has spoken with the Building Official and there are no legal parking spaces in some alleys and they will be dealing with it. Manager Olmedillo said his priority on alley violations was safety issues such as illegal electrical concerns, water and drainage and garbage.

Commissioner Gielchinsky had a question for Commissioner Karukin regarding landscaping which was highly rated in his survey. Commissioner Karukin explained it was in the top five concerns of the public survey based on averages. Beautification of the town was addressed by Commissioner Gielchinsky. Commissioner Gielchinsky also spoke on short term rentals in the residential areas. Undergrounding utilities as well as alleyways was addressed by Commissioner Karukin.

Commissioner Karukin asked the Town Manager to better define strict construction vs. loose construction. The Manager explained when construction is being done and when the town is notified there is a discussion with the applicant about building permits. The Commissioner also asked about zoning codes and how they overlap with the Building Dept. The Manager explained they have two different codes, our building code which is looked over by our Building Official and then a zoning code and sometimes they have to work together. He had asked the Manager about FTE's and from the information he received we are much the same with our neighboring cities. Regarding fines, he said he is hoping we can revisit some of the issues. He was in support of fines for littering. Sidewalk cafes, he feels during the day people need access to sidewalks. The Commissioner had a question regarding the daily fine concept and thought weekend and holidays should not be included in the accrual. The dollar amount of fines was discussed and why some should be more excessive than others.

Vice Mayor Cohen asked for clarification of the meeting and if action was to be taken. Manager Olmedillo gave details on the item and said he is asking for direction on increasing some deterrents. The Vice Mayor agreed that some violations need to be increased in dollar amount as some will just keep doing it over and over again.

Commissioner Paul mentioned some violations which she did not feel were so important and also talked about vacant lots.

The Mayor sees it as two issues, life safety and quality of life. When it comes to safety we have to be firm. He disagrees with using code compliance as a revenue generator as compliance is the goal and with talking with administration and people he finds that the town has been very reasonable. He addressed the comment referring that fines are robbery and he also responded to the notion of selective enforcement. He spoke about violators first receiving a courtesy reminder. With reference to special events without permission he suggests adopting a habitual violator code and then there will be a loss of privilege. Also, the community should be educated as to what is considered a civil matter and what they can do. Manager Olmedillo explained that when police are called they may indicate that the issue is a civil matter as they define it as something that is not of a criminal nature. He agrees that we have to find a way to better explain it.

The Mayor suggested better service standards as voice mailboxes are often full and people do not get a response back. He feels reasonable codes and enforcement is necessary and in treating all people fairly. He also spoke about short term rentals as well as prioritizing things. He gave his views on littering, garbage cans, trash on yards, parking lot maintenance. He asked the Town Manager how he wanted direction by district or one by one and the priorities.

The Manager said he needs the ability to increase deterrents which are visual, noise and maintenance and this takes money. He would like to come back with a list of the violations and priorities. Should the business district be looked at first as it is the heart of the town? He spoke of condominiums looking much better as they have management vs.

single family homes. He said we cannot abandon the single family area as they get many complaints from them. He mentioned right-of-way and what a homeowner is responsible for and what is public property. He believes the downtown district is a priority and code violations especially those that relate to safety issues.

Commissioner Karukin agrees that the business district is an appropriate place to start. He also said the idea of adopting a notion of a habitual violator was a good idea. He agreed with the Mayor who said the code compliance officer should be out there more and not have to spend most time inputting information on the computer as that task could be performed by other administrative clerical staff. The Mayor said he received a website link from Tourist Director Travares which rated Surfside as one of the cleanest communities. He also said that was from a visitor's perspective as many residents are appalled at some of the conditions we have allowed. He said the town is reasonable and can work with people having extenuating circumstances.

Commissioner Gielchinsky agrees with starting with the business district for a few months as some of the violations are one time deals such as illegal electrical and once fixed the violation is gone.

Manager Olmedillo said although focus will start with the business district he stressed they will not be abandoning the single family home district and will respond to issues. He also said it takes time to get compliance from the time of notification of a violation.

Commissioner Karukin feels they should start with the priorities of the business district so they still have time to address the rest of the town.

In directing the Town Manager, the Mayor said they are in agreement that they focus for the next three months on the business district with the first priority being life safety across all districts and second is quality of life. He also said there was enough information from the survey done by Commissioner Karukin as to what residents feel is most important. As to short term rentals the assistance of the community is needed to build a case.

The Manager said he will present a schedule of monetary deterrents in August. He also spoke of the problems in how to address short term rentals. He will also be considering the escalation of violation fees.

Commissioner Gielchinsky left the meeting at 6:50 p.m.  
Vice Mayor Cohen left the meeting at 7:00 p.m.

Commissioner Paul spoke about how we determine the fine and the escalation of fees to fit the violation and also to prioritize.

Passing the gavel, Mayor Dietch made a motion to direct staff to prepare a prioritized code compliance program and a revised fee schedule general enough in order to make changes on the dais, to introduce the habitual violator especially for special events,

Film and print productions, sidewalk cafes and short term rentals. The motion received a second from Commissioner Paul and all voted in favor. Vice Mayor Cohen and Commissioner Gielchinsky were absent.

Passing the gavel, Mayor Dietch made a motion to amend it to be a resolution for the fee schedule. The motion received a second from Commissioner Paul and all voted in favor. Vice Mayor Cohen and Commissioner Gielchinsky were absent.

3. Adjournment

The meeting adjourned at 7:11 p.m.

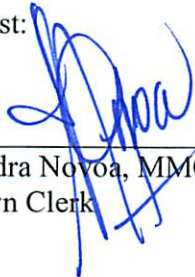
Respectfully submitted,

Accepted this 12<sup>th</sup> day of July, 2016



Daniel Dietch, Mayor

Attest:



Sandra Novoa, MMC  
Town Clerk