



**Town of Surfside
Town Commission Meeting
MINUTES
April 13, 2017
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 7:00 p.m.

B. Roll Call of Members

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

C. Pledge of Allegiance

Police Chief Allen led the Pledge of Allegiance.

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Members of the Commission wished everyone happy holidays.

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

Commissioner Paul made a motion to link and move Items 9C and 9D before 5A. The motion received a second from Commissioner Karukin and all voted in favor.

Vice Mayor Cohen made a motion to move Items 9E and 9F after Good and Welfare. The motion received a second from Commissioner Gielchinsky and all voted in favor.

F. Community Notes – Mayor Daniel Dietch

The Mayor recognized Parking Operations Manager Elinor Joseph who received a prestigious Leo Award in the support services category. The Mayor announced upcoming community events which can be found in the Gazette and on the Town's website. Town Manager Olmedillo gave an update of a meeting with Miami-Dade County as someone complained to them that the town's speed limits were too slow. The town was then advised to increase their speed limits. The Manager explained to the County the situation in Surfside and the conditions they are facing and the issue is moot at this time. Commissioner Karukin thanked the Town Manager.

G. Miami-Dade County Commissioner Sally Heyman – Mayor Daniel Dietch
Commissioner Heyman thanked the leadership of Surfside for their decision making on several important issues. The Commissioner presented a proposal for their review regarding mass transit and is asking for their support. The Commissioner gave an explanation and update of the Civil Citation Program and asked for support. She also spoke about the Immigration Policy and sanctuary cities and asks for their support in her proposal regarding the item.

H. Tree City USA Arbor Day Foundation Recognition – Mayor Daniel Dietch
The Mayor spoke on the item and acknowledged Public Works Coordinator Frantza Duval and Public Works Director Randy Stokes for pushing this item and being instrumental in having our town receive this recognition.

2. Quasi-Judicial Hearings (None)

3. Consent Agenda

Mayor Dietch pulled item H on page 7.

Commissioner Paul made a motion to approve the consent agenda minus the pulled item #7. The motion received a second from Commissioner Karukin and all voted in favor.

Pulled Item - Manager Olmedillo explained that he will not report on localized flooding this evening as all the bids have not come in but he will have a report for the May meeting.

A. Minutes – Sandra Novoa, MMC, Town Clerk
March 14, 2017 Regular Town Commission Meeting Minutes

***B. Town Manager’s Report – Guillermo Olmedillo, Town Manager**

1. See Click Fix
2. Development Application Status
3. Code Compliance Cases
4. Finance
5. Police Department
6. I.T.

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

D. Committee Reports – Guillermo Olmedillo, Town Manager

- **December 15, 2016 Sustainability Subcommittee Meeting Minutes**
- **February 6, 2017 Tourist Board Meeting Minutes**
- **February 22, 2017 Parks and Recreation Committee Meeting Minutes**
- **February 23, 2017 Sustainability Subcommittee Meeting Minutes**
- **February 23, 2017 Planning and Zoning Board Meeting Minutes**
- **March 6, 2017 Tourist Board Meeting Minutes**

E. Arbor Day Proclamation Request – Guillermo Olmedillo, Town Manager

F. 60th Anniversary of the Carousel Barbershop Proclamation Request – Mayor Daniel Dietch

Commissioner Paul made a motion to accept the pulled item. The motion received a second from Commissioner Karukin and all voted in favor.

4. Ordinances

A. Second Reading Ordinances

- 1. Require Noticing of New Residential Construction and demolitions– Guillermo Olmedillo, Town Manager.**

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 14 “BUILDING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; SPECIFICALLY AMENDING SECTION 14-28 “ISSUANCE OF BUILDING PERMITS.”; AMENDING CHAPTER 90 “ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; SPECIFICALLY AMENDING SECTION 90-19 “SINGLE-FAMILY AND TWO-FAMILY DEVELOPMENT REVIEW PROCESS.”; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance.

Town Planner Sarah Sinatra presented the item.

Commissioner Paul made a motion to discuss. The motion received a second from Commissioner Gielchinsky.

Commissioner Paul made a motion to revise some of the wording of the ordinance. Town Planner Sinatra gave some clarification of the ordinance. There was further discussion regarding rewording.

Commissioner Paul withdrew her first motion and made a motion to defer the item (with consideration of the language change she presented) to the May 9, 2017 Commission Meeting at 7:00 p.m. The motion received a second from Commissioner Gielchinsky and all voted in favor.

B. First Reading Ordinances

1. Temporary Signs – Sarah Sinatra, Town Planner

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE VI “SIGNS” OF “CHAPTER 90 ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; SPECIFICALLY AMENDING SECTION 90-69 “DEFINITIONS”; SPECIFICALLY AMENDING SECTION 90-74 “TEMPORARY SIGNS”; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance.

Vice Mayor Cohen had questions on the item and Town Manager Olmedillo, Town Attorney Miller and Town Planner Sinatra explained the item further.

Commissioner Gielchinsky made a motion to approve. The motion received a second from Commissioner Karukin and the motion carried 4/1 with Vice Mayor Cohen voting in opposition.

The Mayor opened the public hearing. No one wishing to speak the Mayor closed the public hearing.

Commissioner Karukin made a motion to continue with the regular agenda and take Items 9C and 9D after Good and Welfare and Items 9E and 9F after. The motion received a second from Commissioner Paul and all voted in favor.

5. Resolutions and Proclamations

A. Purchase of Off-Road Utility All-Terrain Vehicle (ATV) – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$10,337.00 FROM THE FISCAL YEAR 2016/2017 GENERAL FUND, CODE COMPLIANCE DIVISION, ACCOUNT NUMBER 001-2000-524-6410 FOR THE PURCHASE OF A 2017 POLARIS RANGER 570 EFI (R17RMA57A1) OFF-ROAD UTILITY VEHICLE; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the resolution.

Commissioner Karukin made a motion to discuss. The motion received a second from Commissioner Paul.

Commissioner Karukin questioned why we are not using resort tax funds for the item. There was discussion on the issue with the Commission expressing their views.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Paul and the motion carried 3/2 with Commissioner Gielchinsky and Vice Mayor Cohen voting in opposition.

B. Fourth of July Fireworks – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE TOTAL EXPENDITURE OF \$12,000 FOR ZAMBELLI FIREWORKS MANUFACTURING CO. FOR THE EXHIBITION AND DISPLAY OF FIREWORKS; INCLUDING THE APPROVAL OF \$8,000 FROM THE GENERAL FUND, PARKS & RECREATION DEPARTMENT, ACCOUNT NO. 001-6000-572-4810; AND INCLUDING THE EXPENDITURE OF \$4,000 AUTHORIZED BY THE RESORT TAX BOARD FROM THE RESORT TAX FUND, ACCOUNT NO. 102-8000-552-48-10; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the resolution.

Vice Mayor Cohen made a motion to approve. The motion received a second from Commissioner Paul and the motion carried 3/1 with Vice Mayor Cohen voting in opposition and Commissioner Gielchinsky absent for the vote.

There was some discussion about future displays. Mayor Dietch would like the Parks and Recreation Committee to reach out to our neighboring communities to see if there are ways to collaborate. On a personal note, the Mayor would like to see more excitement of the display even if it meant a lesser duration of the display.

C. FY 2016-2017 Budget Amendment Resolution – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE ANNUAL BUDGET RESOLUTION ADOPTED FOR FISCAL YEAR OCTOBER 1, 2016 TO SEPTEMBER 30, 2017; FOR THE PURPOSE OF AMENDING THE ANNUAL BUDGET IN THE GENERAL FUND, CAPITAL PROJECT FUND, MUNICIPAL TRANSPORTATION FUND, BUILDING FUND, MUNICIPAL PARKING FUND, AND SOLID WASTE FUND; AND OTHER ADJUSTMENTS TO THE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017 PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance. Town Manager Olmedillo presented the item.

Commissioner Paul made a motion to discuss. The motion received a second from Commissioner Karukin. The Commission discussed the item and Manager Olmedillo and Finance Director Nelson addressed questions from the Commission.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Paul and the motion carried 4/1 with Commissioner Gielchinsky absent for the vote.

5. Good and Welfare – The Mayor opened public hearing.

Public Speaker Jeffery Platt commended Town Manager Olmedillo for holding a very good Lounge Chair Meeting.

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

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. Annual Performance Evaluation - Town Manager Guillermo Olmedillo– Mayor Daniel Dietch

The Mayor thanked members of the Commission for completing the evaluation and gave an explanation of the evaluation form to the public. He said Manager Olmedillo was rated very high by the Commission and exceeded in every standard.

Vice Mayor Cohen made a motion to give a 3 percent merit increase in salary to the Town Manager. The motion received a second from Commission Paul and all voted in favor.

B. Miami Dade County League of Cities Director and Alternate Director Designation – Guillermo Olmedillo, Town Manager

Commissioner Paul made a motion to nominate Commissioner Karukin as Director and requested to be the alternate. The motion received a second from Commissioner Gielchinsky and all voted in favor.

Commissioner Paul made a motion to extend the meeting an additional 30 minutes. The motion received a second from Commissioner Gielchinsky and all voted in favor.

C. Report from the Town Manager’s Meeting with Representatives of Hotels, Condominiums and Residents – Beach Furniture - Guillermo Olmedillo, Town Manager (linked with 9D)

Manager Olmedillo gave an update on the meeting.

Commissioner Karukin gave a power point presentation based on previous feedback from the public and Commission.

Vice Mayor Cohen believes the town has much larger issues to deal with and should not be putting so much focus on the item.

The Mayor opened the public speaking.

Public Speakers:

-Jeffery Platt had issues with storage on the beach.

-Joel Simmonds representing the Grand Beach Hotel would like to find a friendly resolution and gave his views on the item.

-Silvia Coltrane representing the Marriott Hotel would like the same rights as beachfront hotels and be able to put their chairs on the beach. Commissioner Paul made a motion to allow Ms. Coltrane additional speaking time. Commissioner Karukin and Commissioner Gielchinsky responded to Ms. Coltrane.

-Victor May gave his views and stated this is a public beach.

-Deborah Cimadevilla thanked the Town Manager for the meeting he held. She spoke about the meeting and the concerns presented by the citizens.

-Sean McKeon General Manager of the Marriott (who agreed to complete the necessary paperwork to speak as a lobbyist) spoke on the item and wants to be a good neighbor.

-Jean Michel Kling speaking on behalf of the Grand Beach Hotel said his guests have every right to use the beach just as all the public and beach chairs are necessary.

-Clara Diaz-Leal said regulation of chairs is needed as she cannot find a space to put her chair. She also has issues with littering.

The Mayor read into the record three recommendations given by Mr. George Kousoulas. (1) to redefine the operator so it can be properly regulated; (2) define set-up and storage (3) prohibit set-up and storage except for operators.

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

The Commission discussed the item and expressed their different point of views but agreed something must be done although all people may not be satisfied. The Town Manager said he would like clear direction after their discussion. Commissioner Paul read revisions to the ordinance she would like.

Commissioner Karukin made a motion that a permit is required if a beach furniture operator engages in any kind of organized beach furniture or storage activity. The motion received a second from Commissioner Gielchinsky and the motion passed 3/2 with Commissioner Paul and Vice Mayor Cohen voting in opposition.

Commissioner Gielchinsky made a motion that a beach furniture operator is either a hotel or condominium located on the east side of Collins Avenue that provides beach furniture services to its residents and guests or a hotel located on the west side of Collins Avenue so designated or authorized by the Town Commission. The motion received a second from Commissioner Karukin. The motion carried 3/2 with Commissioner Paul and Vice Mayor Cohen voting in opposition.

Commissioner Karukin made a motion that beach furniture setup is the organized preplacement of beach furniture by a hotel or condominium property located on the east side of Collins Avenue in anticipation of use by an individual beach furniture user. The motion received a second from Commissioner Gielchinsky and the motion carried 4/1 with Commissioner Paul voting in opposition.

Commissioner Karukin made a motion that beach furniture storage is the overnight placement of beach furniture on the public beach. The motion received a second from Commissioner Gielchinsky and all voted in favor.

Vice Mayor Cohen made a motion that the definition of a beach furniture user is an individual using any item of beach furniture while on the public beach. This applies to the general public, condominium residents and hotel guests. The

motion received a second from Commissioner Karukin. The motion was withdrawn by Vice Mayor Cohen and Commissioner Karukin withdrew the second.

Manager Olmedillo will bring back parameters for storage and an operating plan which will dictate terms and conditions.

D. Proposed revisions to Beach Furniture Ordinance and Administrative Policy
– Commissioner Michael Karukin (linked with 9C)

E. Gating the Community – Vice Mayor Barry Cohen

Vice Mayor Cohen made a motion to defer further Items 9E and 9F. The motion received a second from Commissioner Gielchinsky and the motion carried 4/0 with Commissioner Gielchinsky absent for the vote.

F. Section 4 of the Town Charter – General power of Town; powers not deemed exclusive – Vice Mayor Barry Cohen
(Item deferred)

G. Town Attorney Retirement – Mayor Daniel Dietch

The Mayor said it was with heavy heart that he accepts the retirement of Town Attorney Miller who has served the town of Surfside since 2008. He expressed his appreciation to Attorney Miller.

Commissioner Karukin made a motion to give Town Attorney Miller a \$10,000 bonus for her hard work and dedication. The motion received a second from Commissioner Paul and all voted in favor.

Attorney Miller thanked the Commission for their generosity and expressed how much she enjoyed working with the Commission and administration.

The Mayor asked the Commission how to move forward in a replacement, in-house or out-sourcing. Commissioner Karukin suggested a special meeting as this is a big issue. Commissioner Paul is in favor of promoting from in-house. There was discussion on the item and the Commission will meet individually with the Town Manager before April 21, 2017.

Commissioner Karukin made a motion to hold a special meeting April 26, 2017 at 5:30 P.M. The motion received a second from Commissioner Gielchinsky and all voted in favor.

Added to the Agenda: The Mayor thanked those who attended the Bal Harbour Commission Meeting. Commissioner Karukin said there was an article in the Miami Herald about the meeting and it is posted on the Bal Harbour website

Commissioner Karukin made a motion to direct the Town Manager (representing the Town of Surfside) to attend the Bal Harbour meeting on April 25, 2017 and May 16, 2017. The motion received a second from Commissioner Paul all voted in favor.

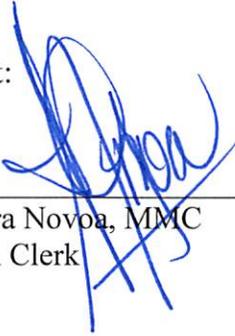
10. Adjournment

The meeting adjourned at 11:15 p.m.

Respectfully submitted,

Accepted this 9th day of May, 2017

Attest:



Sandra Novoa, MMC
Town Clerk



Daniel Dietch, Mayor