



**Town of Surfside
Special Town Commission Meeting
Quasi-Judicial Hearing
MINUTES
July 11, 2017
5:30 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 5:32 P.M

B. Roll Call of Members

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

C. Pledge of Allegiance

Police Chief Allen led the Pledge of Allegiance

2. Quasi-Judicial Hearings

A. 228 89th Street – Casa de Jesus, Inc – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA; APPROVING A SPECIAL EXCEPTION WITH CONDITIONS TO PERMIT AN AFTER-SCHOOL PROGRAM AT CASA DE JESUS, INC. LOCATED AT 228 89TH STREET IN THE TOWN OF SURFSIDE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the resolution.

Mayor Dietch explained the quasi-judicial process and the duties of the Commission.

Town Clerk Sandra Novoa confirmed that compliance with advertising notice requirements have been met.

Town Attorney Arango asked the Town Commission if anyone had any ex-parte communications with the Applicant or any objector.

Commissioner Gielchinsky was present in his Liaison capacity to the Planning and Zoning Board and witness to the presentations from the applicant. He also conversed with the applicant's attorney Mr. Proctor and spoke twice with a representative about

their plans. Mayor Dietch stated that he received an email in support of the application which he did not respond to.

Town Clerk Sandra Novoa swore in everyone wishing to speak in favor or against the item.

Town Planner Sarah Sinatra presented the item. Staff recommended approval of the special exception application subject to the conditions in the resolution.

Public speaker Grace Murtada spoke on the item and gave her point of view.

There was some discussion and questions posted by the Town Commission to members of Town staff. Vice Mayor Cohen made a motion to approve, Commissioner Gielchinsky made the following friendly amendments:

- Applicant shall notify the Commission via the Town Manager Report if applicant increases capacity from 20 to 30 students. The matter could be brought to a Quasi-Judicial Hearing at the request of three members of the Town Commission.
- Vehicle stickers shall be provided to staff for the three available staff parking spaces and provide a copy to the Police Chief or designee.
- In the event that the Town Manager requests that the applicant have an off-duty Police Officer assist with traffic flow during pick-up and drop-off times, the applicant will agree to retain an off-duty Police Officer at his cost.

Vice Mayor Cohen accepted the friendly amendment made by Commissioner Gielchinsky. The motion carried 5-0.

Mayor Dietch reminded the residents and visitors that to report illegal parking they should call the non-emergency Police Department number and a parking enforcement officer will be dispatched. He also encouraged everyone that parks to please obey the law.

B. 9509-9511 Harding Avenue – Appeal of the Town Manager’s Administrative Decision – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING/DENYING AN APPEAL OF THE ADMINISTRATIVE DECISION DENYING A REDUCTION OF THREE PARKING SPACES FOR PROPERTY LOCATED AT 9509-9511 HARDING AVENUE IN THE TOWN OF SURFSIDE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Clerk Elora Riera read the title of the resolution.

Mayor Dietch explained the quasi-judicial process and the duties of the Commission.

Deputy Clerk Elora Riera confirmed that compliance with advertising notice requirements have been met.

Town Attorney Arango asked the Town Commission if anyone had any ex-parte communications with the Applicant or any objector.

Commissioner Gielchinsky stated that he received three phone calls from Mr. Kahn and provided a brief context of the conversations.

Deputy Clerk Elora Riera swore in everyone wishing to speak in favor or against the item.

Town Manager Guillermo Olmedillo presented the item and gave a brief background.

Mr. David Kahn and Donald Kahn presented their case to the Town Commission and provided copies to everyone at the dais.

After a brief discussion Commissioner Karukin made a motion to deny the appeal. The motion received a second from Commissioner Paul. The motion carried 4-0 with Commissioner Gielchinsky absent from the dais.

3. Adjournment

Vice Mayor Cohen made a motion to adjourn the meeting. The motion received a second from Commissioner Paul. The motion carried 3-0 with Commissioner Karukin and Commissioner Gielchinsky absent.

The meeting adjourned at 7:00 p.m.

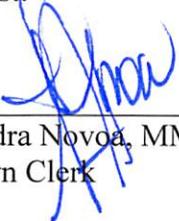
Respectfully submitted,

Accepted this 18th day of September, 2017



Daniel Dietch, Mayor

Attest:



Sandra Novoa, MMC
Town Clerk