



**Town of Surfside  
Town Commission Meeting  
MINUTES  
January 14, 2014  
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 7:03 P.M

**B. Roll Call of Members**

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Dietch, Vice Mayor Karukin, Commissioner Graubart, Commissioner Kligman and Commissioner Olchyk.

**C. Pledge of Allegiance**

Chief David Allen led the Pledge of Allegiance

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

On behalf of the entire Commission, Commissioner Graubart sends condolences to Town Attorney Linda Miller on the loss of her brother.

Commissioner Graubart expressed his concern over the lack of participation from the community in helping the Commission make some critical decisions. He further stated that it is important for residents to give their input and not just rely on consultants, developers, and the administration.

Mayor Dietch also sends condolences to former Assistant Chief John DiCenso on the loss of his mother.

Mayor Dietch expressed his concern over a dock being built at Point Lake and said the item will be discussed later in the meeting.

The Mayor also spoke about Surfside's donation of "Ruth the Turtle" that was sent to Newton, CT in memory of Sandy Hook. He received a letter from Police Officer Mary Helen McCarthy of Newton indicating how much it meant to have so many people from all over the world helping their community in the healing process.

Letters and expressions of support were published in a book. Officer McCarthy shared her experience with the Town of Surfside and "Ruth the Turtle" and how much it has meant to their community. Officer McCarthy has made a special connection to the Town of Surfside and the Mayor wanted to acknowledge her and said anyone interested can read the book and especially the page on Surfside as it is extremely moving. The book is available to view at the Tourist Director's Office.

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

Vice Mayor Karukin requested that items listed on the General Ledger Budget Code be indicated as being new or already budgeted.

Town Manager Michael P. Crotty requested ordinances 4A1, 4A2 and 4A3 be deferred to the February Town Commission meeting.

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

Town Attorney Linda Miller requested to move Item 4B1 to be heard after the Comp Plan. Vice Mayor Karukin made a motion to approve the change of order as requested. The motion received a second from Commissioner Olchyk and all voted in favor.

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

Mayor Dietch announced the upcoming community events which can be found on the Town's website. The Mayor also gave a quick update on the Harding Avenue Project. Commissioner Graubart gave an update on Tourist Board events.

**G. Presentation of Certificate of Achievement for Excellence in Financial Reporting**

On behalf of the Government Finance Directors Association along with the Town of Surfside, the Mayor presented to Finance Director Donald Nelson and his staff a Certificate of Achievement for Excellence in Financial Reporting for the fiscal year 2012-2013. Finance Director Nelson thanked the Mayor and his incredible finance staff for all their hard work and indicated that this is the highest governmental reporting award given. The Mayor thanked Director Nelson and his staff for their great work.

**H. Presentation of Certificate to Commissioner Graubart for his Participation in the Miami Dade Commission on Ethics and Public Trust Ethical Governance Day 2013 – Mayor Daniel Dietch**

Mayor Dietch presented the certificate to Commissioner Graubart. Commissioner Graubart gave a quick overview of his day at the Alonzo and Tracy Mourning High School.

**I. Employee of the Quarter – Michael P. Crotty, Town Manager**

- *Lasonya Nixon, Customer Service Representative (3<sup>rd</sup> Quarter)*
- *Randy Stokes, Capital Improvement Project Manager (4<sup>th</sup> Quarter)*

Public Works Director Joseph Kroll presented the award to Lasonya Nixon for Employee of the Quarter and said she is a great representative for the Town and always greets the citizens with a smile.

Director Kroll presented to Randy Stokes the award for Employee of the Quarter for his dedication and hard work on the Harding Avenue Project.

**J. Police Civilian of the Month for November and December – Dina Goldstein – David Allen, Chief of Police**

David Allen, Chief of Police presented Dina Goldstein with the Police Civilian of the Month award for November. Chief Allen spoke of Ms. Goldstein's efforts in coordinating the Surfside Crime Prevention Program.

David Allen, Chief of Police presented Dina Goldstein with the Police Civilian of the Month award for the month of December. The Chief thanked Ms. Goldstein for organizing a very successful Holiday Toy Drive.

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

**3. Consent Agenda (*Set for approximately 7:30 p.m.*)**

Items pulled:

Commissioner Graubart pulled Item 3B Budget to Actual, page 19

Town Manager Crotty pulled from Town Manager's Report, Item 3C Sister Cities, page 21; Skate Park, page 22; Item 6 Turtle Project, page 25; Item 2D, Forty Year Certification, page 41; Item 3D Site Triangle, page 42 (Code Compliance

Vice Mayor Karukin pulled from the Town Manager's Report Item 5 Beach

Management, page 31; Item 2.A FEMA, page 39; Item 4.D.5 ERP, page 44

Commissioner Kligman pulled from the Town Manager's Report Item 3D Site Triangle Hedges, page 42

Mayor Dietch pulled from the Town Manager's Report Item A1 Sister Cities, page 21;

Item B3 Sidewalk Ordinance Implementation, page 27

Commissioner Olchyk made a motion to approve the consent agenda minus the pulled Items. The motion received a second from Commissioner Kligman and all voted in favor.

**A. Minutes** – November 7, 2013 Special Town Commission Meeting

December 10, 2013 Regular Town Commission Meeting

**B. Budget to Actual Summary as of October 31, 2013** – Donald Nelson, Finance Director

Commissioner Graubart pulled Item 3B Budget to Actual – deferred

Finance Director Donald Nelson gave an overview of the report.

**\*C. Town Manager's Report** – Michael P. Crotty, Town Manager

**Pulled Items:**

Item 3C Sister Cities – Mayor Dietch asked that the time of joint meeting be changed to 7:00 p.m.

Item A4 Skate Park – Town Manager Crotty gave an update on the upcoming Miami Beach and Surfside meeting

Item 6 Turtle Project - Vice Mayor Karukin suggested mass producing mini turtles with the Surfside logo which can be sold in local businesses

Item 2D, Forty Year Certification – Building Official Prieto gave an update and said we are moving forward

Item 3D Site Triangle – Town Clerk Novoa indicated there was a problem coordinating all parties to schedule the Special Commission Meeting. Mayor Dietch said to schedule it for February 4, 2014

Item 5 Beach Management – discussed earlier

Item 2.A FEMA – Building Official Prieto gave update with positive results to go forward

Item 4.D.5 ERP – Vice Mayor Karukin wanted to make sure that everyone was aware of what ERP will do and what the cost will be

Item 3B Sidewalk Ordinance – Mayor Dietch asked what the town can do to make this move forward. Town Manager Crotty said they will have to follow-up with DOT

**\*D. Town Attorney’s Report** – Linda Miller, Town Attorney

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

**F. Committee Reports** – Michael P. Crotty, Town Manager

- October 23, 2013 Planning and Zoning Board Minutes
- November 6, 2013 Tourist Board Minutes
- November 21, 2013 Planning and Zoning Board Minutes
- November 25, 2013 Parks and Recreation Committee Minutes
- December 9, 2013 Tourist Board Minutes
- December 16, 2013 Charter Review Board Minutes

**G. National Human Trafficking Awareness Month Proclamation** – Mayor Daniel Dietch

Proclamation presented

Vice Mayor Karukin made a motion to adopt pulled items. The motion received a second from Commissioner Olchyk and all voted in favor. [*Motion took place during the February 11, 2014 Regular Town Commission meeting*]

#### 4. Ordinances

*(Set for approximately 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)*

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

1. **Garage Door Modification** – Sarah Sinatra, Town Planner  
*{Ordinance has been deferred to the February 11, 2014 Town Commission Meeting}*

**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 ALLOW FOR THE INSTALLATION OF TWO CAR GARAGE DOORS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Ordinance deferred

2. **Side Setback Ordinance – Sarah Sinatra, Town Planner**  
*{Ordinance has been deferred to the February 11, 2014 Town Commission Meeting}*

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND SPECIFICALLY AMENDING SECTION 90-45 “SETBACKS”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Ordinance deferred

3. **Ordinance prohibiting the sales of live animals in Surfside – Commissioner Michelle Kligman**  
*{Ordinance has been deferred to the February 11, 2014 Town Commission Meeting}*

**AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES AND SPECIFICALLY AMENDING SECTION 90.41 “REGULATED USES” PROHIBITING THE SALE OF LIVE ANIMALS AS A PERMITTED USE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Ordinance deferred

4. **Ordinance Amending Future Land Use Element of the Comprehensive Plan – Nancy E. Stroud, Esq., Special Land Use Counsel [SET FOR TIME CERTAIN 7:30PM]**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE FUTURE LAND USE ELEMENT OF THE TOWN OF SURFSIDE COMPREHENSIVE PLAN BY AMENDING POLICY 1.1 TO DELETE PUBLIC SCHOOLS AS A USE IN POLICY 1.1 MODERATE DENSITY RESIDENTIAL/TOURIST LAND USE CATEGORY; ADDING POLICY 10.6 TO PROVIDE FOR LAND DEVELOPMENT REGULATIONS THAT ALLOW REASONABLE RELIEF FOR RELIGIOUS USES AND MAP FLU-8; PROVIDING A SEVERABILITY CLAUSE; 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 Kligman made a motion to defer the item to February 11, 2014. The motion received a second from Vice Mayor Karukin and all voted in favor.

Pieter Bakker thanked the Commission.

*(Set for approximately 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)*

## **B. First Reading Ordinances**

### **1. Ordinance Amending Section 54-82 to Prohibit Noise Hours in Period No. 2 (April 1 to November 30) – Commissioner Joe Graubart**

**AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 54 “PROHIBITED NOISES”; SPECIFICALLY SECTION 54-82 “SAME-WHEN PROHIBITED” BY REVISING THE HOURS FOR CONTROLLING RESTRICTED NOISES FOR PERIOD NO. 2 (APRIL 1 TO NOVEMBER 30); 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.

Building Official Rosendo Prieto presented the item.

Commissioner Graubart made a motion for discussion purposes. The motion received a second from Commissioner Olchyk.

Nancy E. Stroud, Esq and Town Manager Michael Crotty gave some clarification regarding changing the hours of operation. There was discussion regarding enforcement of regulations, hours of operation as well as traffic situations.

Mayor Dietch made a friendly amendment to change the times for both Period 1 and Period 2 (year round) to reflect hours of operation to 8:30 a.m. to 6:00 p.m. A motion to approve with the amendment was made by Commissioner Graubart and received a second from Commissioner Kligman with all voting in favor.

### **2. Business Improvement District Authorization – Duncan Tavares, TEDACS Director [SET FOR TIME CERTAIN 9:00PM]**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE CREATION OF A SPECIAL OR BUSINESS NEIGHBORHOOD IMPROVEMENT DISTRICT BY THE ENACTMENT OF A SEPARATE ORDINANCE FOR EACH; PROVIDING FOR INCLUSION IN THE CODE;**

**REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.  
Duncan Tavares, TEDACS Director, presented the item.

Commissioner Kligman made a motion to approve and Commissioner Graubart made a motion for discussion.

Commissioner Olchyk and Commissioner Graubart gave their views as to business owners and their lack of interest and them becoming more involved in decision making regarding the business district. Vice Mayor Karukin expressed some of his concerns. Commissioner Kligman gave an in depth account on the issue. Eli Tourgeman from the Surfside Business Association has some reservations but feels we should move ahead. After much discussion the overall feeling was to use this as a first step to move forward.

Commissioner Kligman made a motion to approve. The motion received a second from Mayor Dietch and all voted in favor.

**5. Resolutions and Proclamations**

*(Set for approximately 8:45 p.m.) (Note: Depends upon length of Good and Welfare)*

**A. 96<sup>th</sup> Street Park – Playground Equipment – Tim Milian, Parks and Recreation Director**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE TOWN TO PURCHASE PLAYGROUND EQUIPMENT FROM GAMETIME UTILIZING THE EXISTING U.S. COMMUNITIES GOVERNMENT PUCHASING ALLIANCE CONTRACT NO. 110179; APPROVING AN EXPENDITURE FROM THE CAPITAL PROJECTS FUND ACCOUNT NO. 301-4400-572.6410; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO DO ALL THINGS NECESSARY TO IMPLEMENT THE TERMS OF THE AGREEMENT WITH GAMETIME; AND PROVIDING FOR AN EFFECTIVE DATE.**

Tim Milian, Parks and Recreation Director presented the item.

Commissioner Olchyk thanked the Parks and Recreation Department for their concerns and good service to the community. There was some discussion regarding security at the park.

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

**B. Awnings and Sign Code Update – Michael P. Crotty, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) APPROVING CALVIN-GIORDANO & ASSOCIATES, INC. (CGA) WORK AUTHORIZATION NO. 73 (UPDATING AWNINGS AND SIGN CODE, CGA PROPOSAL NO. 13-5932) IN A TOTAL AMOUNT NOT TO EXCEED \$15,000 FROM THE GENERAL FUND, NON-DEPARTMENTAL PROFESSIONAL SERVICES ACCOUNT, 001-7900-590-3110; PROVIDING FOR AUTHORIZATION, PROVIDING FOR AN EFFECTIVE DATE.**

Michael P. Crotty, Town Manager, presented the item

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

**6. Good and Welfare (*Set for approximately 8:15 p.m.*)**

Mayor Dietch opened the meeting to Good and Welfare.

Peter Neville has concerns about the palm trees on the roof at the Grand Beach Hotel. He said they are dangerous as the trees are not properly secured, would not withstand high winds, and would cause terrible damage. Commissioner Graubart said that he was assured that the trees were anchored properly but asked the Town Attorney to look into the liability issue if a tree breaks loose.

Louis Cohen suggested having two types of emails during the Commission Meeting, one specifically for Good and Welfare and one for Agenda comments. The citizens who cannot attend but watch the meeting on live stream would have the opportunity to interact with the Commission.

Martin Gillan spoke about a dock being installed by a neighbor. When completed the dock will extend to almost the center of the canal. The previous owners were denied putting in a dock. Because of the shallowness of the water in the canal this dock will impede navigation and at low tide the water level is extremely low at about 2.5 feet in the middle of the lake. He is asking the Town to look into this permit.

Daryl Wall also spoke about the dock being installed reinforcing what Mr. Gillan said and requested the city look into this project.

Commissioner Graubart suggested that construction cease until the Town looks into this further.

There being no further speakers 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. Legislative Priorities [SET FOR TIME CERTAIN 8:30PM] – Fausto Gomez, Town's Lobbyist**

Town Lobbyist Fausto Gomez presented an update on the legislative priorities. Mr. Gomez addressed some questions from the Commission. The Mayor thanked Mr. Gomez for all his efforts on behalf of the city.

**B. Code Compliance Priorities – Joe Damian, Code Compliance Director**

The Commission requested that a table be presented which shows the current policy and the changes being proposed. Commissioner Olchyk made a motion to accept as presented and the motion received a second by Mayor Dietch. The item was deferred as Commissioner Olchyk and Mayor Dietch voted in favor and Commissioner Kligman and Vice Mayor Karukin voted in opposition with Commissioner Graubart absent from the dais.

**C. Construction Impact - Hotel, Condo, Etc.– Commissioner Joe Graubart**

Town Manager Michael Crotty gave additional input on the subject.

**D. Seawall Project Update and Schedule – Michael P. Crotty, Town Manager**

The Commission asked that the project be completed as soon as possible.

**E. Planning & Zoning Membership – Linda Miller, Town Attorney**

Vice Mayor Karukin made a motion to go back to the way it used to be. Commissioner Kligman made a motion for discussion. After some discussion with Town Planner Sarah Sinatra clarifying some issues, Commissioner Kligman seconded the motion to approve and all voted in favor.

**F. Request for Proposals (Grant Writing Services) and Request for Qualifications (Architectural and Engineering) – Michael P. Crotty, Town Manager**

Commissioner Kligman made a motion to approve and the motion received a second from Commissioner Olchyk with all voting in favor with Mayor Dietch absent from the dais.

**G. Report on Charter Review (Verbal) – Vice Mayor Michael Karukin**

Vice Mayor Karukin gave an updated report and also thanked the members of the Charter Review Board for their work. Commissioner Kligman also thanked the board members for their efforts.

**H. Miami Dade County League of Cities Director Designation – Mayor Daniel Dietch**

Commissioner Kligman was appointed Director and Commissioner Graubart was appointed Alternate Director.

I. **Citizens Survey** – Michael P. Crotty, Town Manager

Town Manager Crotty asked for direction from the Commission as to what type of questions they would like to have answered in the survey. The Mayor suggested that Town Manager Crotty speak to some survey firms and bring back more information on the subject.

Commissioner Graubart left the meeting at 10:54 p.m.

Mayor Dietch asked to extend the meeting. Vice Mayor Karukin made a motion to extend the meeting an additional 30 minutes. The motion received a second from Commissioner Kligman with Mayor Dietch voting for and Commissioner Olchyk voting in opposition.

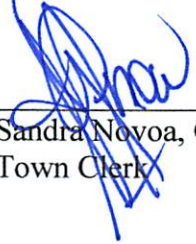
**10. Adjournment**

There being no further business to come before the Commission, the meeting adjourned at 11.23 p.m.

Accepted this 11 day of February, 2014

  
Daniel Dietch, Mayor

Attest:

  
Sandra Novoa, CMC  
Town Clerk