



**Town of Surfside
Town Commission Meeting
MINUTES
May 12, 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 7:00 P.M.

B. Roll Call of Members

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

C. Pledge of Allegiance

Police Chief Allen led the Pledge of Allegiance

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Town Manager Olmedillo said Finance Director Nelson was handing the Commission a budget preparatory calendar and asked they review it and get back to him by June 1st to set up meeting dates. He also informed all that the meeting room has a capacity of 99 people and the doors must be closed. There is room downstairs for additional people where there is a TV and this area can also accommodate people with children. Commissioner Olchyk asked that the Mayor see to it that the public follow proper decorum at all meetings and the Mayor said he would do his best to see that those standards are held. Commissioner Cohen agreed with Commissioner Olchyk and further stated that decorum should be set by the Commission also.

Commissioner Karukin thanked HR Director Yami Slate-McCloud for her help with the Cancer Society.

Vice Mayor Tourgeman gave an update on the Miami-Dade Legal Cities Board of Directors meeting on May 6, 2015 regarding MPO. He encouraged all to attend the Memorial Day event on Monday May 25, 2015.

For the record, the Vice Mayor also expressed his disappointment and dissatisfaction with the way the joint meeting of the Commission and Tourist Board was conducted on May 4, 2015. He said plans for this meeting originated in February 2014 and due to misinformation given by the Tourist Director and our Town Attorney the meeting was delayed month after month until May 2015. Staff has to remember that

advocacy is not part of their role but to present the facts fairly and adequately. The meeting produced only more questions rather than solutions or consensus. The reason behind this was being a lack of preparation, lack of focus, and lack of preparing and sharing both the Board and Commission with input and direction. A document was presented which resulted in two hours of point of views with no action. This should be a lesson in the making for any board to conduct unproductive meetings in the future.

- E. Agenda and Order of Business Additions, deletions and linkages**
 - 4.A2 Restructure of Solid Waste Commercial Rates – Linked to Item 3J
 - Restructure of Solid Waste Commercial Rates

- F. Community Notes – Mayor Daniel Dietch**

The Mayor gave special thanks to Candy and Pablo Claussall for their support on Baymanza. He also thanked the participants of the Mayor’s Challenge for Water Conservation.

Mayor Dietch announced the upcoming community events which can be found in the Gazette and on the Town’s website.

The Mayor acknowledged those on staff and residents who have lost loved ones -Tim Milian. Randy Stokes, Jose Feliz, and the family of Sid Tepper. He also acknowledged Representative Geller who lost his mother. There was a moment of silence.

2. Quasi-Judicial Hearings (None)

3. Consent Agenda

Commissioner Karukin pulled items Click Fix on page 37 (Town Manager Report); Vice Mayor Tourgeman pulled item 3H; Mayor Dietch pulled item 3F and item 3G.

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

A. Minutes – Sandra Novoa, CMC, Town Clerk

April 14, 2015 Regular Commission Meeting Minutes

April 27, 2015 Special Commission Meeting – Traffic Management Plan

B. Budget to Actual Summary as of February 28, 2015 – Guillermo Olmedillo, Town Manager

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

Page 37 See Click Fix pulled by Commissioner Karukin

Commissioner Karukin likes the software product but feels many people are not using it and still calling in problems. Mayor Dietch directed the Town Manager to develop a way to use the tool as a matrix to input data and work orders. He asked for performance measures such as an item being open, acknowledged, closed and submit a monthly report back to the Commission.

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

E. Committee Reports – Guillermo Olmedillo, Town Manager

- March 2, 2015 Tourist Board Meeting Minutes
- March 16, Park and Recreations Committee Meeting Minutes
- March 26, 2015 Planning and Zoning Board Meeting Minutes

F. A Resolution Requesting that the Florida Department of Transportation and Miami-Dade County Coordinate its Projects with Municipalities for Projects within those Municipalities – Vice Mayor Tourgeman

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE FLORIDA, REQUESTING THAT THE FLORIDA DEPARTMENT OF TRANSPORTATION AND MIAMI-DADE COUNTY COORDINATE ITS PROJECTS WITH MUNICIPALITIES FOR PROJECTS WITHIN THOSE MUNICIPALITIES; PROVIDING DIRECTION TO THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE SECRETARY OF FLORIDA DEPARTMENT OF TRANSPORTATION THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, ALL MUNICIPALITIES IN MIAMI-DADE COUNTY, THE MIAMI-DADE COUNTY LEAGUE OF CITIES, AND FLORIDA LEAGUE OF CITIES; PROVIDING AN EFFECTIVE DATE.

Item pulled by Mayor Dietch

Mayor Dietch asked whether we are receiving all updates from FDOT. Town Manager Olmedillo gave input on the matter and said he has had a good relationship with FDOT. The Mayor said it appears that FDOT is coordinating with the town and doing everything it is supposed to be doing. Vice Mayor Tourgeman said he was just reinforcing that FDOT advise the town when they are doing projects but if the Mayor disagreed it is okay and just take a vote.

The Mayor suggested that before preparing a resolution which is time consuming for the town attorney, it may be better to bring the item before the Commission and if it is deemed to be important enough then have a resolution prepared. Vice Mayor Tourgeman was in disagreement with the Mayor.

Vice Mayor Tourgeman made a motion to accept. The motion received a second from Commissioner Olchyk. A vote was taken and the motion failed 4 to 1 with Vice Mayor voting for acceptance.

G. A Resolution Supporting Senate Bill 378 (2015) to Expand Law Enforcement Officers' Ability to Give a Warning, Inform the Parents/Guardian or Issue Civil Citations for a Diversion Program to Juveniles in Lieu of Arrest – Vice Mayor, Tourgeman

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE FLORIDA, SUPPORTING SENATE BILL 378 (2015) TO EXPAND LAW ENFORCEMENT OFFICERS' ABILITY TO GIVE A WARNING, INFORM THE PARENTS/GUARDIAN OR ISSUE CIVIL CITATIONS FOR A DIVERSION PROGRAM TO JUVENILES IN LIEU OF ARREST; PROVIDING DIRECTION TO THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, ALL MUNICIPALITIES IN MIAMI-DADE COUNTY, THE MIAMI-DADE COUNTY LEAGUE OF CITIES, AND FLORIDA LEAGUE OF CITIES; PROVIDING AN EFFECTIVE DATE.

Item pulled by Mayor Dietch said he was against the resolution and wondered if it had any value at this time. Town Assistant Attorney Jane Graham presented the item in more detail and gave an update.

Vice Mayor Tourgeman made a motion to accept. The motion received a second from Commissioner Olchyk and the motion carried 4-1 with Commissioner Cohen in opposition.

H. Flavored Tobacco and Electronic Cigarettes Urging Resolution – Vice Mayor Tourgeman

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, URGING RETAILERS TO STOP THE SALE AND MARKETING OF FLAVORED TOBACCO PRODUCTS AND E-CIGARETTES IN SURFSIDE, FLORIDA; AND TO PROHIBIT THE USE OF ELECTRONIC CIGARETTES AND OTHER NICOTINE DISPENSING DEVICES IN TOWN OWNED OR OPERATED ENCLOSED INDOOR WORKPLACES; PROVIDING DIRECTION TO THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, MIAMI-DADE COUNTY LEAGUE OF CITIES, AND FLORIDA LEAGUE OF CITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Item pulled by Vice Mayor Tourgeman. The Vice Mayor gave an update on the item. Assistant Town Attorney Graham gave more details on the item.

Vice Mayor Tourgeman made a motion to accept. The motion received a second from Commissioner Olchyk and the motion carried 4-1 with Commissioner Karukin in opposition.

Public Speakers:

Rubi Arguello representing Students against Tobacco and Georgette Kores urged the Commission to pass the resolution.

Commissioner Karukin felt that electronic cigarettes are a deterrent from regular cigarettes and was not sure if the resolution was even legal. Studies have not been concluded if there are any dangers in using electronic cigarettes and therefore does not support the resolution. The Vice Mayor cited that a report indicated that young people using electronic cigarettes eventually will use regular cigarettes.

***I. Contributions for Downtown Harding Avenue Business District Tree Lights – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACCEPTING CONTRIBUTIONS TO SUSTAIN THE LIGHTING OF THE DOWNTOWN HARDING AVENUE BUSINESS DISTRICT TREE LIGHTS; PROVIDING AUTHORITY TO THE TOWN MANAGER TO ACCEPT ON BEHALF OF TOWN COMMISSION CONTRIBUTIONS FOR DOWNTOWN HARDING AVENUE BUSINESS DISTRICT TREE LIGHTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

J. Restructure of Solid Waste Commercial Rates – Guillermo Olmedillo, Town Manager *[Linked to Item 4A2]

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE FLORIDA, ESTABLISHING A NEW RATE STRUCTURE FOR COMMERCIAL SOLID WASTE REMOVAL FROM A FLAT RATE TO A PER YARD FEE WHICH SHALL BE EFFECTIVE JULY 1, 2015; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING AN EFFECTIVE DATE.

Approved on consent.

***K. Town of Surfside Sewage Conveyance Services - Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF MIAMI BEACH TO PROVIDE SEWAGE CONVEYANCE SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

4. Ordinances

A. Second Reading Ordinances

1. Amending Chapter 54 "Prohibited Noises", specifically Section 54-77 "Waiver of Division Provisions" – Commissioner Marta Olchyk

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 54 "PROHIBITED NOISES"; SPECIFICALLY AMENDING SECTION 54-77 "WAIVER OF DIVISION PROVISIONS"; 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.

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

Commissioner Olchyk had concerns about enforcement of the ordinance. Town Manager Olmedillo assured that they have enough staff to do so and are committed to uphold the ordinance.

The Mayor opened the public hearing.

Public Speaker Jeffery Platt asked what happens when there is a violation and if there is a fine for noncompliance. Town Manager Olmedillo explained the process and having them comply with code enforcement and ultimately there are fines.

Commissioner Olchyk made a motion to take the pulled items next. The motion received a second from Vice Mayor Tourgeman and all voted in favor.

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

***2. Restructure of Solid Waste Commercial Rates – Guillermo Olmedillo, Town Manager [Linked to Item 3J]**

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 66-35, "SCHEDULE OF FEES" OF THE CODE OF ORDINANCES TO ESTABLISH A NEW RATE STRUCTURE FOR COMMERCIAL SOLID WASTE REMOVAL FROM A FLAT RATE TO A PER YARD FEE WHICH SHALL BE EFFECTIVE JULY 1, 2015; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; 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 Commissioner Cohen and all voted in favor.

The Mayor opened the public hearing. There being no one wishing to speak the Mayor closed the public hearing.

***3. Ordinance Amending Town of Surfside Code Chapter 26 entitled "Elections", by Creating Section 26-13 thereof entitled "Supplemental Qualifying Period" – Linda Miller, Town Attorney**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING TOWN OF SURFSIDE CODE CHAPTER 26 "ELECTIONS", BY ADDING THERETO SECTION 26-13 ENTITLED "SUPPLEMENTAL QUALIFYING PERIOD", FOR THE PURPOSE OF ESTABLISHING BY ORDINANCE, (PURSUANT TO TOWN CHARTER SECTION 105(8)) THAT NO FURTHER SUPPLEMENTAL QUALIFYING PERIOD SHALL BE ESTABLISHED IF A VACANCY IN CANDIDACY OCCURS WITHIN THIRTY-FIVE (35) DAYS PRIOR TO THE DATE OF AN ELECTION FOR THE OFFICE OF TOWN COMMISSIONER OR MAYOR; PROVIDING FOR SEVERABILITY, CONFLICT, INCLUSION IN TOWN CODE AND 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 Commissioner Olchyk and all voted in favor.

The Mayor opened the public hearing. There being no one wishing to speak the Mayor closed the public hearing.

- *4. An Ordinance of the Town commission of the Town of Surfside, Florida amending pursuant to Florida Statue sections 100.3605(2) and 166.021(4), Section 101 of the Town of Surfside Charter regarding “Qualifying for Elected Office” with limited applicability to establishment of qualifying dates for the Town’s March 15, 2016 General Election, and establishing end date for supplemental qualifying period for said March 15, 2016 Election; providing for severability, conflict, inclusion in Town Charter/Code, notification to County and effective date. – Linda Miller, Town Attorney**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING PURSUANT TO FLORIDA STATUTE SECTIONS 100.3605(2) AND 166.021(4), SECTION 101 OF THE TOWN OF SURFSIDE CHARTER REGARDING “QUALIFYING FOR ELECTED OFFICE” WITH LIMITED APPLICABILITY TO ESTABLISHMENT OF QUALIFYING DATES FOR THE TOWN’S MARCH 15, 2016 GENERAL ELECTION, AND ESTABLISHING END DATE FOR SUPPLEMENTAL QUALIFYING PERIOD FOR SAID MARCH 15, 2016 ELECTION; PROVIDING FOR SEVERABILITY, CONFLICT, INCLUSION IN TOWN CHARTER/CODE, NOTIFICATION TO COUNTY AND 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 Commissioner Olchyk and all voted in favor.

The Mayor opened the public hearing. There being no one wishing to speak the Mayor closed the public hearing.

B. First Reading Ordinances

***1. Water Supply Facilities Work Plan - Guillermo Olmedillo, Town Manager**

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN'S WATER SUPPLY FACILITIES WORK PLAN AND APPLICABLE ELEMENTS WITHIN THE TOWN'S COMPREHENSIVE PLAN RELATING TO WATER SUPPLY PLANNING; PROVIDING FOR INCLUSION IN THE TOWN OF SURFSIDE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance. Town Planner Sarah Sinatra presented the item.

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

2. Practical Difficulty Variance – Commissioner Barry Cohen

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING "SECTION 90-36 VARIANCES"; SPECIFICALLY AMENDING "90-36.1 GENERAL VARIANCES" TO MODIFY THE CODE TO PROVIDE FOR A PRACTICAL DIFFICULTY VARIANCE; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Duncan Tavares, TEDACS Director, read the title of the ordinance. Town Planner Sarah Sinatra presented the item.

Vice Mayor Tourgeman made a motion to approve. The motion received a second from Commissioner Cohen.

Town Planner Sinatra answered questions posed by the Mayor regarding limitations. Commissioner Karukin was not in favor of the ordinance and feels it is a slippery slope to make it easier to obtain variances and allowing for development of larger homes on smaller lots.

Vice Mayor Tourgeman thinks the ordinance is a good idea as demographics have changed and more young families have moved into the community and

many are converting garages for additional living space. He fully supports the ordinance.

Commissioner Cohen gave an overview on the item and said the language can be tweaked to satisfy the concerns of some on the Commission.

The Mayor asked that we go to Good and Welfare as that is a set time item and then come back to this item. After the closing of Good and Welfare discussion continued on Ordinance 4.B2

Commissioner Karukin thanked Commissioner Cohen for bringing this forward but is not in favor of building larger homes on small lots which is not the character of the town.

Public Speaker Brian Roller spoke in favor of the ordinance and as having a young family gave his reasons for support of the item.

The Mayor asked Planner Sinatra to elaborate on lot coverage. There were some questions which Planner Sinatra addressed. Mayor Dietch said he did not disagree with what has been said this evening but feels there has to be a limit and does not know what that limit should be. The Mayor said he would not be in attendance at the next meeting and in its current form he does have some concerns and asked if the item can be deferred so they can find the right balance.

After all the discussion and points of views, Commissioner Cohen withdrew his second to the motion. The motion died for a lack of a second.

Mayor Dietch suggested a motion to defer the item and see that they address limitation in the language and failsafe so it cannot be abused, address the concept of the least amount necessary for hardship and only be allowed once per applicant and an offset to any second floor to whatever the square footage gain on the first floor. Commissioner Cohen was in agreement and suggested the Mayor pass the gavel and make this a motion.

The Mayor passed the gavel and made a motion to that effect. The motion received a second from Commissioner Cohen. A vote was taken and ended in a tie with Mayor Dietch and Commissioner Cohen in favor, Commissioner Karukin and Commissioner Olchyk in opposition. Vice Mayor Tourgeman was absent for the vote.

Commissioner Cohen made a motion to reconsider the motion to defer. The motion received a second from Vice Mayor Tourgeman. A vote was taken and the motion passed to defer 4-1 with Commissioner Karukin in opposition.

Vice Mayor Tourgeman made a motion to accept the variance. The motion received a second from Commissioner Olchyk. The motion carried 3-2 with Mayor Dietch and Commissioner Karukin voting in opposition.

Commissioner Karukin asked the Town Attorney to review the procedure just taken to assure all was done correctly.

3. Residential Sheds – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND AMENDING “SECTION 90-54 ACCESSORY BUILDINGS AND STRUCTURES IN THE H30A AND H30B DISTRICTS”; AND SPECIFICALLY AMENDING SECTION 90-54.7 RELATED TO SHEDS; 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 approve. The motion received a second from Commissioner Olchyk. The motion carried 3-2 with Mayor Dietch and Commissioner Karukin voting in opposition.

Public Speaker Marisa Alonso said the addition of landscaping puts more of a burden on owners and feels it should not be included.

Mayor Dietch and Commissioner Karukin did not feel that landscaping was necessary. Vice Mayor Tourgeman said we have to consider one’s neighbors as sheds are not pretty but understands the need for them. Not all homes have fences or landscaping and if a shed is put up it should not have to be viewed by a neighbor and therefore he feels landscaping is necessary. Mayor Dietch said the language is not clear and one could place some flowers and call it landscaping. Vice Mayor Tourgeman said he attended the Planning and Zoning Meeting where this was discussed and it was their intention that landscaping be installed so the shed would not be an eyesore to a neighbor. He said this is an opportunity to do things right as more sheds will be coming as people are converting their garages into living space.

Commissioner Karukin disagrees with the Vice Mayor and said this is overreach into someone’s back yard and is unenforceable. He feels we should not be manicuring the town. The Vice Mayor totally disagrees with the

statement of manicuring the town and said we can then have weeds growing all over.

Commissioner Cohen thought that landscaping should be defined to block the view of newly placed sheds.

Commissioner Olchyk said she realizes that there can never be 100% enforcement but we should require some landscaping. She feels if we let this go it will only get worse.

The Mayor made a friendly amendment that the language be changed to read "provide landscaping if not already provided." Vice Mayor Tourgeman accepted the amendment. A vote was taken and the ordinance passed 4-1 with Commissioner Karukin voting in opposition.

5. Resolutions and Proclamations

***A. Seawall Inspection Condition Report & Florida Inland Navigation District (FIND) Grant Funding Opportunity – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN") APPROVING ASSISTANCE UNDER THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM, AUTHORIZING CALVIN GIORDANO AND ASSOCIATES, INC. ("CGA") TO PREPARE GRANT APPLICATIONS; PROVIDING AUTHORIZATION TO THE TOWN MANAGER; AND PROVIDING FOR AN EFFECTIVE DATE.

Chris Giordano of CGA gave update.

Commissioner Cohen made a motion to accept. The motion received a second from Commissioner Olchyk and the motion passed 4-1 with Commissioner Karukin absent for the vote.

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

Mayor Dietch opened the meeting to Good and Welfare.

Public Speakers:

-Jeffrey Platt asked what the Chateau was doing across the street from them as they now have seven properties blocked off. He also thanked Chief Allen for the increased presence of officers on the beach. He said last month it was agreed that the sand had to be removed and replaced and does not understand why the town is putting in new plants

on the dunes when it has to be removed. He also wanted it defined what it means by “private beach front owners” and questions regarding beach chairs.

-Larissa Alonso asked what is happening regarding the sand issue. She also mentioned concerns about the Tot Lot and rusted equipment. She took offense at being scolded at the last meeting regarding noise and her child when cell phones rang and nothing was said.

-Debbie Cimadevilla thanked them for the TV downstairs as it will help parents with children who want to attend the meetings. She also asked that the town post on the website any development especially consent orders so the public has time to view it and appeal if necessary. She specifically spoke about the sand issue.

-Rick Superstein said he attended the Planning and Zoning Meeting regarding the corridor analysis and it does not include the designated historic area. A separate zoning was mentioned as new facades of these buildings will be done and he feels this area would be beneficial to the town as it will be historically attractive. He would appreciate any help from the Commission.

-Deborah Duvdevani asked that a ramp be put in at the 92nd Street access to the beach as there are only stairs and cannot accommodate strollers or handicap. She also asked the reason why there is a police car daily in front of the Surf Club. If they are off duty why are they in uniform and using a city vehicle. She also asked if there was approval of the Surf Club apartments and Seaway Villas.

-Peter Neville said Channel 77 is not broadcasting.

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

Responding to Mr. Platt, Town Manager Olmedillo said the Surf Club is purchasing additional property but the town does not know what their future plans are. To his knowledge there has been no application as to the property that has a construction fence around it. Regarding the sand issue, Manager Olmedillo also said he has been in communication with FDEP and gave an update. As to the chairs on the beach Manager Olmedillo feels we need an ordinance to deal with the issue and use public safety as a tool to control activities on the beach. He has been working with staff and beach property owners to come to a balanced decision regarding chairs on the beach.

Manager Olmedillo said the town will look into the 92nd Street access to the beach as well as the Tot Lot.

Chief Allen explained the process of lane closures and that the Surf Club pays for the off-duty police officers as well as administrative fees.

Commissioner Olchyk addressed the issue of children at Commission Meetings and although it is admirable to have children of age attend with their parents to see how government works, it is not good when there is a disruption because of young children in attendance. Commissioners spend a lot of time preparing for these meetings to try to accomplish as much as they can in the time allowed and it is to the detriment of the town when there is a disruption and items are not covered and have to be brought back and added to the agenda of the next meeting.

Commissioner Karukin thanked the Town Manager for a step in the right direction regarding the lounge chairs. As to the equipment in the Tot Lot he suggested bringing it to the attention of the Parks and Recreation Dept. As to the corridor analysis he said the historic preservation issues were part of a review with the Town Planner. He has no problem with the children at meetings and with police presence even when off duty.

Commissioner Cohen suggested that one read the 100 Day Report which shows the skill of our Town Manager. He stressed how we all should work together for the betterment of the town.

The Mayor addressed Mr. Superstein and said it is a complex issue but agrees the historic area could be a gem for Surfside.

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. Sustainability Committee – Mayor Daniel Dietch**

Mayor Dietch presented the item.

Commissioner Cohen made a motion to approve and the motion received a second from Commissioner Olchyk.

Vice Mayor Tourgeman questioned how effective a committee such as this can be. He does not oppose this but would rather see committees with a specific purpose such as the sand committee, rather than addressing several items and feels this is too broad.

The Mayor asked if they were agreeable with the concept then to proceed with a draft charter. Commissioner Cohen feels that members of such a committee should also have subject matter expertise. He is supportive of this committee and feels it is important to do especially on environmental issues.

For the record the Vice Mayor read a statement regarding a committee can bring in expertise to help with a subject matter.

Commissioner Karukin said he is not comfortable with this as we have a lot on our plate and feels adding to it would be more of a burden especially on staff. He feels we are not ready for this at this time.

Manager Olmedillo said we may need additional staff for this committee and it may be addressed when we do the budget. Commissioner Olchyk said if we need to hire additional staff for this she will vote in opposition.

The Mayor said he would be happy to have a scoping meeting to have communication with the community and then come back with additional information.

A vote was taken and the motion failed 3-2 with Mayor Dietch and Commissioner Cohen accepting and Vice Mayor Tourgeman, Commissioner Karukin and Commissioner Olchyk in opposition.

***B. 94th Street Parking Structure Land Use/Zoning Analysis – Commissioner Barry Cohen**

Commissioner Cohen presented the item and gave an overview and update. He said the proposed plan includes retail space which would produce income which can pay for any expenses the town may incur. Commissioner Karukin asked if expanding the business district south would require a referendum. Town Planner Sinatra explained when and where a referendum would be required.

Commissioner Cohen took offense to a remark made by resident Jeffrey Platt while the Commission was in discussion. Mayor Dietch cautioned Mr. Platt to save his remarks for outside and to show respect at the meeting or leave.

The comprehensive plan and land use was discussed. Commissioner Karukin had issues with the commercialization part of the plan. Vice Mayor Tourgeman is in favor of the retail part.

Commissioner Cohen introduced town resident George Kousoulas who put together a power point presentation of the parking garage feasibility study which includes retail space.

Vice Mayor Tourgeman said he likes the concept presented and asks the Mayor to direct the Town Manager to move forward on this with an RFP or the most appropriate form of solicitation and come back with recommendations in sixty days but brief the Commission in thirty days. The Town Manager was given this direction and to also meet with the property owners in the community for their input.

Public Speakers

-Deborah Cimadevilla said she was against the idea of adding retail. She feels there should be a discussion with residents as this will impact them and bring in more people which will create a greater need for parking.

-Jeffrey Platt said the plan presented shows a block of four story buildings. He feels this is going to be a huge impact on the community.

- Clara Diaz-Leal feels this should be thought about more carefully especially about putting in more density. She feels Surfside is losing its balance.

Commissioner Olchyk exited at 10:57 p.m.

Commissioner Karukin made a motion to extend the meeting thirty minutes. The motion received a second from Vice Mayor Tourgeman and all voted in favor with Commissioner Olchyk absent.

- *C. Parking Lot Parking Structure Update – Guillermo Olmedillo, Town Manager**
Minimum discussion was held under item 8B.

Vice Mayor Tourgeman exited at 11:09 p.m.

9. Mayor, Commission and Staff Communications

- *A. Newspaper Advertisement Cost Analysis – Guillermo Olmedillo, Town Manager**

Manager Olmedillo gave an account of advertising in the Miami Herald which is costly. It was suggested we use our own website for this item and staff will check if we can accommodate email blasts. Commissioner Karukin asked that this be presented again during the Budget Workshop.

- B. Traffic Management Plan – Short Term Solutions – Guillermo Olmedillo, Town Manager**

Police Chief Allen gave an update on this item. Funding sources (31K) for traffic lights was discussed. The Mayor said that people using Google maps are creating some of the traffic problems. He asked the Town Manager if there was anything we could do and suggested contacting Google to let them know the route being suggested takes traffic into residential areas. Other safety measures were suggested as well as 95th Street/Byron Circle Study. Commissioner Cohen mentioned gating of the community and Town Manager Olmedillo explained what that process would be and there would be costs involved.

Public Speaker Clara Diaz-Leal spoke and gave some suggestions and asked to allow the bump stops.

- C. Clarification of Town Policies and Procedures for Representation of Town of Surfside and Town Commission Recognition Policies and Procedures - Guillermo Olmedillo, Town Manager**

Item deferred.

10. Adjournment

The meeting adjourned at 11:29 p.m.

Respectfully submitted,

Accepted this 14th day of June, 2015



Daniel Dietch, Mayor

Attest:



Sandra Novoa, CMC
Town Clerk