



**Town of Surfside
Town Commission Meeting
MINUTES
December 8, 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 7:03 P.M.

B. Roll Call of Members

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

C. Pledge of Allegiance

Police Chief Allen led the Pledge of Allegiance

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Mayor Dietch asked for a moment of silence in lieu of all the tragedy abroad and here in the United States.

Commissioner Cohen wished all Happy Holidays and said this was a time to reflect on the past year and thanked all the people for their participation in resolving some of the issues. He also urged all residents to register to vote in the upcoming Commission election.

Commissioner Olchyk said this will be her last year finishing her term in March and feels it was a very productive year. She also encourages citizens to become more involved and would like to see a woman on the Commission for a female point of view.

Mayor Dietch said that the qualifying period to run in the election closed yesterday. His understanding is there are three candidates for Mayor and five candidates for the Commission, one being a woman.

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

Commissioner Olchyk asked if Item 9A Paced Development and 9B Landscape be moved up on the agenda

F. Community Notes – Mayor Daniel Dietch

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

2. Quasi-Judicial Hearings (None)

3. Consent Agenda

Mayor Dietch pulled Items 3A, 3C and 3C Click Fix. There were speaker cards on the following items and therefore the Mayor pulled Items 3F, 3G and 3K.

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

A. Minutes – Sandra Novoa, MMC, Town Clerk

October 27, 2015 Town Commission Workshop (pulled by Mayor Dietch) The Mayor said there was a typing error in the minutes and the sentence should read ...Mayor Dietch commented that the consent order is an imperfect solution that results in bringing this matter to closure.

November 5, 2015 Town Commission Workshop

November 10, 2015 Regular Town Commission Meeting (pulled by Mayor Dietch) The Mayor said there is a correction to the fourth paragraph and should read “Mayor Dietch asked the Vice Mayor if he voted for the Shul project which included the selling of 100 parking spaces.”

Regarding the parking issue and the 100 parking spaces in the parking trust fund that was discussed at the last meeting, a member of the Commission said he did not vote for it. The Mayor wanted it to be clear for the record that all three Commissioners (Commissioner Cohen recued) voted for the Shul project which included the parking spaces.

B. Budget to Actual Summary as of September 30, 2015 – Guillermo Olmedillo, Town Manager

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

- **See Click Fix (pulled by Mayor Dietch)**
The Mayor asked if this could be managed a little easier and if we could define our own categories.
- **Ten Year Water Supply Plan**
- **Development Applications**
- **Alley Way Improvement Project (pulled by Mayor Dietch)**
Manager Olmedillo gave an update and said letters of violation will be going out. The Mayor suggested that staff first hold a workshop with the property/business owners as the town has been very laidback on this issue and the letters will create a lot of calls to the city. There was some discussion as to holding a workshop to better inform businesses that we will be enforcing code violations. Commissioners Cohen and Olchyk felt the businesses who are not complying with our code know it and have been getting away with it and now they should be sent a letter of

violation. Commissioner Karukin and the Mayor feel we should alert them first what the program is and that enforcement will be forthcoming if they are not in compliance.

- **Code Compliance**
- **New Programs**
- **Sand Project Update**
- **Police Department Re-Accreditation Dates Changed to January 20, 21, and 22**
- **Police Events**
- **Information Technology & TV Broadcast**
- **Town-Owned Seawall Repair**
- **Traffic Circle**

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

E. Committee Reports – Guillermo Olmedillo, Town Manager

- August 13, 2015 Pension Board Minutes
- October 19, 2015 Parks and Recreation Committee Minutes
- October 21, 2015 Coastal Issues Committee Minutes
- October 29, 2015 Planning and Zoning Board Minutes

F. Lobbying Services– Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA WAIVING THE BID PROCESS FOR CONTRACTS FOR PROFESSIONAL SERVICES PURSUANT TO SECTION 3-13(2) OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH GOMEZ BARKER FOR LOBBYING SERVICES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR EFFECTIVE DATE.

(Item pulled by Mayor Dietch) Manager Olmedillo gave a short overview.

Public Speaker Victor May gave a presentation which outlined his process of doing things before contracting with someone. Mr. May's presentation ran over his allotted time and there was no action from the Commission to allow for an extension.

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

G. Approval to Increase the On Street Parking Meter Rate from \$1.50 to \$2.00 Per Hour – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE ("TOWN"), FLORIDA, APPROVING AN INCREASE OF THE

PARKING METER RATE FROM \$1.50 TO \$2.00 PER HOUR FOR ON-STREET PARKING SPACES EFFECTIVE JANUARY 1, 2016; PROVIDING FOR APPROVAL; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

(Item pulled by Mayor Dietch) Manager Olmedillo gave an overview of the item and said many business owners take up spaces all day whereas shoppers will only use them for a few hours.

Public Speaker Victor May had a visual presentation regarding parking lots in Surfside. He also mentioned the budget which did not include a rate increase for parking. The Mayor explained that many people who want to use our shops and cannot find parking will then go elsewhere. Commissioner Cohen said we should enforce the time limit a vehicle can be parked in one space (if there is one) and is in favor of the rate increase.

H. Proposed Agreement with the Miami Dade State Attorney's Office to Prosecute Criminal Municipal Ordinances – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN MANAGER OF THE TOWN OF SURFSIDE TO EXECUTE AN AGREEMENT WITH THE MIAMI-DADE STATE ATTORNEY'S OFFICE TO PROSECUTE CRIMINAL MUNICIPAL ORDINANCE VIOLATIONS IN SURFSIDE; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

I. Contributions to the Harding Avenue Business District Seasonal Tree Lighting – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACCEPTING CONTRIBUTIONS TO THE LIGHTING OF THE DOWNTOWN HARDING AVENUE BUSINESS DISTRICT TREES; 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. Mutual Aid Agreement between the Town of Bay Harbor Police Department and the Town of Surfside Police Department – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE MUTUAL AID AGREEMENT BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND THE TOWN OF BAY HARBOR ISLANDS POLICE DEPARTMENTS; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

K. Purchase of a Parking Enforcement Vehicle – 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 \$23,075.00 FROM THE FISCAL YEAR 2015/2016 MUNICIPAL PARKING FUND FOR THE PURCHASE OF A FORD F150 TRUCK; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

(Item pulled by Mayor Dietch)

Public Speaker Victor May had budget questions and the purchase of a vehicle when scooters are less expensive. Commissioner Olchyk said she was not in favor of purchasing any additional vehicles. Manager Olmedillo said we need a truck to transport various items such as street cones.

Commissioner Karukin made a motion to approve the pulled items. The motion received a second from Commissioner Olchyk and all voted in favor with Vice Mayor Tourgeman absent.

4. Ordinances

A. Second Reading Ordinances

1. Maximum Building Heights – Sarah Sinatra, AICP, Town Planner

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING; SPECIFICALLY AMENDING SECTION 90-43 MAXIMUM BUILDING HEIGHTS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; 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

The Mayor opened the item to the public hearing.

Public Speaker Jeffrey Platt asked how this will affect buildings around town. Mayor Dietch said it doesn't it is just a consistency.

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

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Cohen and all voted in favor with Vice Mayor Tourgeman absent.

2. Water Supply Facilities Work Plan – Sarah Sinatra, AICP, Town Planner

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 Manager Olmedillo gave a brief update.

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

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

B. First Reading Ordinances

5. Resolutions and Proclamations

A. Audio/Video Equipment Replacement for Commission Chambers – 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 \$48,989.02 FROM THE FISCAL YEAR 2015/2016 BUDGET, CAPITAL PROJECTS FUND FOR THE PURCHASE AND INSTALLATION OF NEW VIDEO AND AUDIO EQUIPMENT IN THE COMMISSION CHAMBERS AND CONTROL ROOM; PROVIDING FOR AUTHORIZATION; 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 Olchyk.

Mayor Dietch asked the Town Manager about the practicality of a line item regarding a 60 inch television. The Commission has deleted the line item for the tv and added two handheld wireless microphones.

Commissioner Olchyk asked about the warranty and Finance Director Donald Nelson said the equipment is warranted for one year and gave more details on the service.

Commissioner Olchyk wanted to restate that we made a mistake with the air conditioner and hopefully we have learned from past errors and staff has looked into this item carefully and is making a good recommendation. She said she will vote in favor even though we have not gone out to bidding based on staff recommendation as there was competitive bidding through the State.

Commissioner Cohen asked if we are getting state-of-the art equipment and Director Nelson said yes we are.

Public Speaker Victor May had a question about the equipment and what will be done with equipment we now have. Manager Olmedillo said the equipment is old and didn't think we could sell it.

Commissioner Karukin made a motion to approve minus the line item for the 60 inch tv, adding two handheld microphones and a solution for wireless microphones for meetings with tables. The motion received a second from Commissioner Olchyk and all voted in favor with Vice Mayor Tourgeman absent.

6. Good and Welfare

Mayor Dietch opened the public speaking.

Public Speakers:

-Jeffery Platt spoke on the sand replacement project and feels there is no information about the issue. He said he was taking photos and was asked to leave the beach area where this was being done and it was not a hazard being there. He feels all is being done in secrecy.

-Deborah Cimadevilla gave a report on the sand removal process. She also feels someone from the town should be there to view what is being done. She said the new sand is sometimes being placed on top of sand that has construction debris.

-Michael Kashtan representing the Surf Club gave a brief report on the item. To his knowledge the sand project is being watched over by everyone involved and all is being documented.

-Tina Paul spoke about responsible and respectful development and feels this is not being done.

-Daniel Gielchinsky spoke about gratitude and for the record wanted to thank the Commission and Staff for all their hard work.

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

Commissioner Olchyk agreed with Ms. Paul and said the developers do not care about the neighbors and the noise and are operating out of the hours authorized. The Mayor said when they are working out of developing hours the residents should contact the police dispatcher. The Mayor asked the Town Manager to assure the developers have the operating hours and adhere to it and to check with our Police Department to see if they can enforce working hours on developments.

Commissioner Cohen said he did a tour of the sand construction area and feels it is being done with no secrecy and if someone is asked to leave the area it is for a safety issue.

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. Paced Development – Guillermo Olmedillo, Town Manager
Manager Olmedillo presented the item and gave an update.

Commissioner Karukin commended the Manager for going forth with this and recommends it. Commissioner Olchyk was in favor and wished it had been done earlier. Commissioner Cohen said other factors have to be taken into account. There was some disagreement between Commissioner Karukin and Commissioner Cohen.

Public Speaker George Kousoulas spoke in favor of paced development. However he feels the number of 235 units per year was a high number. The Mayor said we should start to prepare the scenario on this item.

Commissioner Olchyk made a motion to bring back an ordinance in February. The motion received a second from Commissioner Karukin and the motion carried 3/1 with Commissioner Cohen voting in opposition and Vice Mayor Tourgeman absent.

B. Landscape Maintenance Services – Commissioner Marta Olchyk

Commissioner Olchyk was not happy with current services and wants it open for bid and have a better choice. Manager Olmedillo said we now have a month to month agreement with the current landscaper and if the Commission wants to go out to an RFP process staff would do so. Commissioner Karukin does not have a problem with the current service.

The Mayor directed the Manager to find comparable prices from neighboring communities. The item was placed on hold and possibly put back on the next agenda.

C. Miami-Dade Age-Friendly Initiative – Annual Parking Sticker – Mayor Daniel Dietch

Mayor Dietch presented the item providing a parking sticker for those who qualify. After some discussion the Commission was not in favor of going forward with the item.

D. Tourist Board Appointment – Commissioner Marta Olchyk (*Verbal*)

Commissioner Olchyk made a motion to appoint Sara Liss to the Tourist Board. The motion received a second from Commissioner Cohen and all voted in favor with Vice Mayor Tourgeman absent.

E. Parks and Recreation Committee Appointment – Commissioner Marta Olchyk (*Verbal*)

Commissioner Olchyk said Walter Javier expressed an interest to be part of the Parks and Recreation Committee and appoints him. She gave a brief overview of his background and the Mayor concurred he was a good person. Mr. Javier will be appointed to the Committee.

10. Adjournment

The meeting adjourned at 9:13 p.m.

Respectfully submitted,

Accepted this 12th day of January, 2015


Daniel Dietch, Mayor

Attest:



Sandra Noyoa, MMC
Town Clerk