



**Town of Surfside
Town Commission Special Meeting
MINUTES
August 5, 2013
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 7:01 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 Kligman, Commissioner Olchyk and Commissioner Graubart.

Welcome and Opening Remarks – Mayor Daniel Dietch

C. Discussion Items:

1. Legislative History of Sight Triangle/Hedges Regulations
2. Staff Reports Including Street Curb (bump-outs) and Corner Alternatives
3. Policy Discussion on: Continued Enforcement; Resolution of Existing Fines/Penalties (Special Master vs. Administrative Mitigation Policy); and Possible Code Amendments

D. Report on Current Regulation and Enforcement Efforts– Joe Damien, Code Compliance Director

Code Enforcement Director Joe Damian gave a PowerPoint presentation to the Town Commission. He explained there were several complaints regarding safety and the obstruction of visibility at various intersections. The complaints were investigated and proved to be valid. Photos were shown of corner hedges and other landscaping not in compliance and how it obstructed visibility when entering a corner vs. landscaping in compliance. For a better understanding of code requirements for site triangles, a diagram was viewed and explained how landscaping could be planted to meet code.

E. Presentation on Regulations Sight Triangles (Florida Green Book) – Jeff Cohen, PE, Assistant Chief Miami Dade County Traffic Engineering Division

Mr. Cohen cited from the Florida Department of Transportation rules and regulations book how important site distance is when approaching a corner and that inadequate safety measures do result in serious crashes. Mr. Cohen also explained the different

types of site triangles and how non-compliance landscaping hinders visibility and creates a critical life safety issue. The Commission had questions regarding the town of Surfside's minimum hedge height, minimum parking distance from corner and stop signs. Mr. Cohen said these calculations will be worked out and presented to the Commission.

Commissioner Kligman believed that more education of ordinances was needed and there was not proper consistency of enforcement of the code. She also felt that those who were cited and are now in compliance should have their fines mitigated by the Special Masters and released of liens.

The Commission discussed the release of liens and fines regarding residents who are now in compliance and residents who are still non-compliant, the town's process in issuance of civil notices, as well as the town's administrative costs.

- F. Public Comments** - Mayor Dietch opened the meeting for public comments. Residents - Marina Siniabia, George Espinel, Stefan Lott, Gisela Santiago, Maria Amieva, Julia Magnan, Dan Loreda, Norma Parron, Mark Corentin, Angela McBride, German Previsdomini, Jose Fuentes, Clara Diaz Leal, Jason Schatz, Salvador Levy, Brett Ellis, Aline Ellis, and Randi MacBride spoke individually about the current code requirements. Comments were made regarding the fines and accrual of which they were not aware. They had concerns about hedge heights and the loss of privacy which landscaping provides as well as the loss of value of the home when their yards are decreased because hedges are set back and lowered. They suggested that code changes should be looked at in different ways such as in scale to lot size and to meet the special needs of homeowners as well as the public. Alternative suggestions were given such as "corner bumps or planters. For safety issues, more four way stop signs and more enforcement of speed limits and drivers going through stop signs.

Mayor Dietch closed the Public Comments.

G. Staff Recommendations and Action on Discussion Items

The Commission had questions regarding the issuance of fines and its accrual. Director Damien explained the process of non-compliance notices to residents and eventually a civil fine notice. Commissioner Graubart clarified the use of the word "selective" enforcement of non-compliant residents.

1. A motion was made by Vice Mayor Karukin to release all liens related to code sections 90.92 and section 90.52. Commissioner Graubart made a friendly amendment to read "release liens and fines to those that have complied and to release liens and fines to those who have not complied once cost recovery has been paid not to exceed \$591.40." The amendment was accepted by Vice Mayor Karukin. The motion received a second by Commissioner Kligman. Motion carried with all voting in favor.

2. A motion was made by Mayor Dietch that a Workshop be scheduled prior to October 1, 2013 with Town and County. The Workshop is to include Engineer Dept., Police, Code Compliance, Town Attorney, Public Works, Town Planner and Administration, together with the County. Preliminary options are to be presented at the October Town Commission Meeting. The motion was seconded by Commissioner Kligman. All voted in favor.

Commissioner Kligman made a motion to look at the process that the Town is currently using (notice and civil notifications) and present recommendations during the September Town Commission Meeting. The motion was seconded by Commissioner Graubart and all voted in favor.

H. Adjournment

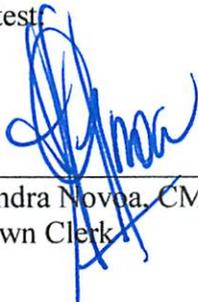
There being no further business to come before the Commission, the meeting adjourned at 10:27 p.m.

Accepted this 17 day of September, 2013



Daniel Dietch, Mayor

Attest



Sandra Novoa, CMC
Town Clerk