



**Town of Surfside  
Regular Town Commission Meeting  
MINUTES  
July 11, 2023  
6:00 PM**

Commission Chambers - 9293 Harding Avenue  
Surfside, FL 33154

**1. Opening**

**1A. Call to Order**

Mayor Danzinger called the meeting to order at 6:05 p.m.

**1B. Roll Call of Members**

Town Clerk McCreedy called the roll with the following members present:

Present: Mayor Shlomo Danzinger, Vice Mayor Jeff Rose, Commissioner Fred Landsman, and Commissioner Marianne Meischeid.

Absent: Commissioner Nelly Velasquez.

Also Present: Town Manager Hector Gomez and Town Attorney Tony Recio.

**1C. Pledge of Allegiance**

Sergeant Matelis provided the pledge of allegiance.

**1D. Mayor and Commission Remark - Mayor Shlomo Danzinger**

Mayor Danzinger welcomed everyone for coming out and to those watching from home.

Mayor Danzinger read the decorum statement into the record.

Vice Mayor Rose thanked everyone here and watching. He thanked the entire Town staff. He stated that thanks to the Town Staff for putting together the 2nd year memorial from beginning to end it was a success.

Commissioner Landsman thanked everyone for attending. He thanked the Parks and Recreation Department staff, the Tourist Board staff and the entire Town staff for a great Fourth of July event.

Commissioner Meisheid thanked the Parks and Recreation Department staff, the Tourist Board staff and the entire Town staff for a great Fourth of July event. She spoke regarding a message from a condominium resident that she wanted passed along to the other condominium residents and thank all condominium owners to request from their secretary of the HOA the records of their building and that they have read and understand Florida Statutes 718 and 61B as well as all the condominium documents to prevent a catastrophic disaster like what happened with the Champlain Tower South.

#### **1E. Agenda and Order of Business Additions, deletions and linkages**

Mayor Danzinger would like to walk on an item to appoint an alternate Planning and Zoning Board Member due to the resignation of a board member. This item will be new item 1H (Appointment of Alternate Planning and Zoning Board Member).

Mayor Danzinger requested to move item 3F (Nurse Enhancement Initiative for School Year 2023/2024) out of consent and to be heard after 1H (Appointment of Alternate Planning and Zoning Board Member).

Mayor Danzinger requested to move item 9A (Tennis and Recreation Center Design Review) to be heard after item 3F (Nurse Enhancement Initiative for School Year 2023/2024).

A motion was made by Vice Mayor Rose to approve the new reordering of items, seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

#### **1F. Community Notes - Mayor Shlomo Danzinger**

Mayor Danzinger provided his community notes and thanked staff for all the work done with the events. He spoke regarding the talks with the condominiums and a safety forum coming up. They are trying to get some of the legislators to come and speak regarding those bills and changes in the law. He recognized those employees celebrating their work anniversary.

Mayor Danzinger recognized Deputy Town Clerk Herbello for being selected as the new Florida Association of City Clerks (FACC) South District Director and for her attainment of the Athenian Dialogue Fellow. He thanked her for her hard work and dedication to the field.

Parks and Recreation Committee Chair Retta Logan provided a summary of what has been taking place with the Parks and Recreation Committee along with the events and the update of the 96th Street Park and the Summer Camp.

Tourist Board Vice Chair Jacobson and Chair of the Charter Review Board provided an update on the work that the Tourist Board has been doing along with the changes and recommendations that will be provided to the Commission for changes to the Charter.

Commissioner Meisheid asked regarding the new vendor hired yesterday by the Tourist Board.

Vice Chair Jacobson stated this vendor will do a Sunday Beach event. He explained how they would like to get more vendors to do different events and explained they hired two vendors yesterday. He provided clarification of the events and which vendors do what events.

Mayor Danzinger stated this is the first time they get a rough cut of a summary of what they are looking at reviewing of the recommendations from the Charter Review Board.

Town Clerk McCready stated they sent out a doodle this afternoon to schedule a few meetings to discuss the Charter Review Board recommendation.

### **1G. Approval and Presentation of National Parks and Recreation Month Proclamation - Mayor Shlomo Danzinger**

For the Town Commission to approve the proclamation as presented.

Mayor Danzinger introduced the item and spoke about the important role that the Parks and Recreation Department and staff plays in our community. Mayor Danzinger requested approval of the National Parks and Recreation Month Proclamation.

A motion was made by Vice Mayor Rose to approve the National Parks and Recreation Month Proclamation, seconded by Commissioner Meischeid. The motion carried with a 4-0 vote.

Mayor Danzinger read and presented the proclamation to the Parks and Recreation Department and Parks and Recreation Director Tim Milian.

[National Parks & Recreation Month - Request - July 2023.pdf](#)

[National Parks & Recreation Month - July 2023.pdf](#)

### **1H.) Appointment of Alternate Planning and Zoning Board Member**

Mayor Danzinger stated they had two applications and only one has the experience in development and planning.

A motion was made by Commissioner Landsman to nominate Andrew Bales as the second alternate Planning and Zoning Board Member, seconded by Vice Mayor Rose. The motion carried with a 4-0 vote.

## **2. Quasi-Judicial Hearings**

## **3. Consent Agenda**

***All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request that an item be removed from the Consent Agenda and discussed separately. If the public wishes to speak on a matter on the consent agenda they***

***must inform the Town Clerk prior to the start of the meeting by completing a speaker card. They will be recognized to speak prior to the approval of the consent agenda.***

A motion was made by Vice Mayor Rose to approve the Consent Agenda minus the pulled item, seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

**3A. Town Commission Meeting Minutes** - Sandra N. McCready, Town Clerk

Approved on Consent.

[June 13, 2023 Budget Workshop Commission Meeting Minutes.pdf](#)

[June 13, 2023 Regular Town Commission Meeting Minutes.pdf](#)

**3B. Board and Committee Reports/Minutes** - Sandra N. McCready, Town Clerk

Approved on Consent.

[December 21, 2022 Police Pension 185 Board Meeting Minutes.pdf](#)

[May 1, 2023 Tourist Board Meeting Minutes.pdf](#)

[May 15, 2023 Parks and Recreation Committee Meeting Minutes.pdf](#)

[May 24, 2023 Planning and Zoning Board Meeting Minutes.pdf](#)

[June 28, 2023 Charter Review Board Meeting Minutes.pdf](#)

**3C. FY 2023 Budget Amendment Resolution No. 8** - Hector Gomez, Town Manager

Town Administration recommends approval of this resolution.

Approved on Consent.

[Resolution Approving Budget Amendment No. 8](#)

[Attachment A - "FY2023 Budget Amendment No.8 TCM 07112023"](#)

**3D. Fraternal Order of Police (FOP) Collective Bargaining Agreement** - Hector Gomez, Town Manager

The Town Administration is recommending that the Town Commission adopt the resolution approving the Collective Bargaining Agreement with the Fraternal Order of Police Local 135 for 2022-2025 contract period.

Approved on Consent.

[Resolution Approving FOP Collective Bargaining Agreement](#)

[Attachment A - FOP Collective Bargaining Agreement 2022-2025.pdf](#)

**3E. Public Works Department Fee Schedule** - Hector Gomez, Town Manager

Town Administration is seeking Town Commission approval to adopt the fee schedule for permits and related services per **Attachment A** - "Fee Schedule" for Public Works Department permitting functions.

Approved on Consent.

[Resolution Approving Public Works Department Fee Schedule](#)

## Attachment A - "Fee Schedule"

### 3F. **Nurse Enhancement Initiative for School Year 2023/2024** - Hector Gomez, Town Manager

Town Administration recommends approval of the resolution which authorizes the execution of the Memorandum of Understanding, with an Amendment 6, for the continuation of expanded participation in the Nurse Enhancement Initiative for school year 2023/2024 in the amount of \$8,112 in October 2023.

This item was pulled from consent.

Town Clerk McCready read the title of the resolution into the record.

Town Manager Gomez introduced the item and spoke regarding the joint effort among the school and neighboring municipalities.

Koren Illa, City of Miami Beach presented the item and spoke regarding the neighboring municipalities that also participate with Ruth K Broad Nurse School Initiative and the importance of mental health support.

Mayor Danzinger stated it is a very important initiative and the mental health of all students is very important and the Town supports the initiative.

Mayor Danzinger opened the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comments.

A motion was made by Commissioner Landsman to approve the resolution, seconded by Vice Mayor Rose. The motion carried with a 4-0 vote.

[Reso Approving MOU - Amend. No. 6 to MOU School Nurse Initiative 23-24.docx](#)  
[Nurse Amendment #6 Municipalities 23-24.pdf](#)

## 4. Ordinances

### Second Reading

#### 4A1. **Creation of Chapter 76 "Public Rights-of-way" in the Town Code of Ordinances** - Hector Gomez, Town Manager

Town staff recommends approving this ordinance in order to provide clarity on allowances and permitting process for Town right-of-way encroachments and creating a mechanism for Public Works Right of Way permit fee structure.

Town Clerk McCready read the title of the ordinance into the record.

Town Manager Gomez introduced the item and provided an overview of the revisions to this ordinance.

Mayor Danzinger opened the floor to public comments.

The following individuals from the public spoke:

George Kousoulas

Gerardo Vildostegui

Mayor Danzinger closed the floor to public comment.

Vice Mayor Rose stated that he does not own the property the public speaker was referring to and is not selling it and would encourage individuals to not speak what is inaccurate and untrue.

Commissioner Landsman stated that is why you have first and second readings and that is when they get corrected. He appreciates the feedback and states this is to ensure what can be done within that right of way. He stated they are now in a better place.

Commissioner Meischeid stated that she is happy that the ordinance has been corrected.

Vice Mayor Rose stated that the intent of this ordinance was to create an avenue and believes the ordinance is good the way it is written.

Mayor Danzinger stated this ordinance shows a good intent. He stated that a resident on next door keeps saying this is being done as a favor for a developer. He stated that same resident continued spreading lies and even brought family members from the Champlain Towers South collapse telling them this was being done for DaMac. He stated all that is incorrect and that is what happens when you listen to nextdoor inaccurate information and comments. He stated this was a way for the Town to reclaim the land that was taken by residents. The intent was always clear.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading, seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

[Ordinance Right-of-Way.DOCX](#)

#### **4A2. Synthetic Turf - Hector Gomez Town Manager**

Town administration recommends review of the synthetic turf ordinance as presented in order to allow for a high quality and permeable synthetic turf option in the single-family home zoning districts. The Planning and Zoning Board recommended approval of this ordinance at their meeting on June 29th, 2023.

Town Clerk McCreedy read the title of the ordinance into the record.

Town Manager Gomez provided an overview of the ordinance and the changes for second reading.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:  
George Kousoulas

Mayor Danzinger closed the floor to public comment.

Commissioner Meisheid is against this item and believes that synthetic turf is not a living material and does not provide any environmental benefits like grass.

Commissioner Landsman stated there are options and choices and it is very important to give that to our community and this is an option and a choice. You are not telling them they have to install synthetic turf. These are options given. He stated he has had families that have tried to grow grass and for some reason it has not come to fruition, and we are not moving backwards.

Vice Mayor Rose agrees with Commissioner Landsman and this is a choice given and he supports this.

Mayor Danzinger respects Commissioner Meisheid's comments but does not agree with them. He appreciates the environmental concerns but there are also some environmental benefits for this as well and it is not a travesty. He stated that some need it and there are some that have insect problems and allergy issues.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading, seconded by Commissioner Landsman. The motion carried with a 3-1 vote with Commissioner Meisheid voting in opposition.

[Ordinance Synthetic Turf](#)

[Attachment A: Synthetic Grass Code Cases since 2017](#)

[Attachment B: Open Code Cases](#)

[Attachment C: ROW Synthetic Turf Detail](#)

**4A3. Zoning Code Amendment: Restaurants in H120 as an Accessory Use** - Hector Gomez, Town Manager

Town administration recommends consideration of this ordinance, as an accessory restaurant is no less compatible with multifamily residential than it is with a hotel and may be beneficial to the Town's residents and visitors by providing alternative dining options. Additional dining locations may further enliven the waterfront district by allowing for greater walkable destinations. The Planning and Zoning Board recommended approval of the ordinance at their meeting on June 29th, 2023.

Town Clerk McCready read the title of the ordinance into the record.

Town Manager Gomez introduced the item and the changes for second reading and it was vetting through the Planning and Zoning Board.

Town Attorney Recio clarified the one change that was made which is all restaurant

operations cease at 11:00 p.m. only in this area and hotels would not be subject to this provision.

Mayor Danzinger opened the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comment.

Mayor Danzinger stated this was unanimous on first reading and explained what this ordinance entails and the requirements.

Commissioner Landsman echoed that anything south of 94th to 88th Street, there is no service and a vast wasteland. This will allow some expansion of services to the community.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading, seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

[Ordinance Restaurants in H120 SR.docx](#)

[Attachment A: Current Zoning Code Regulated Uses by District](#)

## First Reading

### **4B1. Pension Ordinance Implementing 2022-2025 Collective Bargaining Agreement with Fraternal Order of Police (FOP) State Lodge 135 - Hector Gomez, Town Manager**

Town administration is recommending approving pension ordinance changes for first reading as a result of 2022-2025 Collective Bargaining Agreement with Fraternal Order of Police (FOP) State Lodge 135

Town Clerk McCready read the title of the ordinance into the record.

Town Manager Gomez introduced the item and provided an explanation of the ordinance and the collective bargaining agreement.

Mayor Danzinger opened the floor to public comments.

There were no public speakers.

Mayor Danzinger closed the floor to public comment.

Mayor Danzinger stated they want to be competitive with other municipalities and thanked our law enforcement officers and thanked the Town Manager for making it attractive to come work for Surfside.

A motion was made by Commissioner Meisheid to approve the ordinance on first reading, seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

[Pension Ordinance FOP CBA.docx](#)



**4B2. Average Setbacks in H30A and H30B Zoning Districts** - Hector Gomez, Town Manager

Town Administration recommends consideration of this ordinance change to allow for additional options in the design of new homes and the potential for increased ground floor setbacks.

Town Clerk McCready read the title of the ordinance into the record.

Town Manager Gomez presented the item and a summary of the ordinance.

Mayor Danzinger opened the floor to public comments.

The following individual from the public spoke:  
George Kousoulas

Mayor Danzinger closed the floor to public comment.

Town Attorney Recio provided an overview of the item and explained what the current code reads and the limitation of any continuous wall.

Commissioner Landsman spoke regarding the ordinance, and he would encourage that they incorporate this language into their design review guidelines to make sure they do not have homes like sugar cubes and give texture to walls and give more creativity.

Commissioner Meischeid is in favor of this item and the end result is less complicated and provides more options and flexibility.

Vice Mayor Rose spoke regarding the item and provided examples because the code can only be interpreted one way and he supports this.

Mayor Danzinger agrees with this ordinance and it does offer options.

A motion was made by Vice Mayor Rose to approve the ordinance on first reading, seconded by Commissioner Landsman. The motion carried with a 4-1 vote.

[Ordinance Amending 90-45 H30 Average Setbacks](#)

**5. Resolutions and Proclamations**

***If the public wishes to speak on any matters in this section of the agenda, they must inform the Town Clerk by completing a speaker card and they will be recognized to speak at the beginning of this section.***

Mayor Danzinger opened the floor to public comments for all items under item 5 (Resolutions and Proclamations).

There were no public speakers for items 5A (Emergency Replacement of Mechanical Air Conditioner Unit for the Town Community Center Facilities), 5B (Emergency Pump Station

Repair for Stormwater Pump Station Located at the 89th Street End), or 5C (Solid Waste Services Special Assessment Preliminary Rate Resolution).

Mayor Danzinger closed the floor to public comments.

**5A. Emergency Replacement of Mechanical Air Conditioner Unit for the Town Community Center Facilities** - Hector Gomez, Town Manager

Town Administration is seeking Town Commission authorization to expend a not to exceed amount of \$142,722 for the replacement of the air conditioning mechanical system in the Community Center and contract with Smart Air per proposal provided for scope of services. Funds were budgeted for current fiscal year 2023.

Town Clerk McCready read the title of the resolution into the record.

Town Attorney Recio provided an overview of the item and provided some corrections to the item which are the three components. He stated on page 246 on the agenda the amount shows \$122,974 it should \$142,722 and that occurs in section 2 same reference and the only other correction, the Town Manager enter into a purchase order and it should include also "or other agreement".

Town Manager Gomez presented the item and provided an example that occurred during the Fourth of July event which was that the Community Center had no air conditioning.

A motion was made by Vice Mayor Rose to approve the resolution with the recommendations of the Town Manager and corrections, seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

[Resolution Approving Emergency Repair Work Town Community Center Air Conditioner Unit.DOCX](#)

[Attachment A - Proposal One](#)

[Attachment B - "Proposal Two"](#)

**5B. Emergency Pump Station Repair for Stormwater Pump Station Located at the 89 Street End** - Hector Gomez, Town Manager

Town administration is seeking authorization from the Town Commission to execute a proposal agreement dated March 23, 2023, with Lift Stations R Us for emergency pump and motor repair work with authorization to expend a not to exceed amount of \$141,001.98.

Town Clerk McCready read the title of the resolution into the record.

Town Manager Gomez introduced the item and provided a summary.

Public Works Director Stokes explained that they have 3 pump stations that were installed in 2012 and one broke. They have a certain life expectancy and with the salt water it deteriorates quicker. He stated that the one that broke needs to be repaired. He stated this is one of three and all three are the same age and they

should start looking at replacing them or at least replace one.

Town Manager Gomez explained how the pumps work and the efficiency of having a newer pump is that it will be more efficient in pumping the water out.

Vice Mayor Rose suggested having a backup pump to have one in reserve. He suggested including it in the budget and state that this commission is the one reinvesting in infrastructure.

Mayor Danzinger spoke regarding the stormwater master plan.

A motion was made by Vice Mayor Rose to approve the resolution, seconded by Commissioner Meisheid. The motion carried with a 4-0 vote.

[Resolution Approving and Authorizing Pump Stations R Us - Motor and Pump Replacement](#)

[Attachment A - "Town of Surfside Pump and Motor Repairs Proposal"](#)

**5C. Solid Waste Services Special Assessment Preliminary Rate Resolution -**  
Hector Gomez, Town Manager,

Town Administration recommends that the Town Commission adopt the resolution as a matter precedent to the final assessment resolution. This resolution does not levy the assessment, but merely notices the public of the Town's intent to again assess for this service and sets the place, date, and time for the final hearing.

Town Clerk McCready read the title of the resolution into the record.

Town Manager Gomez introduced the item and provided a summary of the resolution. He stated that they need to officially advertise this resolution in order to add this to the TRIM Notice.

A motion was made by Vice Mayor Rose to approve the resolution, seconded by Commissioner Meisheid. The motion carried with a 4-0 vote.

[Preliminary Rate Resolution For Solid Waste Assessments July 2023.doc](#)

[Surfside July 11 CC - Preliminary Solid Waste Assessment.docx](#)

**6. Good and Welfare (Set for approximately 8:15 p.m.)**  
***Public comments for subjects or items not on the agenda.***

Mayor Danzinger read the decorum statement to the public.

Mayor Danzinger opened the floor to public comments.

The following individuals from the public spoke:

Gerardo Vildostegui spoke regarding LGBTQ individuals leaving the State of Florida. He spoke regarding the event planning change to the Tourist Board with the Summer Sundays.

Joel Thieme thanked the Commission for the raising of the pride flag. He spoke regarding

people putting spotlights outside their homes and it is disturbing to the neighbors. George Kousoulas spoke regarding the statement made regarding the spot lights at that home. He also spoke regarding the Tourist Board and the decision they made regarding the vendor for the Sunday events.

Alicia Boymelgreen spoke regarding the Tourist Board and they should get an objective criteria on how they determine the success of the vendor and events and could not believe they cancelled the vendor.

Debra Cimadevilla spoke regarding the drainage project and statements were made that were incorrect.

Antonella Capuzzo spoke regarding the Summer Sunday events being cancelled and believes it is a great event and Sara Liss has helped her.

Mayor Danzinger closed the floor to public comments.

Commissioner Landsman thanked everyone sharing and appreciates the comments. He addressed the comments made regarding LGBTQ and believes we should be welcoming to everyone that would like to live in Surfside. He commented on the spot lights. He asked for the Town Planner to see if they can put a limitation on the lumens on the lights. He addressed the comments made regarding the Tourist Board and he stated his understanding is there is a change on the vendors for the remaining two events. The events will still happen with the new vendors. He encouraged everyone to come Thursday to discuss the infrastructure.

Commissioner Meisheid addressed the comments made by the public. She asked if there are any rules in the code regarding spotlights in the residential area.

Town Attorney Recio stated there is a section regarding outdoor lighting but it is limited and explained the limitation it speaks about.

Town Manager Gomez stated they can assess the issue brought forth and they will look into this.

Town Attorney Recio stated that the overspill cannot over exceed a one-foot candle but it is a minimum amount of light that can overspill.

Commissioner Meisheid is very surprised and concerned about what happened at the Tourist Board. She asked if it is possible to find out what went on.

Mayor Danzinger stated they can look at the video. He stated that the two events were given to another vendor. He stated it is not the power of this Commission and it is the Tourist Board who can hire or fire any of their vendors. This is not something that the Commission gets involved in.

Commissioner Meischeid believes they should have more involvement.

Mayor Danzinger suggested she should speak with the Chair and then she can bring it back at the next commission meeting. You cannot legislate because two people got up and spoke.

Vice Mayor Rose addressed the comments made by the public speakers. He spoke regarding the Tourist Board and they do not have any control over the money or their decisions and they cannot get involved. He addressed the comments made by Mr. Thieme and knows exactly the house he is speaking about and it was approved by the previous commission. He stated they need to look at the whole town as a comprehensive plan. He stated for the record that a former elected official on next door is trying to say that this commission are trying to hide things by having the meetings held earlier. He stated that is completely false, and he pulled agendas from 2018 and all budget meetings were at 5 pm, special zoning meetings were at 6 pm and quasi-judicial meetings at 6 p.m.

Mayor Danzinger addressed the comments made by public speakers and does not believe many of the media reports and it is not about an issue against LGBTQ but giving everyone the same opportunity. He stated on the record everyone is welcomed here but profanity is not welcomed. He addressed the comments made regarding the Tourist Board and he had no say on what they do. He encouraged people to attend those meetings. He stated the events were not cancelled but given to another vendor in order to provide a variety of events. He addressed the comments made regarding the house with the spot light. He addressed the comments regarding drainage, and it is a town wide issue and encouraged everyone to come out to the Town Hall Meeting on July 13, 2023 at 6:30 p.m.

## **7. Town Manager and Town Attorney Reports**

### **7A. Town Manager's Report - Hector Gomez, Town Manager**

Town Manager Gomez provided a summary of his Town Manager's Report and updates on the projects and events.

Commissioner Meischeid asked if the Town Manager could provide a schedule on the construction of 96th Street Park.

Town Manager Gomez stated he could give them milestones and if the Commission desires he could replace the existing report with the new one suggested.

Vice Mayor Rose stated he would like to keep the current one and he can add the milestones.

A motion was made by Commissioner Meischeid to approve the Town Manager's Report, seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

## **7B. Town Attorney's Report**

Town Attorney Recio provided a summary of his Town Attorney's Report and provided the litigation update.

A motion was made by Commissioner Landsman to approve the Town Attorney's Report, seconded by Vice Mayor Rose. The motion carried with a 4-0 vote.

[Town Attorney Report July 2023](#)

## **8. Unfinished Business and New Business**

### **9. Mayor, Commission and Staff Communications**

Mayor Danzinger opened the floor to public comments on all items under 9 (Mayor, Commission and Staff Communications).

The following individual from the public spoke:

George Kousoulas spoke regarding the carports (item 9C. Allowed Carport Materials).

Mayor Danzinger closed the floor to public comments.

### **9A.**

#### **Tennis and Recreation Center Design Review**

- Hector Gomez, Town Manager

Town Administration is requesting approval of the presented design for the Tennis Recreation Center so that sub-consultant can continue design efforts.

This item was heard after item 3F (Nurse Enhancement Initiative for School Year 2023/2024).

Town Manager Gomez introduced the item and what is needed is direction from the Commission to move forward to the next step which is construction. He introduced the architect of record, landscape architect and consultant.

William Lane, architect of record provided a presentation of the design and construction of the item and project.

Town Manager Gomez stated that phase 2 includes Veteran's Park but that portion will be brought back to them at a later time.

Kelly Heitzig, Savino Miller, continued with the presentation of the design of the project.

Mayor Danzinger opened the floor to public comments.

The following individuals from the public spoke:

George Kousoulas  
Ben Jacobson

Mayor Danzinger closed the floor to public comments.

Parks and Recreation Director Milian spoke regarding the design of the building and addressed the comments made by the public speakers.

Mayor Danzinger stated they have done a good job analyzing this and going through the budget and appreciates that the administration tells them what they need to hear not what they want to hear. He appreciates that.

Commissioner Landsman appreciates the limited feedback from the community. He stated they are not talking about funding or budget but the plans and giving approval to further the details of the plan. He stated that the landscape is key to tie into Veteran's Park. He stated that they will further discuss budget of the project later on. The intent is to see the design today.

Commissioner Meischeid stated it looks like a great design and who is looking at cost and program control. She stated this demonstrates that they need a facility department to oversee it. She supports this new facility department to look over the project.

Town Manager Gomez addressed the comments made and stated the Commission has authorized him to move forward with the Capital Improvements Department and a lot of this will be handled through this department, but it is a joint effort with the Parks and Recreation Department.

Vice Mayor Rose thanked the consultants for the presentation. He stated it has been a great design and thanked the team for looking at it as a whole and filling the needs of the residents.

Town Manager Gomez stated what they are looking for is consensus that they are good with this to move forward with the design and put the documents together.

Mayor Danzinger stated this project is to address different items and the focus of the health and well-being of the residents. He spoke regarding the Veteran's Park and it needs attention to properly recognize those men and women that sacrificed their lives for our freedom.

A motion was made by Vice Mayor Rose to move forward with this project, seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

[Attachment A - "Presentation"](#)

[Attachment A - Surfside Tennis and Recreation Center Presentation.pdf](#)

**9B. Harding Avenue Front Yard Paving Allowance - Hector Gomez, Town Manager**

Town administration recommends consideration of an increased paving allowance for front yard setbacks on Harding Avenue to allow for the parking of three cars on

site, as no curb side parking is allowed on Harding Avenue. It is recommended that the requirement for 30% landscaping for front yards remains, but the paving be permitted to increase from 50% to 70% in the front yard setback. The minimum pervious requirement for the total lot would remain the same.

Town Manager Gomez introduced the item and stated it is applicable to Harding Avenue and those properties have a hardship that they cannot park there and pull in and out. He stated conversations were had to see how they can help and accommodate them.

A motion was made by Vice Mayor Rose for purposes of discussion, seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

Vice Mayor Rose provided a summary of this item and what the code states and what the residents are doing.

Commissioner Landsman provided examples of what has been done and what needs to be done to rectify this and it is for existing driveways. He asked if the Town Planner has received any requests from residents to change their driveways.

Town Planner Frankel addressed the comments made and she has spoken with a couple of homeowners on Harding Avenue. She explained what they suggested was adding gravel.

Mayor Danzinger spoke regarding what is taking place and believes an item like this would encourage homeowners to beautify their home.

Commissioner Meischeid agrees with this.

A motion was made by Vice Mayor Rose to approve this item to move forward as a first reading ordinance, seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

**9C. Allowed Carport Materials** - Hector Gomez, Town Manager

Staff recommends consideration of the allowance of additional materials for carports.

Town Manager Gomez introduced the item and what the code provides and allows.

A motion was made by Vice Mayor Rose for purposes of discussion, seconded by Commissioner Landsman.

Vice Mayor Rose stated that he would like to see a more modern material being used and believes there is a more modern option for this.

Commissioner Landsman stated he has seen some that look horrible. He stated if they move this forward to have the Town Planner come back with recommendations of materials and they need to be specific, be sustainable and per our design review guidelines.



Commissioner Meischeid stated that she has a problem with this item.

Vice Mayor Rose stated the poles are permanent and asked Commissioner Landsman as the Planning and Zoning Board Liaison to ask them if they want to address this or just the material portion.

Commissioner Landsman suggested to let it go for first reading and believes this should go to the Town Planner but they do need to have the shape, overall structure, architecture, and materials in the design review guidelines.

Mayor Danzinger does not like carports and the last thing he would like is to have permanent carports but understands the need for them but would like to see the design and materials. He is concerned about how close it would be to the easement.

Town Planner Frankel addressed the comments made as it pertains to the code and what would be allowed.

After a lengthy discussion, the following motion was made.

A motion was made by Vice Mayor Rose to move this forward as a first reading ordinance, seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

**9D. Tobacco and/or Vape Shops in Business District** - Commissioner Fred Landsman

For the Town Commission to discuss and consider creating an ordinance limiting the number of tobacco/vape shops and/or their proximity to each other.

Commissioner Landsman introduced the item and he stated that currently they have two open businesses that operate as vape shops and there is a third tobacco business under construction. He does not believe they need anymore and knows there is a category in the code. He would like to restrict the business license if you want to open a tobacco/vape store you cannot open it within a certain distance from the others.

Mayor Danzinger suggested using a different catalyst to restrict them. He stated that one has been here for a long time and discussed the variety of the other businesses. He stated that one is going to be a cigar lounge which is different. He stated they have a right to restrict to maintain a certain image of the Town. He would like to remove tobacco from that list and have the Commission approve the business if it falls within that category.

Commissioner Landsman asked if they could remove that category and make it an additional use.

Town Attorney Recio stated yes they could.

Mayor Danzinger stated that the Town Planner creates the category where the business would fall into.

Commissioner Landsman would be able to support the way it would be drafted.

Commissioner Meischeid stated that this restriction would put a hardship on some of the business owners.

After a lengthy discussion the following motion was made.

A motion was made by Commissioner Landsman to move forward with an ordinance for first reading to create a separation of this particular category to require additional use approval by the Commission, seconded by Vice Mayor Rose. The motion carried with a 4-0 vote.

A motion was made by Vice Mayor Rose to start the August 8th meeting at 6:00 p.m., seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

## 10. Adjournment

There being no further business to discuss before the Commission, a motion was made by Vice Mayor Rose to adjourn the meeting at 9:38 p.m., seconded by Commissioner Landsman. The motion carried with a 4-0 vote.

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2023.

---

Shlomo Danzinger, Mayor

Attest:

---

Sandra N. McCready, MPA, MMC  
Town Clerk