



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the April 9th, 2007 Regular Town Council Meeting called for 7:30 P.M.

A. MEETING CALLED TO ORDER

Meeting called to order by Mayor Singer at 7:43PM

B. ROLL CALL

The Town Clerk called roll

Council Members Present: Mayor Singer, Vice Mayor Bernstein, Council Member Einstein, Council Member Lusskin, Council Member Rojas.

Staff Present: Town Manager – Alexander Diaz, Town Attorney – Stephen Helfman, Finance Director – Maria Camacho, Lieutenant Gary Smith, Town Clerk – Elizabeth Sewell

C. PLEDGE ALLEGIANCE

The new Town Manager led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

None

E. MOTION TO SET THE AGENDA

ADDITIONS/ DELETIONS/ REMOVAL OF ITEMS FROM CONSENT
AGENDA/ AND CHANGES TO AGENDA

Mayor Singer:

Requested to remove Item # P3, P4 and P6.

Requested to add discussion of Separation /Waiver of Plat as Item Q6.

F. TOWN BOARD/COMMITTEE REPORTS

Beach Committee

June Krogoll - reported that the Beach Committee had not met this year and needed to resume conducting their meetings. She advised that the Private Beach signs were missing, and residents were very concerned by the heavy use of the beach by non-residents. She explained that Council had approved

the Beach Pavilion Restoration project, the kayak rack and the safety rope, the Beach Committee needed an updated on the status of those projects.

Beautification Committee – Cancelled for April

Comprehensive Planning Board – Cancelled for April

Recreation Committee

Dina Nicolella announced the Pot Luck Dinner at Tweddle Park on April 15, 2007 with lots of entertainment for the children from 3:30 to 5:30 pm and from 5:30 to 8:00 pm for the adults.

Security/Public Safety Committee – Cancelled for April.

Mayor Singer directed the town clerk to send memos to the committees' chairpersons asking them if they would be conducting their regular monthly meeting this month, and if they would be interested in recruiting new committee members.

Youth Leadership Group

Council Member Lusskin reported that the Youth Leadership Group were selling Care Bears and have already raised some money. She stated that they would be selling the Care Bears at the Pot Luck Dinner and asked everyone to support them because it was for a worthy cause. The proceeds will be donated to the American Heart Association.

G. GOOD AND WELFARE

Dina Nicolella – 522 North Parkway

Mrs. Nicolella read a letter into the record regarding the safety of the children walking along the north park area and the flow of traffic.

Alene Fishbein – 256 Golden Beach Drive

She stated that there should be better notification of the Town Council meetings to the residents.

H. MAYOR'S REPORT

- **Tallahassee Trip**

Mayor Singer stated that the trip to Tallahassee by the Mayor, Vice Mayor, Council Member Lusskin, Town Manager, Finance Director and the town's Lobbyist was to secure funding for the town's improvement project.

- **Landscaping along Massini Avenue**

Mayor Singer advised that he was able to secure 100 plants for under \$10,000., which would save the town approximately \$15,000 to \$20,000. He said by the end of the week the installation of the plants should be completed.

- **New Town Manager**
The Mayor welcomed the new Town Manager, Alexander Diaz. He explained that the contract was close to being completed.
- **Beach Pavilion**
Mayor Singer reported that the RFP for the renovations of the Beach Pavilion was near completion. He explained that the reason it was taking a while is because it is a historical building and the renovations have to be approved by the historical society and Miami-Dade County.
- **Close Circuit Television Camera – RFP**
Mayor Singer advised that the RFP for this project is open to potential bidders. This project is to purchase and install fifteen (15) additional cameras throughout the town to enhance the town's security system.
- **Attorney/Client Session**
Mayor Singer advised that the Town Attorney needed to schedule an Attorney/Client Session. He reported that he asked the Finance Director to do a spreadsheet of all of the outstanding legal cases and the legal cost to date. He wants to get these legal matters resolved.
- **Beach Security/Resident ID Cards**
He stated that he agreed with the residents there were too many non-residents using the beach. He explained that the town implemented the ID badges and not even 5% of the residents have ID badges. He asked the Council to ask the residents to obtain their ID badges and the Police Department needs to enforce residents having their ID badges.
- **Capital Improvement Project**
Mayor Singer reported that he had met with the engineers for this project. They discussed sidewalks and devices to slow the traffic down on Golden Beach Drive. The beautification project on A1A estimated to cost approximately two million dollars. We are trying to obtain funding for the Storm Water Project in Tallahassee. The undergrounding of Utilities will also be discussed. He explained that Florida Power & Light had offered to pay 25% of the cost for undergrounding the utilities, and they may be willing to increase it to 50% of the cost. A formal presentation of the projects to the Town Council will be forthcoming at the next Regular Town Council Meeting.

I. COUNCIL COMMENTS

Vice Mayor Bernstein

- Stated that there needs to be better advertisement of the Town Council Meetings.

Council Member Lusskin

- Welcomed the Finance Director, Maria Camacho, back to work after the birth of her daughter Madison.

- Asked the Town Clerk to send a letter to the Chairpersons of the committee reminding them of their monthly scheduled meetings.
- Suggested that since hurricane season is approaching the town's catch basins should be cleaned in preparation for the storm water and the town should be coconut free.
- Asked about the companies that come into town and mark the streets and leave them without cleaning the marks off. The Town Manager stated that he would look into how to have the companies clean off the streets when they make marks on them.
- Stated that she thought that the safety rope had been installed at the beach by Miami-Dade County. She said she would check with the town's lifeguard in regards to this matter.

Council Member Einstein

- Stated that he was pleased with the coconut tree removal
- Stated that although he understood why the families had placed little green men in their swales along Golden Beach Drive, but he did not think this was the appropriate way to handle this matter.
- Advised that there was a need for more police monitoring especially during the critical hours.

Council Member Rojas

- Advised that she had received a letter from Florida Power and Light regarding the annual tree trimming project in preparation for the hurricane season.
- Stated that a very good idea would be to make a walking path around the north park area.
- Observed major construction being done on weekends and no police presence was observed.

J. TOWN MANAGER REPORT

Mr. Alexander Diaz thanked the Council for providing him with the opportunity to serve as the Town Manager. He explained that toward the end of May there would be a cleaning of Town Hall, archiving of documents, putting documents in an electronic format, which will decrease the cost for storing records and making documents more easily available to residents. One of his goals is to have the electronic documents available on the web site. He promised the council that he would meet with each councilperson on an individual basis and brief them of all agenda items before the council meetings. The agenda will be available to the public in a timely manner.

K. TOWN ATTORNEY REPORT

None

L. ORDINANCES – SECOND READING

NONE PRESENTED FOR CONSIDERATION

M. ORDINANCES - FIRST READING

1. **Ordinance Amending the Town of Golden Beach Employees' Pension Plan to Comply with Provisions of the Agreement Between the Town and Florida State Lodge, Fraternal Order of Police October 1, 2004 to September 30, 2007. (Ordinance No. 519.07)**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA AMENDING THE TOWN OF GOLDEN BEACH EMPLOYEES' PENSION PLAN TO COMPLY WITH PROVISIONS OF THE AGREEMENT BETWEEN THE TOWN AND FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE OCTOBER 1, 2004 TO SEPTEMBER 30, 2007; PROVIDING FOR THE PURCHASE OF CREDITED SERVICE FOR PRIOR LAW ENFORCEMENT AND MILITARY SERVICE AT THE POLICE OFFICER MEMBER'S EXPENSE; PROVIDING FOR THE REDUCTION OF NORMAL RETIREMENT FROM 25 YEARS TO 20 YEARS OF SERVICE AT AGE 52 FOR POLICE OFFICER MEMBERS; PROVIDING FOR AN INCREASE IN POLICE OFFICER MEMBERS' MULTIPLIER FROM TWO AND THREE QUARTERS TO THREE PERCENT FOR SERVICE AFTER OCTOBER 1, 2006; PROVIDING FOR A THREE YEAR DEFERRED RETIREMENT OPTION PLAN FOR POLICE OFFICER MEMBERS; PROVIDING FOR AN INCREASE OF POLICE OFFICER MEMBERS' CONTRIBUTIONS FROM TWO-THREE TENTHS PERCENT TO SIX PERCENT; PROVIDING FOR AN INCREASE IN THE SERVICE INCURRED DISABILITY BENEFIT TO SEVENTY PERCENT OF THE POLICE OFFICER MEMBERS' EARNINGS IN EFFECT ON THE DATE OF THE DISABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit : Agenda Report No. 1
Ordinance No. 519.07

Recommendation: Motion to approve Ordinance No. 519.07

Mayor Singer explained that this was an agreement between the Town and the Fraternal Order of Police. Several months ago, this agreement was approved and the financial impact is already included in the Town's Budget.

The Town Attorney explained that this ordinance was to modify the Town's Pension Plan in respect to Police Officers only. Therefore, this is the ratification of the agreement within the Town's ordinance itself.

Motion to approve Ordinance No. 519.07 by Vice Mayor Bernstein. Seconded by Council Member Lusskin.

Vote: Mayor Singer - Aye; Vice Mayor Bernstein - Aye; Council Member Einstein - Aye; Council Member Lusskin - Aye; Council Member Rojas - Aye.

N. QUASI JUDICIAL RESOLUTIONS

NONE PRESENTED FOR CONSIDERATION

O. CONSENT AGENDA

2. Minutes of March 8, 2007 Regular Town Council Meeting

Motion to approve by Council Member Lusskin. Seconded by Council Member Rojas.

Vote: Mayor Singer - Aye, Vice Mayor Bernstein - Aye, Council Member Einstein - Aye, Council Member Lusskin - Aye, Council Member Rojas - Aye.

P. TOWN RESOLUTIONS

- 3. Support For the Interlocal Agreement for Distribution of Charter County Transit System Surtax Proceeds Levied by Miami-Dade County (RESOLUTION No. 1843.07)-- Sponsored by Town Manager - PULLED**
- 4. Authorizing the Use of the Miami-Dade College School of Justice Assessment Center to Administer the Golden Beach Police Sergeant Promotional Process (RESOLUTION NO. 1844.07)-- Sponsored by Town Manager - PULLED**
- 5. Approval of Building Advisory Board Appointment (RESOLUTION No. 1845.07)-- Sponsored by Town Clerk**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPOINTING A MEMBER TO THE TOWN OF GOLDEN BEACH BUILDING REGULATION ADVISORY BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 1845.07

Recommendation: Motion to approve Resolution No. 1845.07

Mayor Singer explained that this was appointing Mr. Fred Chiounard to serve as an alternative member of the Building Regulation Advisory Board.

Council Member Luskin thanked Mr. Chouinard for his willingness to serve on this board. She also thanked Mrs. Doris Cohen for her years of service and recommended that the Council present Mrs. Cohen with a plaque in appreciation for service.

Mayor Singer directed the Town Clerk to have a plaque made in appreciation for Mrs. Cohen and to be presented to her at a council meeting.

Motion to adopt Resolution No. 1845,07 by Council Member Luskin.
Seconded by Council Member Einstein.

Vote: Mayor Singer - Aye, Vice Mayor Bernstein - Aye, Council Member Einstein - Aye, Council Member Luskin - Aye, Council Member Rojas - Aye.

6. **Approval of the Agreement between the Town and the Town Manager (RESOLUTION No. 1846.07)—Sponsored by Mayor Glenn Singer - PULLED**

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

1. **Rental of Town Beach Pavilion for Parties and Events-Sponsored by Mayor Singer**

Mayor Singer explained that this item was on for discussion because there have been several complaints from residents regarding the events at the beach pavilion. He distributed the current ordinance that pertains to the policies and procedures regarding these events. He asked the Council to review the policies and bring back suggestions and ideas at the next council meeting of how to improve them. He further stated that the residents on the beach complained, the parties were too long and the music was too loud. He would like to have a discussion regarding this matter as a group at the next council meeting.

2. **Dog Park/Soccer use for vacant A1A Lots - Sponsored by Mayor Singer**

Mayor Singer stated gates were ordered for the property on A1A which can be utilized as additional parking for the residents on A1A. He spoke with Ken Jones and Mr. Jones will provide a quote to grade, plant additional sod and install an irrigation system on that property.

Council Member Rojas presented an article regarding the positive and negative about having a dog park. She suggested using the property

for a dog park since most of the residents that live in her area have dogs.

Vice Mayor Bernstein advised that the north park field needed to be properly graded so that the children could have a level field that they could play on. He spoke with Craig A. Smith and Associates regarding the field but they informed him that the contract required them to put the field back in the condition they found it, and they said the field was not level. He suggested meeting with Mr. Ken Jones to find out what it will cost to grade the field properly.

Council Member Lusskin stated she agrees with having a dog park. However, the purpose for buying the lots was to provide parking for the residents that live on A1A.

Mrs. Alene Fishbein – 256 Golden Beach Drive - stated that she was very much in favor of purchasing the lots on A1A. However, she is not in favor of spending that much money for the property and utilizing it as a dog park.

Alice Meltzer - 122 Golden Beach Drive – Maybe if the size of the dog park was decrease then the property could be utilized for more than one purpose. She suggested the area in front of the basketball court as an alternative site for the dog park.

Dina Nicoella – 522 North Parkway - Suggested utilizing the lots on A1A for parking. She also suggested installing slower speed limit signs around the north park area as in the south park area for the safety of the children using the park in the north area.

Vice Mayor Bernstein stated that if the primary purpose for purchasing those lots was to provide parking then the Council should look into making those lots available for parking.

Mayor Singer suggested leaving the lots as green space and utilizing it for parking.

Mr. Diaz stated that he would incorporate some of the Council and residents suggestions and ideas and bring back a plan for the lots on A1A.

3. Fishing Behind Ocean Front Properties- Sponsored by Mayor Singer

Mayor Singer explained that the Town can prohibit commercial fishing on the beach behind the residents' homes. He advised that the town of Sunny Isles has an ordinance that prohibits commercial fishing. He suggested that the Council adopt an ordinance that prohibits commercial fishing in Golden Beach.

4. Capital Improvement Projects- Sponsored by Mayor Singer

Council Member Rojas stated that extending the road and putting hedge between the roadway and the bike path is not a good idea because the traffic will demolish the hedge. She was concerned about the property of the residents that would be affected by the widening of the road to accommodate the bike path. She advised that she had contacted a representative of Florida Power and Light that had conducted workshops at the Town of Golden Beach regarding the undergrounding of the utilities. She stated that the FPL representative had informed her that the attendance was not too great. She asked the FPL representative if she would be willing to come out and do another workshop regarding this same matter once the Council has a clear direction regarding the undergrounding the utilities and the representative's response was yes.

Mayor Singer stated that the engineers for the Capital Improvement Plan would be making a presentation at the next council meeting, and the council will discuss these projects further.

5. Guard Gate Security – Sponsored by Councilmember Rojas

Council Member Rojas stated that she had received several phone calls from concern residents regarding the security at the Police Substation. This is due to the constant change of personnel because of payroll issues. She also said that most of the time when she is coming in at the guard gate she notices that staff does not even check who is coming through the guard gate, they keep their heads down, push a button and let the car through the gate.

Mayor Singer stated that he had met with Mr. Navarro and the President of Navarro Security Company regarding the financial concerns. He explained that the security company had changed their payroll cycle and bank which was causing the problem. However, the staff person who resigned from the security company did so because he had received a better position with more compensation. Mayor Singer stated that he had brought to the attention of the security company the concern that their personnel was not checking the identification of people coming into the town. He was assured that administration would speak with staff in regards to this matter. He advised that he noticed staff was checking people's identification more since his meeting.

6. Separation/Waiver of Plat

Mayor Singer stated that it was brought to his attention that people have been buying 100' lots and dividing them into two 50' lots. He explained that one of the unique features of Golden Beach is the 100' or 150' lots. He said that many residents are against have a community that has small lots with zero lot lines. He does not want developers coming in to the town and dividing 100' lots into smaller

lots. He asked for an ordinance that would prohibit lots being less 100'.

Town Attorney stated that in order to create a new development parcel the minimum requirement would be a 100' lot. If you already have a lot size that is smaller than 100' you can build on it. However, if you have multiple lots that you could subdivide into lots less 100' you could not build on them.

Motion made to adjourn by Mayor Singer. Seconded by Council Member Lusskin.

Consensus vote of 5 Ayes 0 nays.

R. ADJOURNMENT at 10:14 PM

Respectfully submitted,

Elizabeth Sewell

Elizabeth Sewell, CMC
Town Clerk