



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

**Official Minutes for the April 25, 2017
Special Town Council Meeting called for 7:00 P.M.**

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:03 p.m.

B. ROLL CALL

Councilmember's Present: Mayor Glenn Singer, Vice Mayor Judy Lusskin, Councilmember Kenneth Bernstein, Councilmember Jaime Mendal, Councilmember Amy Isackson-Rojas

Staff Present: Town Manager Alexander Diaz, Town Clerk Lissette Perez, Town Attorney Steve Helfman, Police Chief Rudy Herbello, Building Director Linda Epperson

C. PLEDGE OF ALLEGIANCE

Chief Herbello led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

TEACH FOR AMERICA PRESENTATION – by Executive Director Samantha Hoare

Proclamation presented to the Bicycle Action Committee and Mr. Richard Cahlin

E. MOTION TO SET THE AGENDA

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

F. GOOD AND WELFARE

Mr. Jean Marc Girardin, 477 Ocean Blvd.

Spoke on the new regulations that are being proposed for the 50-foot lots, but decided to hold his comments until the discussion of the ordinance.

Mrs. Sydell Herrick, 625 Ocean Blvd.

Thanked the Town and the police department for their swift response last week when her husband became ill.

Also thanked the Town for having a surveyor out on the beach and for listening to her concerns and taking action.

G. MAYOR'S REPORT

Met with the Governor's Office and Senators in Tallahassee with the Town Manager earlier in the month, very productive meeting – requesting money for the Town's lighting project.

Received many complaints about the dog park – it is going to be moved and be much bigger and have more shade. Planning a special event for the grand re-opening of the dog park where residents will be able to bring their dogs.

Can't urge everyone enough to try to get their flag logo in. The competition will be cut off at the end of May.

Mentioned that the Town was once again awarded the budget award for the 2016-2017 budget.

H. COUNCIL COMMENTS

Councilmember Mendal

Welcomed back the Town Manager and happy that Mr. Herrick is feeling better.

Vice Mayor Lusskin

Stated that something needs to be done about the pedestrian gate. Maybe not worth having it if it is constantly going to be breaking and the Town having to fix it.

Also received phone calls about some wires hanging on A1A.

And to be proactive, maybe the Town should start looking at mosquito control for the coming mosquito season.

Councilmember Bernstein

Stated that maybe the Town should look at a scholarship award for the children to get more of them motivated to participate with the flag competition.

Stated that there has been an increase of break-ins in the surrounding residential areas, and maybe there is something the Town can do to take more preventative measures to deter crime.

Councilmember Rojas

Mentioned that there are some issues with the pump in North Park and asked the Manager to update them on this issues as well as the flooding at The Strand.

I. TOWN MANAGER REPORT

Re-iterated the Mayor's remarks that they had very successful meetings in Tallahassee. Does have an update on when the gatehouse and beach pavilion projects will be brought before the council – both projects should be brought before the council in June. Expecting to break ground in July and working through September.

Will also be bringing some street lighting options for the Council in June.

Related to the ocean, the Town did have a comprehensive review of the ocean's typography done recently. Now have a comprehensive approach available to beach renourishment should any resident want to endeavor into a beach renourishment project on their own.

Related to canal maintenance, the scope has diminished significantly and it is a more manageable approach to canal maintenance. A canal maintenance program is definitely in the Town's foreseeable future.

As it relates to the pedestrian gates, the Town is looking a possible solution of installing revolving doors that will only allow pedestrians to exit the Town forcing all those who want to enter to enter from The Strand.

Also looking at the pilot program of making the North and South gates exit only gates in the morning and late at night.

Mayor and he will be walking A1A with the Landscape Architect next week to look at more ways to beautify it.

In North Park, prior to him coming on board, the Council authorized a storm water project in North Park where the pipe that has been damaged was installed. The pipe in the park is going to be replaced with a concrete pipe, but the pump system is not damaged and working.

As it relates to the wires on Ocean Boulevard, Atlantic Broadband will be clearing up the wires as soon as the project they are working on is completed.

J. TOWN ATTORNEY REPORT

None

K. ORDINANCES – SECOND READING

None

L. ORDINANCES - FIRST READING

1. An Ordinance of the Town Council Amending the Town's Code to Address Land Filling and Land Disturbing Activities.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE VI "SOIL EROSION, FUGITIVE DUST AND SEDIMENT CONTROL," OF CHAPTER 14, "ENVIRONMENT," TO ADDRESS LAND FILLING AND LAND DISTURBING ACTIVITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 572.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 572.17

A motion to approve was made by Vice Mayor Lusskin, seconded by Councilmember Rojas.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Absent</u>
Councilmember Mendal	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Aye</u>

The motion passed.

Town Manager stated that this ordinance is straight –forward. Item brings town to conformity with both county and state codes.

2. An Ordinance of the Town Council Amending the Town’s Code To Revise Requirements for Undersized Lots.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, TO AMEND SUBPART B, “LAND DEVELOPMENT REGULATIONS” OF THE TOWN’S CODE OF ORDINANCES BY DELETING ARTICLE II “DESIGN STANDARDS” OF CHAPTER 58 AND INCORPORATING THOSE PROVISIONS INTO RELEVANT SECTIONS OF CHAPTER 66; AMENDING CHAPTER 66 “ZONING” TO REVISE REQUIREMENTS FOR UNDERSIZED LOTS AND REVISE AND REORGANIZE DISTRICT REGULATIONS INCLUDING SETBACKS, LOT RESTRICTIONS, ENCROACHMENTS AND ADOPT NEW COMPREHENSIVE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Ordinance No. 573.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 573.17

A motion to approve was made by Councilmember Rojas, seconded by Vice Mayor Lusskin.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>

The motion passed.

Town Manager stated that this is step 1 in a series to clean up the Town’s building development guidelines. On the undersized lots in Zone 2 and 3, the code currently allows residents to have a 30 foot setback on the rear instead of a 35 foot setback, meaning that that those homes can be 5 feet closer to the seawall (not on Ocean). On Ocean, the code calls for no home to go further than the other – that stays the same,

the Town has not changed that. The question that is being posed to the Council is if this should continue to be allowed or should all the homes be positioned at the same setback as it relates to the rear of the property.

Jerome Hollo, 668 North Island Drive, BRAB Chairperson

Have to look at where you want to allow these houses to grow a bit, because otherwise you end up with a smaller home on that lot. Council has to decide where they want to give a little bit.

Town Manager stated that as the Code is currently written – exempted lots do not have to follow the 2/3rd step-in for the 2nd floor. This was written as a staff error and although it is a staff error, the Administration feels that this benefits the undersized lots.

Mr. Hollo stated that you have to weigh the aesthetics of the house, how the house impacts the neighbors and how much area you want to give that person of buildable house.

Councilmember Bernstein asked if it is possible to have a study done to see how much buildable area people can get on the 50-foot lots.

Mayor Singer asked if a person could at least build a 4,000 square foot house.

Town Manager stated that you can. Maybe for second reading, the Administration can bring a percentage of the second floor, only for undersized lots.

Mr. Hollo stated that the homes on these lots were originally 1,500 to 2,000 square feet, but now the new builders want more for their money.

Town Manager stated that the staff has no position either way.

Mayor Singer stated that Councilmember Bernstein brings up a good question and he would also like to know what size home can be built on a 50-foot lot.

Town Manager stated that the staff will bring back information on the dimensions of what type of a home can be built with a 30 foot setback and a 35 foot setback.

Town Manager spoke on the side setbacks. What is being proposed is to keep the language as it reads today pertaining to 100-foot lots, which is 10 feet with anything bigger than 100 being a percentage of the lot.

Councilmember Bernstein stated that he does not think owners should be penalized for having a larger lot.

Councilmember Rojas stated that she thinks it looks horrible to have a massive house with no green space.

Councilmember Mendal stated that he does not mind it being 10 feet all around, and removing the percentage.

Vice Mayor Lusskin said she wasn't sure.

Mayor Singer stated that maybe the language should stay the same and those lots can come before the Council for a variance.

Dove Stark, Prestige Construction – developer who will be working with Mr. Girardin at 477 Ocean Boulevard, stated that everywhere he has worked the setback has always been the same for everyone. Also does not understand the reasoning behind the different height requirements based on the width of the house.

Town Manager stated that what the Council decided that on the undersized lots, they didn't want to create tall and narrow structures in Zone 2 and Zone 3. Because Zone 1 does not have development guidelines for undersized lots, the Administration felt that they should apply the code consistently.

Mayor Singer recommended leaving the setback at 10 feet for the lots over 100 feet. The Council agreed.

Mr. Tony Rojas stated that people who buy 50-foot lots know what they're getting themselves into.

Mr. Girardin, 477 Ocean Blvd. First thanked the Council for the good work they are performing. Height is a big issue for him.

Town Manager stated that in Zone 1 in years past, the Town never allowed homeowners to use the ground floor. Now, through these new rules homeowners are being allowed to use the space under the first floor for laundry, garage, gym, etc. in essence, allowing the homeowner to have a three-story house. Now getting more space for your land area.

Mr. Stark stated that as a developer he doesn't see how you can attract people to buy homes with a 10 foot ceiling.

Mayor Singer stated that they are interested in their residents' concerns before the concerns of buyers.

Town Manager stated he doesn't think there is any support for going past the 25 feet.

Town Manager stated that this code allows you to have more living space, it's not punitive. There is no support to deviate from this.

Councilmember Bernstein stated that he thought the Town made concessions for the 50-foot lots to give residents a little something extra.

Town Manager spoke on the detached garage – half the size, half the requirement.

Town Manager also asked about the language regarding the transitional space of the first floor, transitioning from the base of the house to the pool.

Mr. Hollo stated that the question is do you allow the transitional space to span the whole width of the home or 50% of the width of the home, which is how it currently reads.

Mayor Singer asked if that is an issue.

Town Manager stated that with the last two 50-foot lot variances they were an issue.

Mayor Singer asked why can't the balcony be the width of the house.

Town Manager stated that that creates a privacy issue with the neighbors. And that people having a party at the home, should be towards the center of the home not disrupting the neighbors.

Council agreed to leave that language as it reads.

Town Manager stated they will talk about a new definition about the Zone 1 property transitional space that can only be 50% of the width of the house and must be centered to the property.

Mr. Hollo recommended letting the board look at it and come back with some options for the Council.

Town Manager stated that one of the things that will be work-shopped with the board is whether or not to apply the percentage rule for the undersized lots.

Mr. Girardin brought up the height of the home again.

Mayor Singer stated that he could always come before the Council for a variance and it might be awarded to him.

Town Manager stated that Michael Miller, Kathy Mehaffey and Linda Epperson have worked tirelessly to bring this before the Council.

Mayor Singer thanked Mr. Hollo and the board members for the service they provide the Town.

Town Manager stated that the Town is trying to clean up the code to bring less variances before the Council.

M. QUASI JUDICIAL RESOLUTIONS

None

N. CONSENT AGENDA

3. Official Minutes of the February 28th, 2017 Special Town Council Meeting
4. Official Minutes of the March 21st, 2017 Regular Town Council Meeting

5. A Resolution of the Town Council Supporting the Miami-Dade Transportation Planning Organization's ("TPO") Transit Expansion Plan.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, SUPPORTING THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION'S ("TPO") TRANSIT EXPANSION THROUGH THE STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, PRIORITIING THE NORTHEAST CORRIDOR AND URGING THE TPO AND MIAMI-DADE COUNTY TO PURSUE CREATIVE FUNDING SOLUTIONS TO IMPLEMENT THE SMART PLAN; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2494.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2494.17

Consensus vote 5 Ayes, 0 Nays

O. TOWN RESOLUTIONS

6. A Resolution of the Town Council Authorizing the Use of Law Enforcement Trust Fund Monies to Provide Police Training.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LAW ENFORCEMENT TRUST FUND ("LETF") MONIES TO PROVIDE TRAINING FOR THE POLICE DEPARTMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2495.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2495.17

A motion to approve was made by Vice Mayor Lusskin, seconded by Councilmember Mendal.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>
Councilmember Mendal	<u>Aye</u>

Councilmember Amy Isackson-Rojas Aye

The motion passed.

Town Manager spoke on some issues with the police department and the services the police department provides the Town. As of late, they have heard many of the residents' concerns with increased crime in the surrounding area and the issue of less visibility. The Town has three vacancies in the police department. Chief Herbello is working on addressing these issues. Starting an aggressive campaign to hire more part-time police officers to have more than two officers per shift. Also stated that the Town will be losing its Marine Patrol Officer and the Chief is working on a plan to keep the boat in the water to fill this void.

Town Manager stated that as it relates to this item, this item requests a regional training through LETF funds for a training that simulates a shoot, don't shoot situation to teach officers how to react in these scenarios.

Vice Mayor Lusskin asked if the Town charges for this.

Town Manager stated that they do not.

P. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Judy Lusskin:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Councilmember Amy Isackson-Rojas:
None Requested

Councilmember Jaime Mendal:

- Bike Share Lane on A1A/Ocean Boulevard
Mentioned that the stamped concrete is very hard on the bikes and there are holes and would like to see if the Town can pave them.

Town Manager stated that he will see if Sunny Isles will assist with this.

Also mentioned that some of the signs that say that the bike lane is shared are covered by shrubbery and feels that the shrubs should be cut back so they are better visible from the road.

- Golden Beach/Hallandale Beach Police Procedures
Stated that the Town does not have a communication policy with Hallandale for non-emergency situations and inquiring whether or not the Town can set something up with Hallandale to share this type of information.

Town Manager stated that Dade and Broward and different counties and on different radio systems. Not only are they on a different radio system, they speak differently as far as the codes they use. However, there are communication centers for each county that go on tactical channels to communicate with one another. As it relates to non-emergencies, the Town will try to figure out a method to communicate better with our neighbors on the north.

Town Manager Alexander Diaz:
None Requested

Q. ADJOURNMENT:

A motion to adjourn the Council Meeting was made by Vice Mayor Lusskin, seconded by Councilmember Mendal.

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 8:43 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk