



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the May 16, 2017
Regular Town Council Meeting called for 7:00 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:41 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 Herbelo, Finance Director Maria Camacho, Building Director Linda Epperson

C. PLEDGE OF ALLEGIANCE

Chief Herbelo 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

Town Manager stated that there was a change in the memo for item #2, there was a scribblers error that the Town Attorney will read into the record when that item is heard.

F. GOOD AND WELFARE

Sydell Herrick, 625 Ocean Blvd.

Asked about the wires on Ocean Boulevard, and when would they be coming down. Also asked when the Town was going to close the hole in front of her house and her driveway.

June Krogoll, 422 Golden Beach Drive

Read a proclamation into the record that her mother received on her 90th birthday. Getting ready to move and it is with mixed emotions. Concerned for her neighbor at 416 Golden Beach Drive, Mrs. Barbara Shaheen. She has been threatened with foreclosure of her property by the Mayor and Town Manager. She has had a water problem on her property since 1994, when Town officials at that time forced her to remove the seawall

on her property. At one point asked Mr. Diaz why she had no drains on either side of her driveway and his response was that they've done enough for her. Does not feel that it is an appropriate response. Urges the Council to investigate the situation.

Barbara Shaheen, 416 Golden Beach Drive

Asked the Council not to penalize her for a situation that the Town has created. The Town of Golden Beach forced her to remove her seawall in 1994. The Town was well aware of the problems it would create and now you can see the result of the Town's actions with the water. The abuse her and her family have suffered is too lengthy to go into in good and welfare. The Town Attorney advised her counsel that the Town wanted her out of Golden Beach, which she found to be unconscionable. She did however put her property up for sale and continues to receive citations. What is the purpose of putting liens on her property? What is she guilty of stagnant water? What did you expect when you removed her seawall? Asking the Council to have some compassion.

G. MAYOR'S REPORT

Thanked Mrs. Krogoll for all of the work she's put in to the Town and she will be missed. Working with Town Manager to finalizing the capital projects list and the budget for the capital projects. The new dog park should be completed at the end of the summer. It will be larger and have additional seating and shade. Stated that the potluck dinner and Councilmember Einstein's recognition was a big success. Commended the Chief on the great job the Police Department is doing. Reminded residents to be cautious driving around Town with school being out and more children being in the streets of Town.

H. COUNCIL COMMENTS

Councilmember Mendal

Reiterated the Town Manager's comments that the work that Mr. Hollo and the building advisory board are doing is great. In addition, wished Mrs. Krogoll good tidings.

Vice Mayor Lusskin

Also wished Mrs. Krogoll good tidings. Spoke on the good feedback she's received from residents regarding the increased presence of the Police Department. Spoke on the garbage cans on South Island that are being left in the front of the homes, on days that are not garbage days. Asked if there is something that can be put in the newsletter about it. **Town Manager** stated that the administration is drafting an ordinance for that.

Councilmember Bernstein

Wished Mrs. Krogoll farewell and extended his apologies for missing Councilman Einstein's dinner. Mentioned that maybe the Town could establish a welcoming committee. Sorry Mrs. Shaheen left because although they aren't able to talk about it he would like to reach a settlement with her.

Councilmember Rojas

Wished Mrs. Krogoll farewell. Mentioned that maybe there could be a meet and greet in the beach, as Vice Mayor Lusskin has recommended in the past. Stated that there has been a speeding issue with a vehicle coming up and down the bridge on Navona Avenue. Asked if there is something the Police Department can do to address this.

I. TOWN MANAGER REPORT

Will definitely look at exploring a meet and greet. Stated that if a resident has an issue with their property they do not need to wait for a monthly meeting to voice their issues, they can call Town Hall directly and staff will address it right away. Also spoke on the utility lines hanging on A1A. Thanked Linda Epperson, Kathy Mehaffey and Michael Miller for their work on the ordinance review process. Wished Mrs. Krogoll farewell and stated that he will miss her, values the feedback she has given him over the years.

**** **Mayor Singer** reminded residents that the flag competition ends at the end of the month and encouraged residents to submit their entries if they have any. ****

J. TOWN ATTORNEY REPORT

None

K. ORDINANCES – SECOND 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 Bernstein.

On roll call, the following vote ensued:

Mayor Singer Aye
Vice Mayor Lusskin Aye
Councilmember Bernstein Aye
Councilmember Mendal Aye
Councilmember Amy Isackson-Rojas Aye

The motion passed.

Town Manager stated that there are no changes from first reading.

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 Councilmember Bernstein.

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.

Attorney Mehaffey read out loud all of the changes from the Local Planning Agency meeting.

Councilmember Mendal asked about the rooftop issue. Asked if that item can come back before the council and be reconsidered at a later time.

Attorney Helfman stated that yes it can come back again.

L. ORDINANCES - FIRST READING

None

M. QUASI JUDICIAL RESOLUTIONS

None

N. CONSENT AGENDA

- 3. Official Minutes of the April 25th, 2017 Special Town Council Meeting
- 4. A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town and the City of North Miami.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN AND THE CITY OF NORTH MIAMI; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2496.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2496.17

- 5. A Resolution of the Town Council Approving the Payment of \$5,000.00 to the Alonzo and Tracy Mourning PTSA.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING THE PAYMENT OF \$5,000.00 TO THE ALONZO AND TRACY MOURNING PTSA PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIV DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2497.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2497.17

- 6. A Resolution of the Town Council Authorizing the Use of LETF Monies to Make an \$8,500.00 Contribution to Teach for America.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LAW

ENFORCEMENT TRUST FUND (LETF) MONIES TO MAKE A \$5,000 CONTRIBUTION TO TEACH FOR AMERICA (TFA); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2498.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2498.17

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

Consensus vote 5 Ayes, 0 Nays

O. TOWN RESOLUTIONS

- 7. A Resolution of the Town Council Approving the Proposal by Interlink Group Professional Services, Inc. for an Automated Entry Gate System.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE PROPOSAL PROVIDED BY INTERLINK GROUP PROFESSIONAL SERVICES, INC. FOR THE ACQUISITION AND INSTALLATION OF AN AUTOMATED ENTRY GATE SYSTEM; PROVIDING FOR A WAIVER OF BIDDING PROCEDURES; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 2499.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2499.17

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

On roll call, the following vote ensued:

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

The motion passed.

Town Manager stated that for the last few months the Town has started a pilot program with first allowing the staff to exit by the south gate and affording some residents who carpool the opportunity to use it as well. Administration is proposing an exit only system for residents with a transponder only to use the gate between the hours of 6 a.m. and midnight. Between the hours of midnight and 6 a.m. residents will be unable to use the south gate.

Councilmember Bernstein asked if it was with the existing transponders.

Town Manager stated that that was correct.

Councilmember Bernstein asked if this works successfully, would the Town try this out for the north side of Town.

Town Manager stated that he could not. Massini Avenue is not a designated road, it is an easement.

8. A Resolution of the Town Council Authorizing the Use of LETF Monies to Fund an Automated Entry Gate System.

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 FOR THE ACQUISITION AND INSTALLATION OF AN AUTOMATED ENTRY GATE SYSTEM; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2500.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2500.17

A motion to approve was made by Vice Mayor Luskin, seconded by Councilmember Bernstein.

On roll call, the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Judy Luskin	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>

The motion passed.

Mayor Singer stated that this is just to use LETF dollars to fund the project.

Councilmember Mendal asked what the timeframe is for the pilot programs inception and implementation.

Town Manager stated for the record that those residents who currently have clickers will have those clickers de-activated when the program gets underway.

9. A Resolution of the Town Council Accepting the General Purpose Financial Statements for Fiscal Year 2015/2016.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ACCEPTING THE GENERAL PURPOSE FINANCIAL STATEMENTS AND THE SINGLE AUDIT FOR FISCAL YEAR 2015/2016 ENDING SEPTEMBER 30, 2016 PREPARED BY KEEFE, MCCULLOUGH & CO., LLP; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Resolution No. 2501.17

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2501.17

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

On roll call, the following vote ensued:

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

The motion passed.

Mayor Singer stated some of the highlights from the audit report. Commended the Finance Department and the Town Manager for running a tight ship. The fund balance increased by almost \$700,000.

Town Manager stated that this is an independent audit, that found no issues with the Town's internal controls. Passed without any issues. Auditors found no internal weaknesses. The fund balance grew by almost \$700,000, which will allow the Town to move forward more aggressively with capital projects. The Town is in a better position than it was in last year.

P. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Judy Lusskin:

- **Fences/Side-Setbacks**

Wanted to bring up to the Council with all of the new construction they have in Town that she thinks the Town should reconsider the chain-link fences. Thinks that it is really important that the Council look at this. Also thinks that it is really important that the Building Department pay a little more attention to the adjacent properties of these homes that are going up. Needs to really be a good look at the other side, especially with the difference in elevation. Thinks that a solid fence should be required all the way through.

Mayor Singer stated that she brings up a good point that the Town has never taken into consideration the houses surrounding the new construction area.

Town Manager stated that he took administrative action to no longer allow interlocking pavers. Has received a lot of backlash from the development community and residents that are building homes because from an economic standpoint it is a bit punitive. Just enforcing the code that calls for piles. Stated that he has already met with Vice Mayor Lusskin on this issue and drafted an ordinance for the Council's consideration at the June meeting.

Councilmember Kenneth Bernstein:
None Requested

Councilmember Amy Isackson-Rojas:
None Requested

Councilmember Jaime Mendal:
None Requested

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 9:05 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk