

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION**

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, December 16, 2008

7:00 P.M.

- 1. CALL TO ORDER, MAYOR ROSEANN MINNET**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. INVOCATION** - Pauline McGuinness, Member of the Bahia Spiritual Assembly of Ft. Lauderdale and Lauderdale-By-The-Sea
- 4. PRESENTATIONS**
 - a. Certificate of Achievement for Excellence in Financial Reporting – Presented by Alan Owens (Manager Colon)
 - b. Lifesaving Award to Mark Mitchell (Mayor Minnet)
 - c. Demonstration of camera system installed by Security 101 (Chief Gooding)
- 5. REPORTS**
 - a. Finance and Budget Monthly Report – October 2008 (Manager Colon)
 - b. Development Services Monthly Report – October 2008 (Assistant Manager Olinzock)
 - c. Municipal Services Monthly Report – October 2008 (Assistant Manager Olinzock)
 - d. BSO Police Monthly Report – October 2008 (Chief Gooding)
 - e. VFD Fire Monthly Report – October 2008 (Chief Perkins)
 - f. AMR Fire Rescue Monthly Report – October 2008 (Operations Manager Liddle)
- 6. PUBLIC SAFETY DISCUSSION**

7. TOWN MANAGER REPORT

8. APPROVAL OF MINUTES

9. PUBLIC COMMENTS

10. ORDINANCES

1. Ordinances 1st Reading - "Public Comments"

2. Ordinances 2nd Reading – "PUBLIC HEARING"

- a. **Ordinance 2008-25:** AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 4; ARTICLE II, SECTION 4-30 OF THE CODE OF ORDINANCES OF THE TOWN OF LAUDERDALE-BY-THE-SEA IN ORDER TO ESTABLISH PROVISIONS PROTECTING THE PUBLIC FROM DANGEROUS DOGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

11. COMMISSIONER COMMENTS

12. CONSENT AGENDA

- a. Commission approval for the use of ten (10) parking spaces in the Bougainvilla parking lot for Coastal Contracting & Development, Inc. during the construction of the Commercial Blvd. Pavilion (Clerk White)
- b. FS-274.06 – property valued less than \$50,000 (Manager Colon)
- c. Commission approval for the installation of the Town Logo on the flag poles by TW Signs at a cost of \$350 (Assistant Manager Olinzock)

13. RESOLUTION – "Public Comments"

14. QUASI JUDICIAL PUBLIC HEARINGS

- a. A Variance request to allow setback requirements from Section 30-242 of the Towns Zoning Code opposed to the applicable 30-241 to construct a single family home within the RM-25 Zoning District. Property is located at 4312 El Mar Dr. – Staff recommends tabling to January 13, 2009 – This item was tabled until December 17, 2008 at which time the Board will consider the application. The applicant agreed and is to provide revised plans increasing the setbacks for the board to review (Assistant Manager Olinzock)

15. OLD BUSINESS

- a. Discussion and/or action concerning fire lane at By the Sea Laundry (Commissioner Dodd) Tabled at the November 10, 2008 Commission meeting by Vice Mayor McIntee
- b. Discussion and/or action regarding town wide parking following workshop (Commissioner Dodd) Tabled at the November 10, 2008 Commission meeting by Commissioner Clotey
- c. Discussion and/or action regarding drafting an Ordinance to pull bags from the parking meters on Bougainvillea and Poinciana (Tabled at the March 25, 2008 Commission meeting by Vice Mayor McIntee) Staff requested table to December 16, 2008 – Tabled at the November 25, 2008 Commission meeting by Vice Mayor McIntee
- d. Discussion and/or action regarding shade trees on the beach at Washingtonia Avenue Portal (Tabled at the November 10, 2008 Commission meeting by Commissioner Silverstone) Staff requested table to December 16, 2008 – Garden Club report not received – Tabled at the November 25, 2008 Commission meeting by Commissioner Silverstone
- e. Town Commission approval of Conceptual Bel Air subdivision sign design (Assistant Manager Olinzock/Colon) Tabled at the November 25, 2008 Commission meeting by Commissioner Clotey
- f. Discussion and/or action to form an Oversight Committee for Public Safety (Mayor Minnet) Tabled at the November 25, 2008 Commission meeting by Commissioner Clotey
- g. Discussion and/or action to find funds to complete the Seagrape Drive Project (Requested at the November 10, 2008 Commission meeting by Vice Mayor McIntee) Tabled at the November 25, 2008 Commission meeting by Vice Mayor McIntee (Assistant Manager Olinzock)
- h. Discussion and/or action concerning adjusting the cost of hardship and other parking permits to be more in line with what other municipalities charge. Tabled at the November 25, 2008 Commission meeting by Commissioner Clotey
- i. Discussion and/or action regarding the formation of an Oversight Committee – explanation of ISO ratings and why the Town can not expect ISO to do the work of an Oversight Committee (Commissioner Dodd)

16. NEW BUSINESS

- a. Discussion and/or action to place on a future agenda an ordinance, as soon as possible after the Town Attorney has determined if it is permissible, to only allow contributions to any fund for election of a Town official, from only people who reside, own property or from entities licensed within Town limits who do not provide any goods or services under contract with the Town unless they contribute equally to all registered candidates (Commissioner Silverstone)
- b. Discussion and/or action regarding setting requirements for Town sponsored events regarding bills, income and donations (Requested at the November 25, 2008 Commission meeting by Vice Mayor McIntee)
- c. Discussion and/or action regarding legal advice during Quasi Judicial hearings, revisiting Coral Key development and why are we paying for an attorney if he can't advise us during a hearing (Commissioner Dodd)
- d. Discussion and/or action regarding opening the pier access road (Mayor Minnet)
- e. Discussion and/or action regarding bags on the meters in front of Athena Restaurant (Mayor Minnet)
- f. Discussion and/or action in reference to the letter received from Master Plan Steering Committee and Planning and Zoning (Mayor Minnet)
- g. Discussion and/or action regarding parking a boat trailer in the front driveway in Bel Air (Mayor Minnet)
- h. Discussion regarding boat on trailers in Bel Air (Vice Mayor McIntee)
- i. Discussion and/or action for a round table meeting – promoting open discussion between Commissioners in 2009 – 5:00 p.m. January 13, 2009 (Commissioner Dodd)
- j. Discussion and/or action regarding the beautification of section of El Mar (Commissioner Dodd)

17. TOWN ATTORNEY REPORT

18. FUTURE AGENDA ITEMS

January 13, 2009 – Workshop 5:00 PM

**Town Commission Regular Meeting Agenda
December 16, 2008**

- a. Code, Height and Capital Improvement (Requested at the September 25, 2008 Commission meeting by Commissioner Silverstone)
- b. Discussion and/or action concerning drafting a referendum for a Charter change to take effect after the next election in 2010 to prevent a conflict of interest ever occurring between employment with a public safety provider for the Town of Lauderdale-By-The-Sea and that of an elected official (Commissioner Dodd) Tabled at the December 1, 2008 continuation of the November 25, 2008 Commission meeting by Vice Mayor McIntee

February 10, 2009

- a. Discussion and/or action pertaining to referendum ie: City of Cape Canaveral (Tabled at the September 12, 2008 Commission meeting by Vice Mayor McIntee to the February 10, 2009 Commission meeting)

May 12, 2009

- a. **Ordinance 2008-17: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING THE TOWN CHARTER TO REQUIRE THE TOWN TO CONTRACT WITH LAUDERDALE-BY-THE-SEA VOLUNTEER FIRE DEPARTMENT, INC., FOR THE PROVISION OF FIRE PROTECTION SERVICES WITHIN THE TOWN; REQUIRING REFERENDUM APPROVAL OR A FOUR-FIFTHS VOTE OF THE TOWN COMMISSION FOR ANY ENTITY OTHER THAN LAUDERDALE-BY-THE-SEA VOLUNTEER FIRE DEPARTMENT, INC. TO PROVIDE PRIMARY FIRE PROTECTION SERVICES IN THE TOWN; PROVIDING FOR CONFLICTS WITH OTHER PROVISIONS OF THE TOWN CHARTER; CALLING FOR A REFERENDUM ELECTION; PROVIDING FOR THE FORM OF THE BALLOT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (FOR FIRST READING) (TABLED AT THE NOVEMBER 10, 2008 COMMISSION MEETING BY VICE MAYOR MCINTEE FOR 6 MONTHS)**

19. ADJOURNMENT

THE TOWN OF LAUDERDALE-BY-THE-SEA WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES NECESSARY TO AFFORD INDIVIDUALS AN EQUAL OPPORTUNITY TO PARTICIPATE IN MEETINGS OF THE TOWN COMMISSION. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE TOWN CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE MEETING AT (954) 776-0576 FOR ASSISTANCE.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE TOWN COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSES MAY NEED TO INSURE THAT A VERBATIM RECORDING OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.