

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

MINUTES

Jarvis Hall

4501 Ocean Drive

Tuesday, October 13, 2009

7:00 P.M.

1. CALL TO ORDER, MAYOR ROSEANN MINNET

Mayor Roseann Minnet called the meeting to order at 7:00 p.m. Also present were Vice Mayor Jerry McIntee, Commissioner Jim Silverstone, Commissioner Stuart Dodd, Commissioner Birute Ann Clotey, Town Attorney Susan L. Trevarthen, Town Manager Esther Colon, and Human Resource/Risk Manager Kathy O'Brien.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION - Reverend George Hunsaker

Mayor Minnet consolidated similar items such as New Business items 16d, 16f and 16g and New Business items 16h, 16i, 16j and 16k which dealt with referendum issues. There were no objections.

Vice Mayor McIntee wanted to add free parking for the Halloween Event from 5:00 p.m. to 11:00 p.m. Mayor Minnet added the item as Consent item 12f.

Commissioner Dodd requested that the Environmental Sustainability Committee be placed back on the agenda as a future agenda item for November 24, 2009. There were no other changes, additions or deletions to the agenda.

4. PRESENTATIONS

a. Presentation by Cry of the Water - Establishment of a Marine Park (Commissioner Silverstone)

Commissioner Silverstone compared the Marine Park in Key West to an aquarium. He explained that the idea was to create a Marine Park as part of the beaches.

Stephanie Clark explained that the Key West Marine Park was a public underwater coral reef park that was created with hard and soft corals, sponges and sea grasses that enhanced protection for the ecosystem and would be valuable to the Artificial Reef

for Lauderdale-By-The-Sea. She explained that it had compatible use for boaters, swimmers and beach visitors.

Commissioner Silverstone, Commissioner Clotney and Commissioner Dodd agreed a Marine Park was good idea.

Commissioner Dodd made a motion to move forward as quickly as possible to create a Marine Park off the Beaches of Lauderdale-By-The-Sea. Commissioner Clotney seconded the motion.

Vice Mayor McIntee asked who would be against it. Ms. Clark believed possibly boaters and fishermen. Vice Mayor McIntee asked whether fishing from the beach would be a problem. Dan Clark did not see a problem with fishing from the beach.

Mayor Minnet was concerned with cost. Ms. Clark said the \$40,000 could come from grants and in-kind matches. She added that an ordinance would have to be created to identify the swim area and a boat exclusion zone. Ms. Clark added that it was a stewardship program with community involvement and funded by NOAA. Mayor Minnet believed it was a wonderful opportunity for the community to come together.

Commissioner Silverstone stated there was a current ordinance on the books that disallowed spear fishing.

Commissioner Dodd withdrew his motion to allow Commissioner Silverstone to make his motion.

Commissioner Silverstone made a motion to support the endeavor and initiate the grant application. Commissioner Clotney withdrew her motion to allow Commissioner Dodd to second the motion. Commissioner Dodd seconded the motion.

Commissioner Dodd offered an amendment to the motion to initiate an Ordinance as soon as possible and to notify appropriate departments to make them aware of the area designated as a fish haven/Marine Park. Commissioner Silverstone asked whether it would be acceptable to go from the shore to the end of the pier, the south side of the pier, and down to Palm Avenue. Manager Colon asked to include the assistance of Mark Furth. Marc Furth accepted. The Commission agreed to the amendments. The motion carried 5-0.

b. Presentation by the Green Hopper (Commissioner Clotney)

Commissioner Clotney heard about the service in Wilton Manors.

Mr. Alan Carter, Angelo Bartolome, Peter George.

Mr. Bartolome gave an overview of the Green Hopper. He stated that a place to charge the electric vehicles (about 4) would be needed along with a safe place to keep the vehicles.

Mr. George said that as the driver of the Green Hopper, he found the service to be rewarding as it provided a great deal to the community to help them get around and prevented drinking and driving.

Mayor Minnet thanked everyone for their support of the idea.

Commissioner Clotey made a motion to pursue discussion in regards to having the service within the Town. Commissioner Dodd seconded the motion. The motion carried 5-0.

5. PUBLIC COMMENTS

John Thompson spoke on the height limitation.

Cristi Furth questioned whether there was concern with the Sunshine law when the Commission discussed the height limit as there was pending litigation.

Vito Chiarello did not like personal attacks. He believed in freedom of speech.

Dennis Ritchie wanted to know if certification was required for boat training.

Jerry Sehl had a website where people could fill out public and/or private polls. He added that the service was not a blog.

Patrick Potts was concerned with fishing on the beach.

Linda Ritchie requested people become members of the Property Owners Association.

Spiro Marchelos thought the Marine Park was a good idea but the Town should concentrate on downtown first.

Sal Coniglio was upset that a meeting was held on a Jewish Holiday.

Louis Marchelos stated that a member of the dais threatened to sue at the previous meeting.

Daniel Harlert believed the people developed a loss of confidence.

Frank Herrmann believed the agendas were packed with items that had been commented on many times before.

Chris Vincent believed that there should be common ground and understanding of the grey areas.

Rosalie Malkoon said the Town Manager's job description did not include obtaining a police report.

Bob Fleishman did not believe Vice Mayor McIntee had the right to enter a crime scene.

Michael Millstone, security guard at the Hampton Beach Club confirmed that at 10:20 p.m. the fire alarm went off and explained the procedure that followed and stated that VFD showed up to silence the alarm at about 10:40 p.m. Vice Mayor McIntee pointed out that the VFD responded when they received the call.

Beverly Kennedy believed the issue of bicycle riders needed to be addressed.

John Oughton announced his intention to run for Commissioner.

Ben Freeney offered his thoughts on a manager review process.

Ken Brenner proposed a mixed use classification for garbage pick up.

Ron Piersante believed that leaving the bags on the parking meters cost the Town approximately \$90,000 in lost revenue.

Lawrence Wick believed it was time to get on with Town business.

Yann Brandt stated that the Town Manager could only manage what the Commission decided to put into the budget.

There were no more comments.

Mayor Minnet recessed the meeting at 9:11 p.m. and reconvened at 9:29 p.m.

6. REPORTS

a. Finance and Budget Monthly Report - August 2009 (Manager Colon)

Commissioner Silverstone made a motion to approve the report. Commissioner Clotey seconded the motion. The motion carried 5 - 0.

b. VFD Fire Monthly Report - August 2009 (Chief Perkins)

Mayor Minnet inquired of the number of hours for driver training. Chief Perkins said it would be on the next monthly report. Mayor Minnet asked whether the roster was updated. He said it bounced as people took leave. Manager Colon asked that he would note anyone on administrative leave. Chief Perkins agreed.

Commissioner Dodd questioned the requirements to remain on the roster. Chief Perkins stated that in town memberships required they do at least 20% of the calls and out of town memberships had to do one 24 hour period per month.

Commissioner Silverstone questioned the response to a call. Chief Perkins stated that the VFD responded within 3 minutes. He added that the alarm was monitored and if it did not get called out at the monitoring station, dispatch would not get called out.

Commissioner Silverstone made a motion to accept the report. Commissioner Dodd seconded the motion. The motion carried 5-0.

c. AMR EMS Monthly Report - August 2009 (Operations Manager Liddle)

Commissioner Clottey asked whether it was time to appoint a representative to meet with the Commission. Operations Manager Liddle said he would verify the status.

Commissioner Dodd congratulated Operations Manager Liddle for his response times. Commissioner Clottey thanked AMR for taking care of her friend.

Commissioner Silverstone made a motion to accept the report. Commissioner Clottey seconded the motion. The motion carried 5 - 0.

7. PUBLIC SAFETY DISCUSSION

a. Report on Suicide in Bell-Air

Vice Mayor McIntee said he was asked by the deceased's wife to explain the incident as what was stated in the newspaper was untrue. Vice Mayor McIntee said that when he arrived at the scene he heard the screams from a woman and a child. He ran to the back of the house where the screams came from and immediately escorted them from the room and out to the couch where he tried to console them.

Mark Brown stood 100% behind his story. He said there were 6 different reports on the incident. Mr. Brown believed there should be an investigation by the State of Florida.

Chief Llerena stated that this investigation was never a homicide investigation as there were no indications or allegations that a crime had been committed and no sworn statements were taken.

Commissioner Silverstone thought a full investigation was a great idea. He asked whether an ambulance could be called off. Operations Manager Brooke Liddle stated that a rescue could not be called off once AMR was dispatched. He added that only BSO could do that.

Commissioner Dodd asked whether it was correct AMR could not enter the premises without permission from BSO for safety reasons. Operations Manager Liddle stated that was correct. Commissioner Dodd was concerned with where the procedures were in the VFD procedures. He asked what the procedures were regarding entry when gun shots were heard. Chief Perkins said the procedures were the same as AMR. He added that an internal investigation proved the entry was justified in this particular incident as a judgment call was made.

Mayor Minnet stated that the report indicated that Vice Mayor McIntee entered the room and the woman and child followed him. Vice Mayor McIntee said that was not the way it happened. Mayor Minnet believed there should be another investigation.

Commissioner Silverstone stated that if someone was drowning he would jump in.

Commissioner Clotey thought this was an unfortunate thing to put the resident through. She asked why a report was filed on July 28, 2009 when it occurred on May 4, 2009. Chief Llerena said on this type of investigation it was routine to take a few months to complete.

Commissioner Dodd indicated that a public statement would have avoided the current discussion. Vice Mayor McIntee stated that suicides were private and personal event and was not beneficial to the public.

Commissioner Silverstone thanked Vice Mayor McIntee for what he did.

Mayor Minnet requested that the Choice item, New Business item 16n be considered prior to the Town Manger Report. There were no objections.

New Business Item 16n was taken out of order for discussion.

16n. Discussion and/or action regarding garbage:

1. Trash contract related issues (Commissioner Dodd)

Commissioner Dodd praised the staff of Choice for doing a great job. He asked if Choice would have a problem with making changes to the contract. Mr. Mancini said it would depend on what the additional changes were. Commissioner Dodd asked whether there was discussion regarding reduction in charges should smaller totes be needed or consideration towards the absence of condominium owners. Mr. Mancini said there were provisions in place where they did not have to use bins; they could use 1 yard dumpsters. Mr. Mancini said he would sit with the Town Manager and look into the possibility of changing some of the schedules should the Commission so desire. Commissioner Dodd agreed.

Mr. Ferguson stated that Choice had always worked with the Town. Commissioner Dodd requested Manager Colon look into the complaints and come back with a recommendation to change the Ordinance to suspend the rate on multifamily units.

Manager Colon pointed out that some of the condominiums were non-conforming and had to follow the variance process. She said prior to the RFP all the recommendations were done as requested by the Commission. Manager Colon also pointed out that the Code stated that payment was required for 3 containers, if required, whether they were used or not. She added that the discontinuance of service was made by the Commission and if the Commission changed it, it could result in code issues.

Commissioner Dodd made a motion to direct the Town Attorney to change Section 10-32 to offer the ability to temporarily suspend service with a 30 day notice providing that the suspension was for more than 90 days.

Mayor Minnet wanted to make sure the Commission was addressing mixed use properties. Mr. Mancini said Choice responded to Broward County Records as to how to code them. Mr. Brenner said he was 1 person that only used 1 can. Mr. Mancini stated that Mr. Brenner was provided only 2 carts and he was charged a commercial rate because he occupied both the residential area and the commercial area downstairs. Mr. Brenner explained he wanted to have recycling and bulk pickup no matter what rate he was charged. Mayor Minnet believed Mr. Brenner's situation was unique and hoped a section could be created to address it.

Vice Mayor McIntee asked whether Commissioner Dodd was asked for a change in the contract. Attorney Grant Smith advised his client that once they sign a contract they should not go back and re-negotiate. He added that they bid under a certain set of circumstances. Attorney Smith said once the amendment to the Ordinance was determined they could better decide whether it would impact the current contract.

Mayor Minnet believed that staff should sit down with the owners of Choice to come to a conclusion. The Commission and staff agreed.

Manager Colon reminded Commissioner Dodd that he had another item regarding the discontinuance of service. She said she had forwarded that document to the Town Attorney. Manager Colon said the first step was to look at what changes would be needed in the Town Code prior to sitting down with Choice, as code dictated what Choice had to do. Manager Colon said she needed to have a draft code with the changes the Commission wanted in order to know exactly what she is to negotiate with Choice. Commissioner Dodd said the draft code was to offer a multiplex the ability to suspend service equal to single family residents and a mixed rate under Section 333 of the Code.

Mayor Minnet moved the Consent Agenda out of order for consideration at this time. She stated that the item added earlier in the evening was 12f - parking to be free during the Halloween event.

12. CONSENT AGENDA

Commissioner Silverstone made a motion to accept 12a, 12b, 12c, 12d, and 12f on consent. Commissioner Clottey seconded the motion. The motion carried 5 - 0.

- a. Commission approval of the agreement between LBTS and the Supervisor of Elections for the hiring of poll workers as their employees for the March 10, 2009 Municipal Election (Clerk White)
- b. Commission approval of Special Event permit application for "Public Menorah Lighting 2009" by Chabad Lauderdale By-The-Sea, Sunday December 13, 2009, 6:30 PM till 9:30 PM, refunding the application fee (Assistant Town Manager Olinzock)
- c. Commission approval of Special Event permit application for Marie White's 5th Annual "Santa Is Coming to Town", Saturday, December 12, 2009, 11:00 AM till 3:00 PM, refunding the application fee (Assistant Town Manager Olinzock)
- d. Commission approval of the issuance of three (3) parking permits to Global Coral Reef Reliance for use at Parking Meters on Datura Avenue, Monday Thru Friday, 7:00 AM till 6:00 PM, October 27, 2009 thru January 31, 2010, during construction of the Artificial Reef Project (Assistant Town Manager Olinzock)
- e. Commission approval of the use of Jarvis Hall by the property owners association of LBTS, Inc. for Oktoberfest 2009, Saturday, October 17, 2009, 6:00 PM till 10:00 PM, allowing serving/selling of alcoholic beverages (Assistant Town Manager Olinzock)

This item was pulled from the Consent Agenda for discussion.

Vice Mayor McIntee noted that everything in the corner would be moved by Don Prince so there would be no concern while decorating for Halloween.

Vice Mayor McIntee made a motion to approve. Commissioner Silverstone seconded the motion. The motion carried 5 - 0.

- f. Commission approval to allow free parking for the Halloween Event from 5:00 p.m. to 11:00 p.m. (Vice Mayor McIntee)

8. TOWN MANAGER REPORT

Manager Colon advised there would be a presentation by Ron Greenstien, Director of the Resource Recovery Board on the next agenda regarding changes to the Interlocal Agreement and the Memorandum of Understanding. She added that samples would be

provided to the Commission prior to the presentation.

Manager Colon referred to a memorandum regarding the time line to follow for the proposed referendums for the March 9, 2010 Municipal Election. She stated that the referendum items were date sensitive as workshops would need to be scheduled.

9. APPROVAL OF MINUTES

Manager Colon stated that the Commissioner Comments on July 29, 2009 made by Vice Mayor McIntee were re-written to make them clearer. Other concerns for the remaining minutes that were previously submitted by the Mayor were validated as correct and stood as written.

Commissioner Clotey made a motion to approve the minutes of July 29, 2009 and September 9, 2009 as stated. Commissioner Silverstone seconded the motion. The motion carried 5 - 0.

- a. July 29, 2009 continued from July 28, 2009 Regular Meeting Minutes
- b. September 9, 2009 Regular Meeting Minutes
- c. September 10, 2009 continued from September 9, 2009 Regular Meeting Minutes

Commissioner Clotey made a motion to approve the minutes of September 10, 2009. Commissioner Silverstone seconded the motion. The motion carried 5 - 0.

- d. September 10, 2009 Commission Conference Minutes
- e. September 14, 2009 Special Public Hearing Minutes

Commissioner Silverstone made a motion to approve the minutes of September 10, 2009 and September 14, 2009. Commissioner Dodd seconded the motion. The motion carried 5 - 0.

Staff to clarify Vice Mayor McIntee comments that he stated "decrease" and not "increase" in his public comments for July 29, 2009 and note the file.

10. ORDINANCES - PUBLIC COMMENTS

1. Ordinances 1st Reading

- a. Ordinance 2009-28: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-
THE SEA AMENDING CHAPTER 20, ARTICLE IV, ENTITLED "UTILITIES",
REPEALING SECTIONS 20-40 AND 20-44 AND SECTIONS 20-50 THROUGH
20-65 THEREOF PROVIDING FOR THE LEVY, COLLECTION AND
ENFORCEMENT OF THE TOWNS STORMWATER MANAGEMENT UTILITY

FEES; PROVIDING FOR CODIFICATION OF THE REPEAL IN ARTICLE IV,
CHAPTER 20 OF THE CODE OF ORDINANCES, SEVERABILITY, AND AN
EFFECTIVE DATE

Attorney Trevarthen read Ordinance 2009-28 by title.

Attorney Trevarthen explained there was an Ordinance on the books that stated there was a stormwater fee and this Ordinance repealed that section of the code.

Commissioner Dodd asked whether this was the first step to bring back the stormwater fee. Attorney Trevarthen explained that should the Commission decide to do that, a study would have to take place and it would be done in a legal manner.

Commissioner Silverstone made a motion to adopt Ordinance 2009-28 on first reading. Commissioner Dodd seconded the motion. The motion carried 5 - 0.

2. Ordinances 2nd Reading

- a. Ordinance 2009-27: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-
THE SEA AMENDING CHAPTER 5, BEACHES AND WATERWAYS, TO ALLOW
AND REGULATE FISHING AND SURF CASTING ON THE PUBLIC BEACH;
PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE

Attorney Trevarthen read Ordinance 2009-27 by title.

Commissioner Silverstone made a motion to continue the meeting past 11:00 p.m. Commissioner Dodd seconded the motion. He wanted clarification that the meeting was to continue only until they finished the Ordinance. The Commission agreed. The motion carried 5-0.

Mayor Minnet opened the public comment portion of the meeting.

Frank Herrmann was against the Ordinance.

Chad Purcell stated that throughout Florida people fished from the beach. He added that it cost \$25.50 to fish off the pier for a couple of hours.

Ken Coughler was against surf fishing.

Charles Leachman support surf fishing with proper instruction.

Bob Fleishman believed surf fishing would create problems.

Diana Coughler was against the Ordinance.

Paul Novak believed Lauderdale-By-the-Sea was a tourist town not a fishing town.

Rick Imboden suggested a permit be issued with rules attached.

Louis and Spiro Marchelos were both against fishing from the beach.

Jerome McIntee stated that people fish early in the morning and not at peak hours.

Maureen McIntee favored fishing off the beach.

Bill Hart thought fishing off the pier was dangerous.

With no one else wishing to speak, Mayor Minnet closed the public comment portion of the meeting.

Commissioner Silverstone stated that should beach fishing not work, the Ordinance could always be changed.

Vice Mayor McIntee has seen people fishing and did not believe there would be a massive fishing expedition once the ordinance was passed.

Commissioner Clotey asked whether it was legal to allow residents only to fish off the beach. Attorney Trevarthen said that would be illegal. Commissioner Clotey was in favor of a controlled area but was against fishing in a tourist area; she believed it was a safety issue.

Commissioner Dodd asked how many tickets were issued last year for fishing on the beach. Assistant Town Manager Olinzock said he would have to look into it. Commissioner Dodd stated that no fishing lines or hooks were found during the beach cleanup. He added that the Commission would monitor the beaches and if they found there were problems, the Commission would address the issue immediately and reconsider the Ordinance.

Mayor Minnet believed more consideration should have been given to condominium owners who were currently out of town. She pointed out that out of 15 people, 10 were against the Ordinance and 5 were in favor.

Vice Mayor McIntee made a motion to adopt Ordinance 2009-27. Commissioner Silverstone seconded the motion. The motion carried 3 - 2. Mayor Minnet and Commissioner Clotey voted no.

Commissioner Silverstone made a motion to continue the meeting to Tuesday October 20, 2009 at 6:00 p.m. Vice Mayor McIntee seconded the motion. The motion carried 5-0.

Vice Mayor McIntee made a motion to recess. Mayor Minnet recessed the meeting at 11:54 p.m. to October 20, 2009 at 6:00 p.m.

11. COMMISSIONER COMMENTS

12. CONSENT AGENDA

The consent agenda was moved out of order and considered earlier in the evening.

- a. Commission approval of the agreement between LBTS and the Supervisor of Elections for the hiring of poll workers as their employees for the March 10, 2009 Municipal Election (Clerk White)
- b. Commission approval of Special Event permit application for "Public Menorah Lighting 2009" by Chabad Lauderdale By-The-Sea, Sunday December 13, 2009, 6:30 PM till 9:30 PM, refunding the application fee (Assistant Town Manager Olinzock)
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- e. Commission approval of the use of Jarvis Hall by the property owners association of LBTS, Inc. for Oktoberfest 2009, Saturday, October 17, 2009, 6:00 PM till 10:00 PM, allowing serving/selling of alcoholic beverages (Assistant Town Manager Olinzock)

13. RESOLUTION - "Public Comments"

- a. Resolution 2009-26: A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA RECOGNIZING CITY GOVERNMENT WEEK, OCTOBER 18-24, 2009 AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES

14. QUASI JUDICIAL PUBLIC HEARINGS

15. OLD BUSINESS

- a. Commission selection of contractor and award of RFP 09-07-01 - Commercial Blvd Drainage Improvements (Assistant Town Manager) This item was deferred at the September 10, 2009 Commission Meeting by Vice Mayor McIntee.
- b. Discussion and/or action regarding Citizen Contact Forms for drainage project

(Assistant Town Manager Olinzock) This item was deferred at the September 10, 2009 Commission Meeting by Vice Mayor McIntee.

- c. Discussion and/or action regarding the clarification of the ordinance pertaining to the storage of boats, boat trailers, boat enclosures and boat covers in the Town (Mayor Minnet) this item was deferred at the September 10, 2009 Commission Meeting by Vice Mayor McIntee.
- d. Discussion and/or action: Faced with record numbers of foreclosures, some Florida communities are using more innovative ways of maintaining foreclosed properties than fines and liens. Some communities in Florida have programs where the municipality takes over the maintenance of a deteriorating property and adds these expenses to the tax bills of these respective properties. This way the Town will get reimbursed for its services and neighbors do not have to deal with deteriorating properties and overgrown lawns, green swimming pools, etc (Commissioner Clotney) This item was deferred at the September 10, 2009 Commission Meeting by Commissioner Clotney
- e. Discussion and/or action regarding Request for Bid (Invitation to Bid) Vice Mayor McIntee

16. NEW BUSINESS

- a. Commission approval of the selection of Christmas banners - \$4,952.50 (Assistant Town Manager Olinzock)
- b. Discussion and/or action by Town Commission to provide resolution to approve encroachment existing on public property: (Assistant Town Manager Olinzock)
 - 1. 16 Commercial Blvd
- c. Commission approval of four (4) Hardship Permit Applications: (Clerk White)
 - 1. Ocean Time LLC
 - 2. Ocean Treasure LLC
 - 3. Driftwood Beach Club
 - 4. Ocean Treasure
- d. Discussion and/or action to discuss the Town's Master Plan (Mayor Minnet)
- e. Discussion and/or action to allow Theaters, Performing Arts Theaters, Cultural Arts Theaters, etc on Commercial Blvd (Mayor Minnet)

- f.** Discussion and/or action regarding Beautification Projects (Commissioner Silverstone)
 - 1. El Mar (Oriana)
 - 2. FDOT - A1A - Pine to Terra Mar
 - 3. LBTS - Pine Avenue from A1A to El Mar
 - 4. LBTS - El Mar - Commercial to Pine
- g.** Discussion and/or action to schedule a workshop for future Capital Improvement Project: (Commissioner Silverstone)
 - 1. General Obligation Bond
- h.** Discussion and/or action on a "two hats" referendum item (Commissioner Dodd)
- i.** Discussion and/or action regarding the height limit:
 - 1. Implementation of referendum to clarify 33 foot height limit Town (Vice Mayor McIntee)
 - 2. "Should the 15 story height limit be restored in the North end of Town" (Commissioner Dodd)
 - 3. Should the Town change the zoning to allow the 44 foot height limit that was passed at three previous referenda for development within the boundaries of the Old Marina Overlay, Beach Overlay and Hospitality Districts? The setbacks, green space and density to be calculated from the 1973 original charter provisions and not the more recent overlay districts parameters (Commissioner Dodd)
- j.** Discussion and/or action concerning a referendum question for lifeguards (Commissioner Dodd)
- k.** Discussion and/ or action referendum items for the March 2010 ballot (Mayor Minnet)
- l.** Discussion and/or reference police call (Vice Mayor McIntee)
- m.** Discussion and/or action regarding escalating Town action to recover Town Cul de Sac (Garden Court) (Vice Mayor McIntee)
- n.** Discussion and/or action regarding garbage:
 - 1. Trash contract related issues (Commissioner Dodd)

Town Commission Regular Meeting Minutes
October 13, 2009

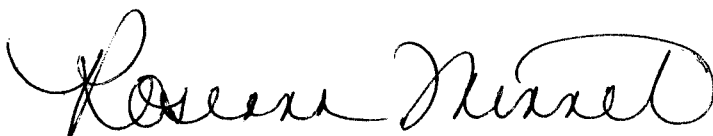
This item was discussed earlier in the evening.

- o. Discussion and/or action regarding pay off or reduce Parking Fund Loan (Vice Mayor McIntee)
- p. Discussion and/or action regarding the review of the Organizational Rules (Commissioner Silverstone)
- q. Discussion and/or action as to changing "Hours of Business with the Town Limits Restricted", in the Town Code of Ordinances, Chapter 12 (Mayor Roseann Minnet)
- r. Finalize the Town Manager's evaluation (Commissioner Clottey)

17. TOWN ATTORNEY REPORT

18. ADJOURNMENT

19. FUTURE AGENDA ITEMS



Mayor Roseann Minnet

ATTEST:


Town Clerk, June White

12/3/09
Date