

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

MINUTES

Jarvis Hall

4505 Ocean Drive

Wednesday, September 9, 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. Vice Mayor Jerry McIntee, Commissioner Jim Silverstone, Commissioner Stuart Dodd, Commissioner Birute Clottey, Town Attorney Susan L. Trevarthen, Town Manager Esther Colon, Town Clerk June White, and Deputy Clerk Nekisha Smith.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION - Reverend George Hunsaker

Mayor Minnet gave the Invocation. There were no additions or changes to the agenda.

Items 7a and 16.o.2 were deleted.

4. PRESENTATIONS

a. Employee of the Quarter (Assistant Town Manager Olinzock)

Assistant Olinzock presented the Employee of the Quarter award to Parking Enforcement Officer Jonathan Michailiuk.

b. Wind Energy - Lou Harlow (Commissioner Clottey)

Mr. Lou Harlow gave an overview of his wind and solar energy company which was based out of Jacksonville, Florida. He said his company specialized in research analysis and additional information could be obtained from his web site www.frombeginningtoend.com

Vice Mayor McIntee questioned the height of the tower. Mr. Harlow said the rule was 180 feet.

Commissioner Clottey asked whether windmills in the water would be visible. Mr. Harlow said they were considered a tourist attraction.

c. Presentation of Proclamation proclaiming Scott Gooding as an honorary Citizen of Lauderdale-By-The-Sea (Mayor Minnet)

Mayor Minnet read the proclamation into record proclaiming Chief Scott Gooding as an honorary citizen.

d. Presentation - Bank Structure (Shawn Sackman)

Commissioner Silverstone questioned how the prepayment penalties were calculated. Mr. Harlow stated that when interest rates went up the prepayment went down. Commissioner Silverstone thought it made sense to pay the loan off now rather than later as the interest rate would exceed the penalty. Mr. Harlow agreed. He said there were other options for a lower rate but it would be costly to pay it off.

Vice Mayor McIntee asked whether all major banks were similar in their rates. Mr. Harlow stated that across the board the major banks were the same.

Commissioner Silverstone asked what it would be if a loan was taken out today? Mr. Harlow believed it was approximately 4.6% for 10 years and 4.75 for 15 year loan.

e. Presentation - Proposed Theater on Commercial Boulevard (Commissioner Clotey & Mayor Minnet)

Mr. Roger Holstein planned to purchase the Christian Science Church to present musical concerts, singing, theater performance and ballet. He stated he would have a financial hardship after the purchase and sought assistance from the Town.

Commissioner Silverstone believed the usage could be changed to cultural. Town Attorney said she would work with the Town to make the zoning change and resolve parking issues.

Commissioner Clotey asked whether there was another bidder for the Church. Mr. Holstein stated he had received an extension. Commissioner Clotey liked the idea of a cultural theater in Town.

Vice Mayor McIntee asked if Mr. Holstein was requesting they waive rules and regulations to assist him. Mr. Holstein said he wanted to keep the costs at a minimum.

Commissioner Dodd inquired of the number of presentations Mr. Holstein planned. Mr. Holstein said he thinking of having several a week. Commissioner Dodd stated that his only concern was overflow parking.

Manager Colon said Mr. Holstein was provided a copy of the Code. She said there were concerns as to whether Mr. Holstein would rent out to other organizations, daily shows. Manager Colon stated that Code did not allow some of those things and there was not

enough parking to accommodate. She recommended Mr. Holstein speak with Planning and Zoning.

Mayor Minnet explained that the Commission was in favor of a theater but needed to know whether it met with code.

Vice Mayor McIntee wanted to know whether the name would be in a non-profit organization or in Mr. Holstein's name. Mr. Holstein said it would be in his own name.

Commissioner Clotey was concerned with the lack of available parking and thought that perhaps spaces could be rented during performances.

Mr. Holstein requested consideration to a schedule whereby he could comply within a 2 year time period as to alleviate the immediate lay out of funds.

f. Presentation of Proclamation - Pink Out Breast Cancer (Mayor Minnet)

Mayor Minnet awarded the proclamation.

5. PUBLIC COMMENTS

Mayor Minnet announced that she would allow 3 minute public comment for each person on any subject or that person could wait and speak on one agenda item, but one person could not speak during public comments and again on an agenda item.

Ed Kennedy spoke of the accomplishments of the previous Town Commission such as town wide TV, the Pelican Hopper, sewers, buried utility lines, new lighting poles, portals by the sea.

Joyce Murray announced the Society of Saint Lucy dePaul transportation service operated by Holy Cross Hospital that would take the elderly and/or people with disabilities to the doctor by calling 954-943-9717.

Vito Chiarello hoped that weekly rentals were temporary. He was concerned with pit bulls running loose and against beach fishing.

John Oughton wanted to know whether there was a state, federal or local requirement that mandated a United States Licensed Coast Guard Master to man a vessel and if so, at what rating. Mr. Auten asked what the Commission planned to do with the sewer system that was breaking down throughout Town.

Chad Purcell stated that Lauderdale-By-The-Sea was the only Town that did not allow surf fishing.

Bob Fleishman stated that the Town Manager was a loose cannon. Commissioner Silverstone challenged the comment and asked for a ruling. Attorney Trevarthen said

commentary was within the 1st amendment. Mr. Fleishman continued that the Town Manager awarded RFP's to her own "crownies".

Mark Brown said the tax bill was supposed to go down 10% but his taxes went down approximately 57 cents.

Louis Marchelos thought the Town Manager should have a blog to explain governance.

Spiro Marchelos believed the pavilion was sinking and stated that there was a flood problem and major traffic problems.

Debra Werner worked with the Florida Orchestra. She thought the theater would bring visual art to the community and lift it up.

Ken Brenner was unhappy with the current garbage rates.

Frank Herrmann was not happy with the vacation rental ordinance.

Ben Freeney thought the budget was confusing.

Nathan Werner believed a parking plan should be supported for the theater.

Edmund Malkoon stated that the Bel Air Board submitted a list of street names.

Christopher Vincent wanted the Commission to review the Town Manager's contract.

Kai Stadler questioned the purchase of the fire truck for \$150,000.

Lawrence Wick wanted to see the Town move forward with agenda items and stop the criticism.

David Sainen wanted clarification on boats and trailers.

Mayor Minnet recessed the meeting at 8:50 p.m. and reconvened at 9:10 p.m.

6. REPORTS

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

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

b. Development Services Monthly Report - July 2009 (Assistant Town Manager Olinzock)

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

c. Municipal Services Monthly Report - July 2009 (Assistant Town Manager Olinzock)

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

d. BSO Police Monthly Report - July 2009 (Chief Llerena)

Vice Mayor McIntee asked whether there were house burglaries. Chief Llerena said there were two.

Commissioner Dodd wanted to know when security cameras would be placed. Chief Llerena stated they were planned for the next fiscal year. Commissioner Dodd asked whether the money would come from the LETF funds and Chief Llerena believed it would not.

Commissioner Silverstone saw a positive difference for the Town.

Manager Colon wanted to clarify the numbers. Chief Llerena said the numbers went back to when the command staff was on patrol. He said Lt. Sedano was definitely out there and productivity increased.

Commissioner Clotey said her neighbors had commented that a stronger police presence in their neighborhood was appreciated. She thanked Chief Llerena.

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

e. VFD Fire Monthly Report - July 2009 (Chief Perkins)

Commissioner Dodd asked whether the 38 people turned up for the 4th of July received their \$10. Chief Perkins said they did.

Commissioner Silverstone inquired of an abandoned sailor. Chief Perkins said the sailor had spent 5 days at sea and had no money for a tow. He said the sailor was not abandoned and the VFD did their best to help him get towed out of the sand.

Commissioner Clotey asked whether the number of hours for beach patrol would increase. Chief Perkins said as the season progressed the hours would increase.

Mayor Minnet asked whether Chief Perkins intended on placing the Tower Truck, agenda item 7a, back on the agenda. Chief Perkins said perhaps sometime in the future.

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

f. AMR EMS Monthly Report - July 2009 (Operations Manager Liddle)

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

Manager Colon stated that AMR was the representative in the area for the swine flu shots. She asked that AMR inform the Commission on what they have been doing.

Vice Mayor McIntee withdrew his second to allow discussion.

Operations Manager Brooke Liddle said Maggie House has been intimately involved with the meetings on the County EOC and County Health Department level. Ms. House said the availability of the vaccine was predicted for the fall.

Vice Mayor McIntee reinstated his second. The vote was taken again and the motion to approve the report carried 5-0.

7. PUBLIC SAFETY DISCUSSION

a. Tower Truck (Chief Perkins)

This item was removed earlier in the evening.

Manager Colon clarified that the Town did not pay any money on the \$150,000 fire truck and did not have title to the truck. She stated that the vehicle was purchased by VFD with their own funds.

Mayor Minnet asked why it was on the agenda. Manager Colon said that Chief Perkins requested that it be placed on the agenda as he wanted to know whether the Town would be interested in purchasing the truck at the reduced price.

Vice Mayor McIntee wanted clarification that the VFD purchased the tower truck and provided the trucks to the town at no charge.

8. TOWN MANAGER REPORT

a. Payment of Capital Fund Promissory Note

Manager Colon wanted to know whether the Commission wanted her to pay down the Capital Fund promissory note or keep it in reserves.

b. Payment of General Fund Promissory Note

Manager Colon wanted to know whether the Commission wanted her to pay down the General Fund promissory note or keep it in reserves.

Commissioner Silverstone wanted to pay off the debt on the Capital Fund and the General Fund. He was concerned with the penalties if they were paid now. Manager Colon stated that if the interest payment was calculated into 2020 the savings would be approximately \$600,000. Commissioner Silverstone wondered whether it might be better to wait another month. Manager Colon said it was a decision for the Commission to make.

Commissioner Clotey wanted a special meeting to discuss it and get professional advice.

Vice Mayor McIntee believed the interest rates were at their lowest and did not believe they would go any lower. He did not think it would be wise to sit at 4%. He agreed with Commissioner Clotey.

Commissioner Dodd thought the Master Plan Steering Committee should look at the Master Plan. He believed the promissory notes should not be paid back and should be used for improvements instead.

Mayor Minnet requested a date to set the priorities. The Commission agreed to have a Workshop on Tuesday, September 22, 2009 at 5:00 p.m.

c. Selection of Halloween Chairperson

Manager Colon said the Commission needed to select a Chairperson for the Halloween Committee before a special events application could be submitted.

Commissioner Clotey made a motion to select Commissioner Silverstone, who turned it down. Commissioner Clotey withdrew her motion. There were no volunteers from the Commission.

Vice Mayor McIntee made a motion to nominate Commissioner Dodd. Commissioner Silverstone seconded the motion. Commissioner Dodd rejected the nomination. He did not feel it would be a success.

Vice Mayor McIntee said that he, Commissioner Silverstone and Commissioner Clotey had done a few events for the Town. He said if they were to do it he wanted guarantees that there would be no more "back dooring" and/or "sabotage" or questioning the budget. Commissioner Silverstone nominated Barbara Cole, who turned it down. Mayor Minnet nominated Lawrence Wick, who was not present to accept or reject. Vice Mayor McIntee said he would do it if Mayor Minnet and Commissioner Dodd would give their guarantee that there would be no harassment and the kids could enjoy the

event. Mayor Minnet would not give her guarantee as she pointed out there was no harassment; only questions. Commissioner Silverstone thought that was unfortunate for the kids. He said he had been doing it for 15 years and it was time someone else stepped up to the plate. There were no volunteers. Mayor Minnet called the next item on the agenda. Vice Mayor McIntee said he could not do that to the kids and agreed to Chair the event.

Commissioner Silverstone nominated Vice Mayor McIntee. Vice Mayor McIntee asked for Commissioner Silverstone's assistance which was accepted. Commissioner Dodd seconded the motion. The motion carried 5-0.

9. APPROVAL OF MINUTES

- a. July 14, 2009 Regular Meeting Minutes
- b. July 20, 2009 Special Meeting Minutes
- c. July 28, 2009 Special Meeting Minutes
- d. July 28, 2009 Regular Meeting Minutes

Commissioner Silverstone made a motion to approve the July 14, 2009, July 20, 2009, July 28, 2009 Special and July 28, 2009, Regular meeting minutes. Commissioner Dodd stated that the last half of the minutes for the July 28, 2009 Regular meeting were missing from the backup. He requested that staff investigate and bring the complete minutes back for approval. Clerk White explained that the July 28, 2009 Commission meeting was recessed to July 29, 2009 and it so stated that at the end of the July 28th minutes. She added that the minutes for the July 29, 2009 Commission meeting were not yet completed and may be on the next agenda.

Commissioner Dodd seconded the motion. The motion carried 5 - 0.

10. ORDINANCES

- 1. Ordinances 1st Reading - "Public Comments"
 - 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.

Mayor Minnet opened the meeting for public comments.

Spiro Marchelos presented knives, wire, hooks and lines to show what would be left behind when fishing on the beach. He was against the ordinance to allow beach fishing as he believed it was a public safety issue.

Chad Purcel believed people should be allowed to enjoy the beach and spend time with their kids. He said the knives and hooks were bought in a store and not found on the beach.

Mark Brown believed the fishing ordinance should have been noticed in advance to the condominiums for discussion.

Diane Boutin believed the proposal was to limit the time to early morning and in the evening and not during the time swimmers were on the beach.

Christopher Vincent enjoyed building sand castles with his children and did not want to be cut by a knife or hook when digging.

Vito Chiarello was against fishing on the beach.

Louis Marchelos believed fishing should be done in controlled areas.

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

Commissioner Silverstone believed that if there were problems then it would be outlawed in other Cities.

Commissioner Clotey offered a previous Ordinance that denied surf fishing except to the owners that had title to their property. She said it was an agreement between the Anglin family and the Town in 1942. Commissioner Clotey was concerned that the Town may be liable for breaking the contract and believed it should be looked at before any decisions were made. Mr. Purcel clarified that the contract said a condo owner could fish on their property. Commissioner Clotey said the contract stated they had to own part of the ocean and no one owned part of the ocean.

Attorney Trevarthen believed it had the form of an Ordinance and would look at it closer with Commission direction. Vice Mayor McIntee believed she should.

Commissioner Dodd did not believe that Anglin had the right to specify the beaches and create a monopoly. He asked the Town Attorney to determine whether it was legal. He said it appeared in the ordinance that section 57(3) excluded fishing off a kayak and he believed that at the end of clause 2 the wording should be changed to say persons are prohibited from engaging in fishing and surfcasting within proximity "swimmers, bathers, scuba divers or snorkelers". He believed the whole clause 3 should be eliminated and instead include a clause 5 that would say that it was unlawful to beach cast or fish from the shore within 300 feet from either side of the pier.

Commissioner Silverstone said the only time he found a knife was from scuba divers. Vice Mayor McIntee agreed with Commissioner Dodd. He asked that Commissioner Dodd write his suggestions to the Town Attorney so it could be done for second reading.

Commissioner Clotey stated that people were just coming back to Town. She wanted to table the item until after the Commission had a workshop for public discussion.

Commissioner Clotey made a motion to table Ordinance 2009-27 and to schedule a workshop. Mayor Minnet passed the gavel and seconded the motion. Mayor Minnet seconded the motion.

The motion failed 3 - 2. Vice Mayor McIntee, Commissioner Silverstone and Commissioner Dodd voted no.

Commissioner Silverstone made a motion to adopt Ordinance 2009-27 on first reading to include Commissioner Dodd's recommendations and to add that there be no chumming allowed. Mayor Minnet recommended prohibiting surf cast fishing in the late evening hours and should stop at dusk. Discussion followed and it was determined to leave the time as written. Commissioner Dodd seconded the motion.

Attorney Trevarthen summed up the motion: On page 2 of the Ordinance, #2 - adding scuba divers and snorkelers; deleting #3; Attorney Trevarthen noted that the addition of #5 would fit better in section 5-5 to broaden the scope of that section to include surf fishing in the manner suggested; not within 300 feet of the pier; no chumming; time would stay as written.

The motion carried 3 - 2. Mayor Minnet and Commissioner Clotey voted no.

2. Ordinances 2nd Reading - "PUBLIC HEARING"

- a. Ordinance 2009-26: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA AMENDING CHAPTER 20, ARTICLE VI, SECTIONS 20-121, 20-122, 20-125, AND 20-126 PROVIDING ADDITIONAL WATER CONSERVATION REGULATIONS; CREATING NEW SECTION 20-126 ENTITLED "WATER CONSERVATION"; RENUMBERING EXISTING SECTIONS 20-126 AND 20-127 AS SECTIONS 20-127 AND 20-128; PROVIDING FOR CODIFICATION IN ARTICLE VI OF CHAPTER 20 OF THE CODE OF ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE (Approved on 1st reading July 28, 2009)

Attorney Trevarthen read Ordinance 2009-26 by title.

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

Commissioner Silverstone made a motion to adopt Ordinance 2009-26 on second reading. Vice Mayor McIntee seconded the motion. The motion carried 5 - 0.

11. COMMISSIONER COMMENTS

Vice Mayor McIntee said he did not regularly do emails; maybe 10 or 12 a year. He added that he had the same right as any citizen to request emails. Vice Mayor McIntee did not feel it was right to attack the Town Manager's contract as it was the same contract the previous Town Manager had. He reminded everyone that Lauderdale-By-The-Sea had one of the lowest property taxes in Broward County.

Mayor Minnet said the residents thanked Town staff for the locks on the playground and the foot showers at the pavilion. She encouraged everyone to start the petition to their congressman for a one town, one zip code. Mayor Minnet asked the ByTheSeaTimes to correct their quote in an article they wrote in which she did not make. She asked that if there are any questions regarding what she had said or if she had said it, to please call and verify. Mayor Minnet said the infrastructure was a priority.

Commissioner Clotey asked everyone to remember those who perished on 9-11. She encouraged everyone to contact Congressman Kline for a single zip code. Commissioner Clotey believed that the Commission Agenda was getting longer and longer. She believed the problem was that items were placed on the agenda that should not be there, some of which already had an attorney's opinion. Commissioner Clotey suggested that instead, a notice on the web site to let people know what was going on. Commissioner Clotey suggested that if people had a problem with dogs they should call the police.

Commissioner Silverstone said only the utility lines on A1A were buried. He said there was an Ordinance in place for nuisance dogs and complaints should be filed with BSO. Commissioner Silverstone said people should look at other Town Manager's contracts and see where Manager Colon's contract falls. Commissioner Silverstone pointed out that this Town is more transparent than ever and reminded everyone that everything is on the web site, the meetings are live on TV, and the minutes were on line.

Commissioner Dodd said his comments were never a personal issue. He said he addressed all items to oversee the functions of the Town. Commissioner Dodd believed there should be one meeting in August and hoped to do so next year. Commissioner Dodd had an issue with the survey that went out and did not like the question regarding the height limit.

Vice Mayor McIntee requested reopening the Halloween item. He wanted to make sure they would have the same budget as last year. Manager Colon believed there were no changes and would confirm the numbers.

12. CONSENT AGENDA

Mayor Minnet pulled item 12b for discussion.

- a. Commission approval of contractor and award of RFP 09-06-03 - Beach Cleaning Services agreement from WD Thompson, Inc.- \$162,000 (Assistant Town Manager Olinzock)

Vice Mayor McIntee made a motion to approve subject to Town Attorney approval. Commissioner Clotey stated that the Town only received on bid and asked whether this was the company that did the neighboring communities also. Manager Colon said they were are current contractor and noted that there were over 150 inquiries on the bid. Mayor Minnet stated that they also did the local communities. Commissioner Silverstone seconded the motion. The motion carried 5 - 0.

- b. Lease Agreement Renewal with VFD - fire trucks, boat, trailer (Clerk White)

Mayor Minnet was concerned with the word "startup". She said the VFD has been in force for a year and wondered whether it should remain. Manager Colon said the Mayor, the Town Attorney and herself agreed that the use definition should be changed.

Commissioner Silverstone made a motion to approve subject to changes and Town Attorney approval. Vice Mayor McIntee seconded the motion.

Manager Colon said that she had discussed with staff and the Town Attorney the combination of similar items and closing the agenda at 11:00 p.m. with any and all items that had not been discussed be carried forward to the next Commission meeting agenda. Attorney Trevarthen believed it would be a more efficient way to prepare and handle an agenda. She added that based on her experience with other cities it was the common way to handle the items that were not reached by the end of the evening.

Vice Mayor McIntee made a motion to roll the remaining items to the next Commission agenda, September 22, 2009 and to begin at 6:00 p.m. to allow additional time to catch up. Attorney Trevarthen stated that would be ok with her. Commissioner Silverstone seconded the motion.

Commissioner Dodd was against it as it was possible that they would not get to the items if they rolled it over to the end of the next agenda.

Commissioner Clotey did not feel a new rule should be made during the meeting and believed the Commission should come back to complete the current meeting. She believed the Commission should discuss the idea it at the next Roundtable.

The motion failed 3-2. Mayor Minnet, Commissioner Dodd and Commissioner Clotey voted no.

The Commission set the time to continue the current meeting following the 5:00 p.m. Roundtable meeting on Thursday, September 10, 2009.

Vice Mayor McIntee made a motion to recess the meeting to September 10, 2009 following the scheduled 5:00 p.m. Roundtable meeting. Mayor Minnet recessed the meeting at 11:10 p.m.

13. RESOLUTION - "Public Comments"

14. QUASI JUDICIAL PUBLIC HEARINGS

15. OLD BUSINESS

16. NEW BUSINESS

- a. Appointment of Trustee to the LBTS Volunteer Fire Department Pension Plan (Town Clerk)
- b. Commission selection of contractor and award of RFP 09-06-02 - IT Services (Manager Colon)
- c. Commission selection of contractor and award of RFP 09-07-01 - Commercial Blvd Drainage Improvements (Assistant Town Manager Olinzock)
- d. Commission selection of contractor and award of RFP 09-07-02 - Parking Citation Processing Services (Assistant Town Manager Olinzock)
- e. Commission selection of contractor and award of RFP 09-07-04 - Sewer Line and Storm Drain maintenance - (Assistant Town Manager Olinzock)
- f. Discussion and/or action regarding Citizen Contact Forms for drainage project (Assistant Town Manager Olinzock)
 - 1. Harbour Drive - \$160,000 estimated construction
 - 2. 4400 El Mar Drive - \$61,250 estimated construction
 - 3. 1755 E. Terra Mar Drive - 9,500 estimated construction
 - 4. Chen & Associates design and permitting \$15,188 plus reimbursable.
- g. Discussion and/or action for amendment to Ordinance 2009-19 - Vacation Rentals (Commissioner Silverstone)
- h. Discussion and/or action to limit commission members to a total of (3) times, (3)

minutes each, on each agenda item (Mayor Minnet)

- i. Discussion and/or action to review Ordinance Chapter 10:
 - 1. Garbage and Refuse (Mayor Minnet)
 - 2. Review the Ordinance for garbage enclosures in all districts (Mayor Minnet)
- j. Discussion and/or action to review Chapter 30:
 - 1. The ordinance on corner lots (Mayor Minnet)
 - 2. Amend Section 3.13 #29, pertaining to the installation of pools on corner lots (Commissioner Silverstone)
- k. Discussion and/or action to support staff's request and reset the bond to its original value - Minto (Commissioner Dodd)
- l. Discussion on Bid opening procedures - change purchasing manual section 4 (a) to read - All timely - received bids shall be publically opened and read aloud in the presence of witnesses at the place and time designated in the RFP. Town staff shall warn all present the bids have not been checked for responsiveness or mathematics (Commissioner Dodd)
- m. Discussion and/or action regarding Board of Adjustment, P & Z and MPSC sub committee recommendations, functions and raison d'être of a variance and code enforcement penalties when a variance is denied (Commissioner Dodd)
- n. Discussion and/or action on the Law Enforcement Trust Fund (Commissioner Dodd)
- o. Discussion and/or action concerning Public Information Requests:
 - 1. Vice Mayor's request for copies of Mayor Monnet's emails and Commissioner Dodd's emails (Commissioner Dodd)
 - 2. The costs of Public Information requests (Commissioner Dodd)

This item was removed earlier in the evening.
- p. Explanation of function of Town Government (Commissioner Silverstone)
- q. Discussion and/or action regarding the November 10th & 24th Commission meetings and the December 8 and 22 Commission Meetings (Mayor Minnet)
- r. Discussion and/or action regard the clarification of the ordinance pertaining to the

Town Commission Regular Meeting Minutes
September 9, 2009

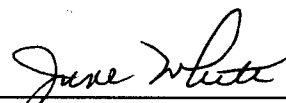
storage of boats, boat trailers, boat enclosures and boat covers in the Town (Mayor Minnet)

- s. 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)
 - t. Cost study for police services \$2,500 (Commissioner Silverstone)
 - u. Discussion and/or action regarding draft Resolution #2009-23 concerning street names in Bel Air (Commissioner Clotney)
 - v. Discussion and/or action regarding code compliance for turtle lighting (Commissioner Dodd)
17. TOWN ATTORNEY REPORT
18. ADJOURNMENT
19. FUTURE AGENDA ITEMS



Mayor Roseann Minnet

ATTEST:



Town Clerk, June White

10/20/09

Date

