

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

## **TOWN COMMISSION**

### **REGULAR MEETING**

#### **AGENDA**

Town Commission Meeting Room

***4501 Ocean Drive***

***Tuesday, May 12, 2009***

***7:00 P.M.***

1. **CALL TO ORDER, MAYOR ROSEANN MINNET**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION**
4. **PRESENTATIONS**
  - a. Presentation regarding GATSO USA Red Light Camera. (Chief Gooding)
  - b. Demonstration for BSO's CyberVision e-mail or text message alerts (Chief Gooding)
5. **PUBLIC COMMENTS**
6. **REPORTS**
7. **PUBLIC SAFETY DISCUSSION**
8. **TOWN MANAGER REPORT**
  - a. Town Commission input regarding locations of Scenic Highway designation signage and areas of interest along SR A1A corridor in Lauderdale-By-The-Sea. Information will be presented during Broward A1A Scenic Highway Management Entity Trolley Tour on Thursday, May 21, 2009
  - b. Clarification that the second reading of Ordinance 2009-14 amending Chapter 13 "Noise" will occur at the June 9, 2009 Town Commission meeting
  - c. Town Commission direction regarding the Streetscape design of El Mar Drive
  - d. Town Commission direction regarding the reduction of Building Department permit fees for Town sponsored special events

- e. Clarification of Ordinance 2008-18 (3 hr. limit on beach meters) and (annual increases)

**9. APPROVAL OF MINUTES**

- a. April 20, 2009 Regular Meeting Minutes

**10. ORDINANCES**

**1. Ordinances 1<sup>st</sup> Reading - "Public Comments"**

- a. **Ordinance 2009-22** (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 JULY 22, 2008 COMMISSION MEETING BY COMMISSIONER DODD) *Tabled at the November 10, 2008 Commission meeting for 6 months by Vice Mayor McIntee*

**2. Ordinances 2<sup>nd</sup> Reading – "PUBLIC HEARING"**

- a. **Ordinance 2009-10:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY THE SEA, FLORIDA, AMENDING CHAPTER 30 "UNIFIED LAND DEVELOPMENT REGULATIONS," ARTICLE I "IN GENERAL," SECTION 30-21 "NON-CONFORMING USES AND STRUCTURES" TO AMEND REQUIREMENTS FOR CONTINUATION OF NON-CONFORMING USES AND STRUCTURES; AMENDING ARTICLE IV "SITE PLAN PROCEDURES AND REQUIREMENTS," SECTION 30-123 "APPLICATION FOR FINAL SITE PLAN APPROVAL" TO CLARIFY THE REQUIREMENTS FOR AN APPROVED SITE PLAN TO REMAIN EFFECTIVE; AMENDING ARTICLE V "ZONING," DIVISION 2 "DISTRICTS," SECTION 30-211 "RS-5 DISTRICT—RESIDENCE" TO AMEND ROOF OVERHANG SETBACK REQUIREMENTS IN THE RS-5 DISTRICT; AMENDING ARTICLE V "ZONING," DIVISION 2 "DISTRICTS," SECTION 30-271 "B-1 DISTRICT- BUSINESS" IN ORDER TO PROVIDE THAT COOKING SCHOOLS, CATERING BUSINESSES, MOTORIZED SCOOTER OR MOPED SALES AND RENTALS ARE PERMITTED USES IN THE B-1 DISTRICT; AMENDING ARTICLE V "ZONING," DIVISION 2 "DISTRICTS," SECTION 30-313 "GENERAL PROVISIONS" IN ORDER TO AMEND THE REQUIREMENTS FOR

FENCES, WALLS, AND HEDGES AND TO PROVIDE DEVELOPMENT STANDARDS FOR DRIVEWAYS, SWALES, AND GENERATORS; FURTHER AMENDING ARTICLE VIII "SIGN REGULATIONS," SECTION 30-507 "DEFINITIONS AND RESTRICTIONS BY SIGN TYPE," TO AMEND THE DEFINITIONS OF "SIGN," "INFORMATIONAL, DIRECTIONAL OR TRAFFIC CONTROL SIGN," AND "REAL ESTATE SIGN"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

- b. **Ordinance 2009-13:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, GRANTING AN EXCLUSIVE RIGHT, PRIVILEGE AND FRANCHISE TO CHOICE ENVIRONMENTAL SYSTEMS INC. TO OPERATE THE ONLY SOLID WASTE AND RECYCLABLE COLLECTION SYSTEM IN THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA; PROVIDING FOR THE TERMS, CONDITIONS, AND STANDARDS FOR SAID FRANCHISE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.
- c. **Ordinance 2009-14:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 13 "NOISE" OF THE CODE OF ORDINANCES TO PROVIDE FOR AMENDED NOISE REGULATIONS; AMENDING CHAPTER 17 "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES," ARTICLE VIII "SPECIAL EVENTS" TO AMEND THE REGULATIONS OF SPECIAL EVENT PERMITS TO PROVIDE GROUNDS FOR DENIAL OF A SPECIAL EVENT PERMIT FOR VIOLATION OF NOISE AND OTHER TOWN STANDARDS; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**11. COMMISSIONER COMMENTS**

**12. CONSENT AGENDA**

- a. Award of annual Tree Trimming Maintenance Agreement with Lawn Logic, LLC (Assistant Town Manager Olinzock)
- b. Award of annual Landscape Maintenance Agreement with Green Haven (Assistant Town Manager Olinzock)
- c. Ratification by Town Commission of use of 2 parking spaces 12 hours per day for 8 days on Datura Avenue by Aron & Associates during repairs to balconies on Winter Colony Condominiums, 4300 El Mar Drive (Assistant Town Manager Olinzock)

**13. RESOLUTION – "Public Comments"**

**14. QUASI JUDICIAL PUBLIC HEARINGS**

**15. OLD BUSINESS**

- a. Discussion and/or action regarding Town Manager review as required in the contract (Commissioner Dodd)
- b. Selection by Town Commission of design for custom banners in the Hospitality and Business District of Town (Assistant Town Manager Olinzock)  
*(This item was deferred at the April 29, 2009 by Commissioner Dodd)*

**16. NEW BUSINESS**

- a. Discussion and/or action regarding the creation of a Resolution recognizing the "Building Citizenship in the Community: Back to Basics" Initiative of the Florida League of Cities (Mayor Minnet)
- b. Discussion and/or action on the formation of a Budget Review Board (Commissioner Dodd)
- c. Discussion and/or action concerning the hiring of a part-time clerk to support the Town Commission. Providing each Commissioner with up to four hours of clerical support each month would relieve the other staff from these duties - \$2,200 (Commissioner Clotney)
- d. Discussion and/or action concerning the granting of special event permits when the Town or Chamber is sponsoring a special event (Commissioner Clotney)
- e. Discussion and/or action concerning the role of the Town's spokesperson (Public Information Officer) when dealing with the media during and after a crisis (Commissioner Clotney)

**17. TOWN ATTORNEY REPORT**

**18. ADJOURNMENT**

**19. FUTURE AGENDA ITEMS**

**May 13, 2009** - Commission Workshop - 7:00 PM – Fire, Height & Capital Assets

**May 26, 2009** - Kite Surfing

**May 26, 2009** - RFP's under \$15,000

**May 26, 2009** – Ordinance re: recyclables

Town Commission Regular Meeting Agenda  
May 12, 2009

**May 26, 2009** – Ordinances Second Readings:  
2009-19 (Vacation Rentals), 2009-20 (Amending Chapter 30)  
2009-21 (Temporary discontinuation of solid waste pickup)

**June 9, 2009** - Fisherman's Pier Sign

**June 23, 2009** - Enforcement Technology, Inc.

**November 24, 2009** - Environmental Sustainability Committee

*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.*