

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, April 28, 2009

7:00 P.M.

1. **CALL TO ORDER, MAYOR ROSEANN MINNET**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION**
4. **PRESENTATIONS**
 - a. Burton and Associates Fire Presentation
 - b. Presentation regarding turtle lighting - Green Light Go (Commissioner Dodd)
5. **PUBLIC COMMENTS**
6. **REPORTS**
 - a. Finance and Budget Monthly Report – March 2009 (Manager Colon)
 - b. Development Services Monthly Report – March 2009 (Assistant Town Manager Olinzock)
 - c. Municipal Services Monthly Report – March 2009 (Assistant Town Manager Olinzock)
 - d. BSO Police Monthly Report – March 2009 (Chief Gooding)
 - e. VFD Fire Monthly Report – March 2009 (Chief Perkins)
 - f. AMR EMS Monthly Report – March 2009 (Operations Manager Liddle)
7. **PUBLIC SAFETY DISCUSSION**
8. **TOWN MANAGER REPORT**
 - a. Clarification of relocating bronze plaques to pavilion

9. APPROVAL OF MINUTES

a. April 14, 2009 Regular Meeting Minutes

10. ORDINANCES

1. Ordinances 1st Reading - "Public Comments"

a. Ordinance 2009-19: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING SECTIONS 12-2(c) AND 12-22 OF ARTICLE I, "BUSINESS TAXES," CHAPTER 12, "LICENSES," OF THE CODE OF ORDINANCES; AND CREATING A DEFINITION OF "VACATION RENTAL" IN SECTION 30-155, ALLOWING VACATION RENTALS AS AN ACCESSORY USE IN THE RS-4, RS-5, RD-10, RM-25 AND RM-50 ZONING DISTRICTS, AND CREATING SECTION 30-327 "VACATION RENTALS," FOR RELATED SUPPLEMENTAL ZONING REGULATIONS, ALL WITHIN ARTICLE V "ZONING," CHAPTER 30 "UNIFIED LAND DEVELOPMENT REGULATIONS" OF THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

b. Ordinance 2009-20: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30 "UNIFIED LAND DEVELOPMENT REGULATIONS," ARTICLE IX "NOTICE OF INTENT OF PENDING LAND DEVELOPMENT REGULATIONS" OF THE CODE OF ORDINANCES, TO EXEMPT FROM THE ADMINISTRATIVE PROCEDURES REQUIRING NOTICE OF PENDING LAND DEVELOPMENT REGULATIONS THOSE ORDINANCES THAT ONLY REGULATE ACCESSORY USES OF RESIDENTIALLY ZONED PROPERTY; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

c. Ordinance 2009-21: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING SECTION 10-32 "TEMPORARY DISCONTINUATION OF SERVICE" OF ARTICLE II "CONTAINERS AND RECEPTACLES," CHAPTER 10 "GARBAGE AND REFUSE" OF THE CODE OF ORDINANCES IN ORDER TO REDUCE THE MINIMUM TIME PERIOD FOR FILING OF A REQUEST FOR TEMPORARY DISCONTINUATION OF SOLID WASTE SERVICES FOR SINGLE-FAMILY RESIDENCES; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE

2. Ordinances 2nd Reading – "PUBLIC HEARING"

a. Ordinance 2009-18: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING SECTION 19-26 OF THE CODE OF ORDINANCES TO CREATE A BEACH PARKING PERMIT AND REVISE PARKING PERMIT REGULATIONS; PROVIDING FOR SEVERABILITY;

CODIFICATION; AND AN EFFECTIVE DATE (Approve 1st reading March 24, 2009)

11. COMMISSIONER COMMENTS

12. CONSENT AGENDA

- a. Award of annual Electrical Maintenance Agreement with Imperial Electrical, Inc. for Maintenance of Equipment in Town properties (Assistant Town Manager Olinzock)
- b. Award of annual Streetlight Maintenance Agreement with Imperial Electrical, Inc. for Maintenance of Streetlights throughout Town (Assistant Town Manager Olinzock)
- c. Commission approval of 3rd amendment for the community bus with Broward County (Manager Colon)
- d. Commission approval of Special Event Permit application for LBTS Chamber of Commerce Event "Lauderdale-By-The-Sea Craft Festival", Saturday, October 31, 2009, 5:00 AM thru Sunday, November 1, 2009, 9:00 PM (Assistant Town Manager Olinzock)
- e. Commission approval of Special Event Permit application for Village Grille's "Jazz in the Square" event, every Friday evening, 4:30 PM till 11:30 PM, May 16, 2009 thru May 15, 2010 (Assistant Town Manager Olinzock)
- f. Commission approval of Special Event Permit application for Athena by the Sea's "Music by the Sea" event, every Saturday evening, 4:00 PM till 11:00 PM, May 28, 2009 thru May 27, 2010 (Assistant Town Manager Olinzock)
- g. Commission approval of agreement for Stormwater System Design on Commercial Boulevard east of El Mar Drive with Holland Engineering Inc., in the amount of \$3,500.00 (Assistant Town Manager Olinzock)
- h. Commission approval to authorize the recording of the attached Code Enforcement lien – 1749 SE 19th Avenue (Assistant Town Manager Olinzock)
- i. Commission approval of amendment to existing agreement with Enforcement Technology, Inc. for Processing Parking Citations - \$2,100.00 (Assistant Town Manager Olinzock)

13. RESOLUTION – "Public Comments"

- a. **Resolution 2009-13:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA OPPOSING SENATE BILL 1000/HOUSE BILL 365 ENTITLED AN ACT RELATING TO DISCRETIONARY SALES SURTAXES; PROVIDING FOR CONFLICT;

PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE
(Requested at the April 20, 2009 Commission meeting by Mayor Minnet)

14. QUASI JUDICIAL PUBLIC HEARINGS

15. OLD BUSINESS

- a. Selection by Town Commission of design for custom banners in the Hospitality and Business District of Town (Assistant Town Manager Olinzock)
- b. Discussion and/or action regarding Kite Surfing (Vice Mayor McIntee)
- c. Discussion and/or action to change the passes at Bougainvilla Parking Lot to the portals for employees of the Broward County Sea Turtle Conservation Program (Mayor Minnet) *This item was deferred to the April 28, 2009 Commission meeting by Commissioner Clottey*
- d. Discussion and/or action concerning lack of lighting in the Pavilion with regard to public safety (Commissioner Dodd) *This item was deferred to the April 28, 2009 Commission meeting by Commissioner Dodd*

16. NEW BUSINESS

- a. Discussion and/or action regarding the setting of Budget Workshops and Special Commission meetings and Public Hearings for Fire Assessment, Millage, Budget and TRIM (Clerk White)
- b. Commission approval of Vendor for July 4th Beach Blast Celebration 2009 Fireworks Display - \$15,000.00 (Assistant Town Manager Olinzock)
- c. Discussion and/or action for an Ordinance to ban "totters" from prowling the streets of Town stealing valuable recycling material from the refuse collector (Commissioner Dodd)
- d. Discussion and/or action regarding a directive to the Town Manager to inform all Commissioners whenever there is a fatality in Town from anything other than natural causes (Commissioner Dodd)
- e. Discussion and/or action regarding the continuation of Commission meetings. Proposal to approve automatically continuing on the next evening at 21:00. Users of Jarvis Hall (P&Z and P.O.A.) please take note not to book the Wednesday after a Commission meeting (Commissioner Dodd)
- f. Request for Workshop to discuss sound Ordinance before second reading of proposed new Ordinance (Commissioner Dodd)

- g. Discussion and/or action to hold a Workshop to discuss lighting on El Mar Drive, the pavilion & Minto parking lot (Commissioner Dodd)
- h. Move monument at El Prado Park back to its original location. Its present location is somewhat problematic during special events. Since Minto is still doing construction in the area they could be asked to move it for a nominal sum (Commissioner Clotney)
- i. Place shields on every third street light on El Mar Drive, the Minto Parking Lot, and A1A (Commissioner Clotney)

17. TOWN ATTORNEY REPORT

18. ADJOURNMENT

19. FUTURE AGENDA ITEMS

May 12, 2009 - Second Reading Ordinance 2009-10 Amending Chapter 30

May 12, 2009 - Second Reading Ordinance 2009-13 Granting Franchise to Choice Environmental Systems, Inc.

May 12, 2009 - Second Reading Ordinance 2009-14 – Amending Chapter 13 “Noise”

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

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.