

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

MINUTES

Town Commission Meeting Room

4501 Ocean Drive

Monday, April 20, 2009 Continued From April 14, 2009

2:00 P.M.

1. CALL TO ORDER, MAYOR ROSEANN MINNET

Mayor Roseann Minnet called the meeting to order at 2:00 p.m. Vice Mayor Jerry McIntee, Commissioner Jim Silverstone, Commissioner Stuart Dodd, Commissioner Birute Ann Clotkey, and Town Attorney Susan L. Trevarthen were present. Also present were Assistant Town Manager John Olinzock, Town Clerk June White, and Senior Office Specialist Nekisha Smith.

15. OLD BUSINESS

- a. Commission approval of the Broward County Supervisor of Elections agreement for November 3, 2009 - Tabled at the March 10, 2009 by Vice Mayor McIntee (Clerk White)**

Vice Mayor McIntee clarified that the agreement was ready to go.

Commissioner Dodd questioned whether the agreement was the go ahead with the November 2009 Referendum. Town Clerk White clarified that it was not. She added that the Town had to write a letter to the Supervisor of Elections requesting permission to have the Special Election. Vice Mayor McIntee asked when the Town needed to have everything to the Supervisor of Elections. Clerk White said the end of July at the latest. She reminded them that there were Ordinances that required two readings and that once the May 13, 2009 Workshop was complete the Commission should make their decision at the May 28, 2009 Commission meeting so the reading of ordinances could begin with the first reading in June and the second reading in July.

Mayor Minnet inquired as to whether there would be additional charges if the Commission held off on the referendums until the March 10, 2010 General Election. Ms. White said there would not be any additional charges. She explained that Town would have a Special Election November 3, 2009 as a stand alone and therefore would pay \$13,986 for that election.

Vice Mayor McIntee made a motion to defer the agreement until the May 28, 2009 meeting. Commissioner Silverstone seconded the motion.

Commissioner Dodd was concerned that they may be putting it off too long. He thought that by pushing it to May the ordinances would have to go in June and the Ordinances were not yet written. Clerk White believed there would be enough time even if the first reading of the Ordinances began with the first meeting in June and the second reading the first meeting in July. She added that the important thing was getting Commission approval to go to referendum with the November 3, 2009 Special Election in order to obtain permission from the Supervisor of Elections. She explained that once the Commission had their workshop and gave their approval at the May 28, 2009 Commission meeting she would send the letter to the Supervisor of Elections to obtain permission.

Mayor Minnet thought that spending an additional \$14,000 to rush through Charter Amendments did not make sense. She believed people needed time to review them.

Commissioner Clotey inquired as to whether the Town would be financially obligated once permission was granted. Clerk White said she would obtain the information.

In a roll call vote, the motion carried 5 - 0.

b. Discussion and/or action regarding a clock in the pavilion (Requested at the March 11, 2009 Commission meeting by Vice Mayor McIntee)

Vice Mayor McIntee inquired of research done on prices for a clock in the pavilion. Assistant Town Manager Olinzock stated that staff solicited for concepts, not prices. Vice Mayor McIntee wanted to get the community involved in paying for the clock or one of the organizations such as Kiwanis or the Citizen's Initiative Committee.

Vice Mayor McIntee made a motion to direct the Town Manager to come up with concepts and costs. Commissioner Silverstone seconded the motion. He requested New Business item 16n be discussed at this time as it pertained specifically to this issue. Mayor Minnet approved.

Commissioner Silverstone suggested that a 24" weather proof clock would fit under the eave at the front of the pavilion. He said the clock had optional solar power capability and/or a wind measurement meter options at less than \$1,000. Commissioner Silverstone added that the clock adjusted time automatically throughout the day and automatically adjusted to daylight savings time.

Commissioner Silverstone offered a friendly amendment to go forward with a \$1,000 limit to include the 3 options on the clock.

Commissioner Clotey liked the idea of taking donations from the community rather than using Town funds. She preferred a general collection rather than have one organization donate the funds.

Mayor Minnet asked Commissioner Dodd if he wanted to speak on the subject in regards to supplementary ideas for the pavilion as he had not pressed his button. Vice Mayor McIntee called a point of order. He felt Mayor Minnet was directing Commissioner Dodd to speak when he did not push his button. Mayor Minnet said she wanted everyone to have an opportunity to speak. Vice Mayor McIntee made another point of order when a member of the audience told him to "shut up" and requested that Mayor Minnet issue a warning. Mayor Minnet issued the warning.

Commissioner Dodd explained that he did not press his button because he intended to speak on the issue when it came up. He thanked those for their input. Commissioner Dodd questioned whether a plaque would be placed recognizing those who donated funds.

Commissioner Dodd said the Commission had previously allocated \$3,000 for a clock and looked forward to more information in the backup. He believed a more expensive clock would hold up to the weather better and last longer.

Commissioner Silverstone had no objection to accepting donations. He was against accepting specific donations for the clock as it was for the Town. He believed the \$1,000 was well within range and sought approval of the clock with all 3 instruments, wind, time, and tide.

Vice Mayor McIntee withdrew his motion.

Commissioner Silverstone made a motion to allocate a maximum of \$1,000 to place 3 instruments, time, wind and tide on the pavilion with the center being the remote controlled clock, and the wind and tide on both sides. Vice Mayor McIntee seconded the motion.

Commissioner Dodd requested a point of information from Attorney Trevarthen. He said the Commission already approved \$3,000 and asked if the \$1,000 would overrule. Attorney Trevarthen said Commissioner Silverstone could clarify that. Commissioner Silverstone clarified the maximum amount was \$1,000.

Assistant Town Manager Olinzock pointed out that the minutes from the March 10, 2009 meeting did not speak of dollars; only the type of clock and location. Mayor Minnet thanked him for the clarification.

The motion carried 5-0.

- c. Discussion and/or action regarding Town sign at Commercial Blvd and A1A - Vice Mayor McIntee (Tabled at the January 28, 2009 Commission meeting by Vice Mayor McIntee) (Tabled at the February 24, 2009 Commission meeting by Commissioner Dodd) (Tabled at the March 11, 2009 Commission meeting by Vice Mayor McIntee)

This item was deferred by to June 9, 2009 by Vice Mayor McIntee at the April 14, 2009 Commission meeting.

d. Discussion and/or action regarding gravel driveways (Vice Mayor McIntee)

Vice Mayor McIntee believed there were approximately 6 gravel driveways in Town; 2 owned by seniors with limited income. He wanted to see the ordinance grandfather the 6 driveways.

Commissioner Silverstone inquired as to whether the gravel driveways were new in Town or a mixture of new and old. He asked whether there were any gravel driveways in Old Town. Assistant Town Manager said he would look into it.

16. NEW BUSINESS

a. Discussion and/or action regarding the creation of a resolution opposing Senate Bill 1000/House Bill 365 entitled an Act Relating to Discretionary Sales Surtaxes (Mayor Minnet)

Mayor Minnet explained the proposed resolution opposed sales tax and prohibited police and fire services from being controlled by an outside city.

Commissioner Silverstone thought it was a good idea.

Commissioner Silverstone made a motion to direct the Town Attorney to create the resolution with proper language for Lauderdale-By-The-Sea. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5 - 0.

b. Discussion and/or action concerning funding for beach patrols (Commissioner Dodd)

Vice Mayor McIntee said Chief Perkins had an emergency and asked whether Commissioner Dodd would rather defer the item. Commissioner Dodd said if necessary the Deputy Chief could answer his questions.

Commissioner Dodd made a motion to provide a one time \$3,600 subsidy payment to the VFD exclusively to pay VFD staff on the AVT's for beach patrol. He explained that the VFD's original budget called for 10 hours and they have done much more, unpaid. Commissioner Clotey seconded the motion for discussion. She asked whether the money to be used was to be paid hourly individually or as a whole to the VFD. Commissioner Dodd explained it should be used for beach patrol. He added that the VFD budgeted for 10 hours for beach patrol and they did 100 hours in February and should be paid for their time. Commissioner Clotey asked whether the money could be allocated toward specialized courses rather than dollars in their pocket. Commissioner Dodd said he could entertain a motion to include money for education

and would speak with Chief Perkins but the \$3,600 was payment for the men actually working the on beach patrol to cover the additional hours.

Vice Mayor McIntee said the men and women of the VFD voted at their monthly meeting not to take additional money as they did not want people to think they were doing it because they were being paid. He believed Commissioner Clotley's request to have Chief Perkins put the \$3,600 in an education only fund made a lot of sense. Commissioner Dodd changed his motion to pay \$3,600 towards ATV's and a training course for Seadoos and rescue.

Although Commissioner Silverstone liked the idea of paid training, he said the VFD was based upon incentive and not money. He added that they received a \$2,000 check from a citizen of the Town and that was their incentive.

Mayor Minnet questioned whether a fund would need to be created. Attorney Trevarthen said an agreement could be created for her review and opinion. Vice Mayor McIntee directed the Town Manager to direct Chief Perkins to set up an educational fund rather than pay the Town Attorney. Mayor Minnet believed the VFD contract indicated the amount of funding and although she believed the VFD did a wonderful job, she did not think they needed any more money from the Town.

Commissioner Silverstone thought the VFD had enough money and the Town did not need to spend any more money. He believed that the VFD would feel good to know they were appreciated. Vice Mayor McIntee agreed. Commissioner Dodd asked whether there was adequate funding for Seadoo training. Vice Mayor McIntee said he believed there was. Commissioner Dodd withdrew his motion.

- 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)

Mayor Minnet received a letter from Mr. Lou Fisher of the Broward County Sea Turtles Conservation program. She said he believed that parking at the portals would be more convenient for equipment and monitoring devices.

Commissioner Clotley asked for the Town's opinion. Assistant Town Manager Olinzock said staff used Commission direction previously given. Commissioner Clotley thought that the Broward County Sea Turtles Conservationists were pushing it too far. Vice Mayor McIntee advised that the El Mar Parking lot took in \$2,000 a week. Mayor Minnet asked whether the turtle conservationists were at the portals last year. Assistant Town Manager Olinzock said permits were issued to them along the portals but not in the residential spaces.

Commissioner Clotley wanted to defer until the Town Manager would be available.

Commissioner Clotley made a motion to defer to the April 28, 2009 Commission meeting. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5 - 0.

- d. Discussion and/or action regarding a license agreement for parking meters with Bank United (Assistant Manager Olinzock)

Assistant Manager Olinzock stated that Bank United previously had an agreement to lease meters.

Commissioner Silverstone asked for clarification that the agreement was previously granted. Assistant Town Manager Olinzock said it was and when the bags went on the meters, Bank United canceled their agreement. Vice Mayor McIntee was concerned that if it was granted for them it would have to be granted to others. He said he remembered that it was agreed that once the lease option was taken away it would not be given back. Commissioner Dodd agreed and believed the meters should be used as intended.

Commissioner Dodd made a motion to direct staff to write a letter that the Commission had turned down their request. Commissioner Clotley seconded the motion. In a roll call vote, the motion carried 5 - 0.

- e. Appointment of a Director, Alternate and Second Alternate to the Broward League of Cities (Commissioner Clotley)

Commissioner Clotley asked whether anyone wanted to volunteer or make a selection.

Mayor Minnet said she was the representative for the Town and would do it again. After brief discussion Vice Mayor McIntee said he would be willing to fill in any open slot. He made a motion to select Commissioner Clotley as the Director, Mayor Minnet as the 1st alternate and himself as the 2nd alternate. Commissioner Dodd seconded the motion. The motion carried 5-0.

- f. Enforcement of "no prices on signs" policy on books, especially for lodging. Low advertised prices are attracting guests that cause problems (Commissioner Clotley)

This item was removed at the April 14, 2009 Commission meeting by Commissioner Clotley - problem solved.

- g. Commission approval of \$40,000 (excluding fireworks) for Town Sponsored Special Event, July 4th Beach Blast Celebration 2009, July 3 and 4, 2009, \$20,000 Town, \$20,000 donations authorization for Town Manager to execute Contracts / Agreements, and waiving Procurement Purchasing Policy related to the event (Vice Mayor McIntee)

Barbara Cole was concerned that last year every 4th of July Committee meeting was posted and this year there were no postings.

Vice Mayor McIntee stated that New Business item 16g was written as it was last year.

Commissioner Silverstone believed this was being taken out of context. He spoke with Mark Furth who indicated that everything would be done as it was done last year or as close to it as possible. He said it was unfair and incorrect to make accusations that something was being done wrong. Commissioner Silverstone stated that the way this item was presented on the agenda was exactly the same way it was presented last year and except for minor changes. He added that since most of the work was done last year there was nothing to do this year.

Commissioner Dodd said last year the 4th of July Committee meetings were done openly. He believed 4 rides instead of 6 rides would be better due to the economy. Commissioner Dodd had an issue with the fireworks RFP and wanted to know who made the decision on not using the pier for the fireworks display. He believed the public expected the decisions were under the control of at least 1 Commissioner. He had an issue with the fireworks off the beach as he did not see how people could come to El Prado Park to watch the fireworks when they had to be 280 feet away. Commissioner Dodd said with fireworks off the pier, seating areas could be rented out through the pier for people to watch the fireworks. He said these were issues that should have been brought up for the public to hear.

Mayor Minnet asked for the Town Attorney's opinion regarding the posting of the meetings. Attorney Trevarthen said if there were meetings they should have been posted. Vice Mayor McIntee asked for clarification that if only 1 Commissioner had the meeting and no other Commissioner attended, then the meeting would not need to be posted. Attorney Trevarthen said that was correct. Commissioner Dodd asked whether one Commissioner could go to the meeting and another person act as the go between to another Commissioner. Attorney Trevarthen said a third party may not engage in polling but they could work with elected officials for briefing purposes.

Commissioner Dodd asked whether anyone approached Mr. Marchelos regarding the use of the pier for fireworks. Mr. Marchelos said that Mr. Furth told him that the Town was going to have the fireworks on the beach. He added that Mr. Furth offered \$5,000 and the right to hold a special event in the pier parking lot.

Commissioner Silverstone said that Mr. Furth offered \$5,000 to Mr. Marchelos and Mr. Marchelos turned it down. He added that using the shore as the fireworks location would save the Town a lot of money. Commissioner Silverstone said Mr. Furth had a reputation of working hard and doing good events.

Commissioner Clotey said the Town paid \$20,000 last year for the 4th of July event. She said \$10,000 was paid to an event planner. Commissioner Clotey said other cities

were going off the beach and if the Town could save money it was a good idea. She pointed out that the Town needed to tighten their belts on spending this year.

Mark Furth clarified that he was not the "go between" for the Commission. He said he never called a Commissioner to say a Commissioner was going to vote for anything. He said all the accusations were untrue.

Vice Mayor McIntee asked Mr. Furth, as the 4th of July Committee Chairman last year, whether the Committee had meetings every time they had to talk about something last year. Mr. Furth said the reason for the meetings last year was because there were other people involved in the group. He added that the current Committee had not yet had an open meeting as they had not done anything differently from last year, but may have a public meeting at a later time.

Commissioner Dodd asked how much the fireworks would cost from the beach. Mr. Furth said approximately \$15,000 without barricades. He added that last year the Town paid \$20,000 for the pier. Commissioner Dodd clarified that the pier returned \$3,000 so the Town actually paid \$17,000. Commissioner Dodd asked Mr. Furth to explain his meeting with Mr. Marchelos. Mr. Furth said he told Mr. Marchelos what the plans were and that he was to meet with someone on April 24, 2009. He also told Mr. Marchelos that nothing was written in concrete. He said he offered Mr. Marchelos \$5,000 to use the pier and that if he did not hear back from Mr. Marchelos by the April 24, 2009 he would move forward. Mr. Furth clarified that he did not promise them an event but indicated that he would present the idea as Commission approval would be needed. Mr. Furth said he did not hear back from Mr. Marchelos.

Discussion followed regarding where people would view the fireworks. Mr. Furth said a large section of the beach would be quartered off and no one would be allowed in El Prado Park but people could view the fireworks from the beach outside the sectioned off area.

Commissioner Dodd wanted to know why the the plans for the fireworks structure and the location of the barricades were not included in the backup. Assistant Town Manager Olinzock said the item, as presented, specifically excluded fireworks. He said it also requested waiving procurement purchasing policy relating to the event.

Vice Mayor McIntee asked Assistant Town Manager whether there was a preliminary map from the Fire Marshal that showed the basic layout and whether he had received it. Assistant Town Manager Olinzock said he had received such a map and at the next meeting the agenda packet would include materials that addressed the fireworks component. He added that this agenda item excluded the fireworks. Vice Mayor McIntee asked whether a copy of that map would have been given to/or shown to any Commissioner that had called the Fire Marshal and asked to look at it. Assistant Manager Olinzock said yes. Vice Mayor McIntee pointed out that nothing was being held back; it was a work in progress. Mr. Furth agreed that things changed and had to be revised along the way.

Mr. Furth said last year the plans changed 3 times. He has not gotten it down 100% yet and agreed that the rides may come down to 3 this year.

Commissioner Dodd said that as a Commissioner he had not seen any Fire Marshal diagram as to the safety zone, or whether the structure was in front of El Prado Park or 100 yards the other way, yet the Commission was being asked to approve \$40,000 without a plan. Mr. Furth stated that it sounded like a trust issue and Commissioner Dodd did not trust the Commission nor did he trust him to do the right thing. He said that to some degree Commissioner Dodd would need to show trust. Mr. Furth stated that they were still in the preliminary stages of getting everything together and Commissioner Dodd or anyone could call him at any time. Commissioner Dodd asked whether Mr. Furth was able to get more than one bid for the fireworks. Mr. Furth said it was not his job to obtain bids.

Commissioner Clotey asked for clarification on the cost of fireworks last year at \$20,000 for the pier, \$3,000 back from Mr. Marchelos, totaling \$17,000 and \$35,000 for fireworks that came to a total of \$52,000. Mr. Furth agreed. Commissioner Clotey asked whether Mr. Furth proposed spending \$15,000 this year with a net saving of \$37,000 over last year. Mr. Furth did not want to confirm at that point. He explained that \$8,000 was spent on decorations last year and they were not doing that this year. He added that the installation of electrical boxes cost over \$5,000 last year and should cost half that this year. Mr. Furth believed the savings could amount to more than \$40,000 less than last year.

Mayor Minnet asked Commissioner Clotey and Commissioner Dodd when they had their first meeting last year. They believed it was sometime in April. Commissioner Dodd said the Town could provide that information. He believed that by this time, the Committee probably had 6 or 7 open meetings. Mayor Minnet wanted to know when the first meeting took place. Vice Mayor McIntee believed there was no need to have meetings at this stage. He believed it was unfair to micro-manage and it was not fair to Mr. Furth.

Commissioner Silverstone said Mr. Furth earned a substantial amount of credibility for the events that he and his wife had done and therefore, he did not need to ask Mr. Furth a lot of questions. Instead, he thanked Mr. Furth for everything he had done.

Commissioner Silverstone made a motion to accept. Vice Mayor McIntee seconded the motion. Commissioner Dodd questioned the \$20,000 donations. He wanted to know if the Commission was authorizing a full \$40,000 excluding any donations received. Commissioner Silverstone pointed out that the item stated "excluding fireworks amount".

Assistant Town Manager Olinzock clarified that the cost for the fireworks was not included in that dollar amount. He also clarified that approval allowed the Town Manager to execute the contracts as they took place and approved the waiver of the

purchasing policies.

Vice Mayor McIntee wanted to know how Commissioner Dodd interpreted the wording last year as this item was a word for word interpretation as what was on the agenda last year. Commissioner Dodd said he did not remember what was on the agenda last year. Commissioner Dodd still wanted clarification on this item as he believed that the Commission was authorizing \$55,000 without donations; \$40,000 plus \$15,000 for fireworks. Assistant Town Manager Olinzock clarified that the Commission was approving an expenditure of \$20,000 from Town funds and allowing the Town Manager to spend \$20,000 in donations for a total of \$40,000. He added there was no dollar amount for fireworks included in this item.

The motion to approve carried 5-0.

Mayor Minnet recessed the meeting at 3:50 p.m. and reconvened at 4:00 p.m.

h. Discussion and/or action concerning review of the Town Manager as required in the contract (Commissioner Dodd)

Commissioner Dodd made a motion to include backup material from other cities in order to decide whether the review should be open in public or one at a time in the Town Manager's office. He believed the review should be carried out and the Commission needed guidance on how it should be done. Commissioner Clotey seconded the motion. She thought it was strange to do a review on the Town Manager and ask her to conduct the research. Commissioner Clotey believed the Commission should do the research on their own time.

Vice Mayor McIntee said the Commission agreed that whatever was discussed at roundtable would not go on the next agenda. Commissioner Dodd said the intent of discussing the agreement at the roundtable was to determine whether it should go on the agenda and be discussed in public with public input.

Commissioner Silverstone said during the roundtable that he and Vice Mayor McIntee were not present during the time it was discussed and it was not brought to their attention when they arrived. Commissioner Silverstone felt there was no need to review the Town Manager as he reviewed her every time he went into her office. He pointed out that she had the right to review the Commission also.

Vice Mayor McIntee felt the discussion at the roundtable was a one sided discussion to put it on the agenda. He believed this was harassment and a continual attack on staff.

Commissioner Dodd said there was a quorum at the roundtable and was very constructive at the first part of that meeting. He welcomed a review by the Town Manager and believed it should be done as a formal review and said he would take the lead and do his own research. Commissioner Dodd said he proposed his motion

because he wanted to obtain feedback from the Commission as to whether the dais should do it as a whole or individually.

Commissioner Clotley made a motion to discuss the details at the next roundtable. She did not believe the details should be discussed at a Commission meeting.

Mayor Minnet said it was in the contract that the Town Manager had a review and the Commission should look at that. She was certain that the Town already had a review process that they followed.

Vice Mayor McIntee did not believe there was a rule or any guidelines on how to review the Town Manager.

Vice Mayor McIntee made a motion to table indefinitely.

Mayor Minnet inquired as to whether a vote was needed prior to the motion to table. Attorney Trevarthen stated that a motion to table took precedence unless it is withdrawn.

Vice Mayor McIntee withdrew his motion. Commissioner Dodd withdrew his original motion and Commissioner Clotley withdrew her second.

Commissioner Clotley made a motion to discuss at the next roundtable. Commissioner Silverstone seconded the motion. The motion carried 5-0.

- i. Discussion and/or action concerning Vice Mayor's inaccurate allegations made at Roundtable meeting dated April 2nd regarding a Commissioner's direct contact with the State Representative concerning funding of the Palm Club sewers (Commissioner Dodd)

Commissioner Dodd said that one of the Commissioners made an allegation that he had contacted a State official to take away any funding for the Palm Club sewers. He said the accusation was false. He wanted to go on record that he asked the Town Manager to insure that the State representative was fully aware that the Palm Club was private land and he did believe the money should be spent on private property. Commissioner Dodd added that he wanted the State representatives to be 100% aware of the true situation before lobbying on behalf of the Palm Club as it would jeopardize any chance of future funding to the Town.

Vice Mayor McIntee read the words from the video of the roundtable and also the minutes of that meeting that proved he never accused Commissioner Dodd of calling the State. He added that Commissioner Dodd publicly stated that he would make sure that the officials were properly informed.

Commissioner Silverstone said the issue was about providing sewers to the Palm Club. He said if the government gave options to receive funding the Town should look at the

options. Commissioner Silverstone stated that shutting that door was not the way to go. He believed it was to the Town's benefit to look at negotiating options. There was no further discussion.

- j. Discussion and/or action concerning budget for this year's 4th of July event (Commissioner Dodd)
This item was removed at the April 14, 2009 - duplicate of item 16g
- k. Discussion and/or action concerning lack of lighting in the Pavilion with regard to public safety (Commissioner Dodd)

Commissioner Dodd found lighting plates inside the top of the pavilion, and questioned why there wasn't any lighting and whether the Town was liable if someone got hurt. He wanted a workshop to discuss lighting for the pavilion, in the parking lots and turtle lighting.

Commissioner Clotey said the plans were approved specifically to have no lighting. She said that made no sense to her.

Assistant Town Manager Olinzock advised that the administration was working on answers as they understood there was a concern.

Commissioner Silverstone added that the Department of Environmental Protection would not allow lighting because of the sea turtles. He believed the lighting was a safety issue and the Town should look into providing acceptable lighting.

Attorney Trevarthen stated that the permit condition stated no lighting and had not yet found any cases on the issue.

Vice Mayor McIntee requested for the next agenda emergency installation of temporary lights and to have Town staff determine the cost of temporary lighting.

Mayor Minnet made a point of information to Attorney Trevarthen. She said the Town had an Ordinance in place regarding turtle lighting and asked whether they would be going against the Ordinance by putting up temporary lighting.

Vice Mayor McIntee added to his motion to investigate lighting regarding sea turtles. Commissioner Silverstone seconded the motion. Commissioner Dodd suggested the Commission defer his item to the next meeting.

Assistant Town Manager Olinzock advised that he had received confirmation from Lou Fisher, Broward County Sea Turtle Lighting regarding his request for a workshop on May 18, 2009.

Vice Mayor McIntee withdrew his motion. Commissioner Silverstone withdrew his second.

Commissioner Dodd made a motion to defer this item to the April 28, 2009 Commission meeting. Commissioner Silverstone seconded the motion. The motion carried 5-0.

- l.** Discussion regarding AMR ambulance service (Vice Mayor McIntee)
This item was discussed at the April 14, 2009 Commission meeting.
- m.** Discussion regarding recusal of Mayor during Waste talks (Vice Mayor McIntee)
This item was removed at the April 14, 2009 Commission meeting - problem resolved
- n.** Discussion and/or action regarding supplementary ideas to be included in the Commercial Pavilion (Commissioner Silverstone)

Commissioner Silverstone suggested putting a compass on the floor of the pavilion that showed the longitude and latitude of where Lauderdale-By-The-Sea was located. He was also looking at a sun dial. Commissioner Clotey thought it was too late to rip up the floor. Mayor Minnet suggested the community put their suggestions in the suggestion box or in the Town Topics.

- o.** Discussion on economic viability of the Town (Commissioner Silverstone)

Commissioner Silverstone said there was some discussion that the Town was in the red because of a loan. He gave assurance that the Town had enough cash in the bank to pay that loan. Commissioner Silverstone said there was more money coming in than going out.

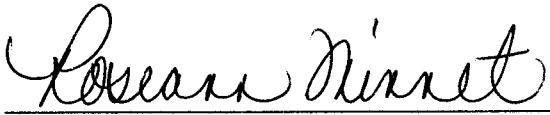
17. TOWN ATTORNEY REPORT

There were no reports.

18. ADJOURNMENT

Commissioner Silverstone made a motion to adjourn. With no further business before the Commission, Mayor Minnet adjourned the meeting at 4:35 p.m.

19. FUTURE AGENDA ITEMS



Mayor Roseann Minnet

Town Commission Regular Meeting
April 20, 2009 continued from April 14, 2009

ATTEST:

June White
Town Clerk, June White

5/12/09
Date

