

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, July 8, 2014
7:00 PM**

1. CALL TO ORDER, MAYOR SCOT SASSER

Mayor Scot Sasser called the meeting to order at 7:00 p.m. Also present were Vice Mayor Chris Vincent, Commissioner Mark Brown, Commissioner Stuart Dodd, Commissioner Elliot Sokolow, Town Manager Connie Hoffmann, Assistant Town Manager Bud Bentley, Town Attorney Susan L. Trevarthen, Town Planner Linda Connors, Finance Director Tony Bryan, Public Information Officer Steve d'Oliveira, and Town Clerk Tedra Smith.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION – Rabbi Bentzion Singer

Rabbi Bentzion Singer gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Item 17e was added and discussed at this time. Commissioner Dodd requested a leave of absence, stating that he would be unable to attend the Special Town Commission Meeting and Regular Town Commission Meeting both scheduled for July 22, 2014.

Vice Mayor Vincent made a motion, seconded by Commissioner Sokolow, to approve. Motion carried 5-0.

5. PRESENTATIONS

a. Women in Distress

Mary Riedel, President of Women in Distress of Broward County, thanked the Commissioners for their recent funding support and explained the services provided to LBTS residents.

b. Hometown Hero Award (Commissioner Mark Brown)

Edmund Malkoon, President of the Lauderdale-By-The-Sea Property Owners' Association, presented the 2014 Hometown Hero Award to Joyce Murray, citing

her volunteer work, participation in Town politics, and service to the community. All present recognized her contributions to the Town with a round of applause.

6. PUBLIC COMMENTS

Mayor Sasser opened the public comment portion of the meeting.

Andrew Hansen, resident, asked whether the Commission had approved a contribution to Women in Distress.

John Boutin, resident, stated that Town merchants have expressed interest in forming a Merchants' Association. He briefly described recent cultural events which have contributed to tourism in the Town.

7. PUBLIC SAFETY DISCUSSION

None.

8. TOWN MANAGER REPORT

a. Town Manager Report (Connie Hoffmann, Town Manager)

Town Manager Hoffmann advised that property values in the Town increased by 6.77% in 2013 according to the recent ad valorem tax roll certification. A recommendation on the millage rate will be provided at the next meeting.

She stated that Municipal Services Director Don Prince is working to install poles for the automated license plate reader (ALPR) cameras, and the contractor has been present for physical reconnaissance. The vendor has not yet signed the agreement provided to them by the Town.

Town Manager Hoffmann concluded that an RFP for architectural services has been drafted with regard to the design of the public restrooms. As Mid-Century Modern (MiMo) is the Town's preferred architectural style, the Commissioners agreed by consensus to proceed with this style for the buildings.

Commissioner Dodd added that he would like to see the option of back-out parking included in the design for the proposed restrooms. He also recommended undergrounding power lines at the proposed building, which could affect the building's design. Town Manager Hoffmann suggested having the Town Engineer look into the possibility of undergrounding power lines.

Assistant Town Manager Bud Bentley reported that two public input meetings with the Town's parking consultant Desman & Associates are scheduled for Monday, July 14 at 6 p.m. and Tuesday, July 15 at 9 a.m. The consultant will

present the results of their field counts and analysis, and seek public input on parking issues and potential solutions.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

- a. May 27, 2014 Commission Meeting Minutes (Tedra Smith, Town Clerk)
- b. June 10, 2014 Commission Meeting Minutes (Tedra Smith, Town Clerk)

Commissioner Dodd made a motion, seconded by Commissioner Brown, to approve. Motion carried 5-0.

11. CONSENT AGENDA

Commissioner Dodd requested that Items 11a and 11b be pulled for discussion. Mayor Sasser requested that Item 11e also be discussed.

- a. **Special Event Application from the Village Grille and 101 Ocean for Friday Nights Music Entertainment proposed for every Friday starting November 7, 2014 and ending May 29, 2015 (Bud Bentley, Assistant Town Manager)**

Commissioner Dodd commented that he had expected the Item to include new recommendations for sound levels. Ass't. Town Manager Bentley noted that the revised Noise Ordinance includes revised Town standards for noise in the special event application permit.

Commissioner Dodd made a motion, seconded by Commissioner Brown, to approve 11a and 11b. Motion carried 5-0.

- b. **Special Event Application from The Village Pump & Grille and 101 Ocean for the Patriots' Kick-Off Party proposed for Friday – September 5, 2014 (Bud Bentley, Assistant Town Manager)**
- c. **Special Event Application for the Patriots Pre & Post game gathering and transportation proposed for Sunday – September 7, 2014 (Bud Bentley, Assistant Town Manager)**
- d. **Voting Delegate for the FLC Annual Conference (Connie Hoffmann, Town Manager)**

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to approve Items 11c and 11d. Motion carried 5-0.

- e. Appoint Member of A1A Corridor Advocacy Group CAG) (Linda Connors, Town Planner)**

Commissioner Brown suggested that the appointment be opened to interested residents who wished to apply. No vote was taken.

12. ORDINANCES

a. Ordinances 1st Reading

- i. Ordinance 2014-06 – An Ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 13 “Noise” of the Code of Ordinances to amend the sound levels in the Commercial Noise Zone, address Audible Alarm Systems, regulate Generator Noise on Construction Sites, revise the measurement of Sound Levels, adopt definitions, and otherwise amend the Town’s Noise Regulations; providing for severability, codification, and an effective date (Bud Bentley, Assistant Town Manager)**

At this time Mayor Sasser opened public comment, which he closed on receiving no input.

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to approve. Motion carried 5-0.

b. Ordinances 2nd Reading

- i. Ordinance 2014-05 – An Ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 5 “Beaches and Waterways” of the Code of Ordinances to consolidate definitions, clarify the use and definition of Watercraft, eliminate certain restrictions on non-motorized watercraft, and clarify waiver requirements; providing for codification, severability, conflicts, and for an effective date (Connie Hoffmann, Town Manager)**

At this time Mayor Sasser opened public comment, which he closed on receiving no input.

Commissioner Sokolow recommended that a reference to floating businesses and barges remain in the proposed Ordinance, as there are several local businesses that fit this description. Commissioner Dodd suggested a clarification regarding the types of watercraft that could moor at floating docks. Commissioner Brown cautioned against any restrictions that might preclude the Water Taxi from establishing a business inside the Town.

Town Attorney Trevarthen clarified that the subject section deals with vessels incapable of self-propulsion, which would not affect the Water Taxi. She requested that the Commission vote on this issue later in the meeting, so she had time to craft appropriate revisions.

13. RESOLUTIONS – PUBLIC COMMENTS

None.

14. QUASI JUDICIAL PUBLIC HEARINGS

None.

15. COMMISSIONER COMMENTS

Vice Mayor Vincent and Commissioner Dodd congratulated Commissioner Brown on his work as Chair of the Town's 4th of July celebration. Commissioner Dodd also thanked the Volunteer Fire Department (VFD), Broward Sheriff's Office, Town Staff, and participating businesses for their time and contributions to the festivities.

Commissioner Dodd advised that he had provided the Commissioners with information on puppy mills, and encouraged them, as well as the public, to review these documents in order to be fully informed about this issue.

Commissioner Brown stated that there were 75 entrants in the 4th of July Parade, and thanked the VFD, the Police Department, Town Staff, Sun Bergeron, operators of the Beachside Resort and the Windjammer, and all the townspeople who supported these efforts. He noted that less than \$6,000 was spent on the activities (aside from fireworks) events.

Commissioner Sokolow noted that the Broward League of Cities luncheon will be held on Thursday, July 10 at Jarvis Hall. All Commissioners are invited to attend.

Mayor Sasser emphasized the importance of Town input on the upcoming public meetings related to parking on Monday, July 14 at 6 p.m. and Tuesday, July 15 at 9 a.m. Both will be held at Jarvis Hall.

16. OLD BUSINESS

Town Attorney Trevarthen returned to the second reading of Ordinance 2014-05, noting that the change proposed by Commissioner Dodd would prohibit watercraft capable of self-propulsion, with the exception of small non-motorized boats that rely on human propulsion and floating docks or pontoons used to store watercraft, to dock, moor, or tie up at any dock. The changes proposed by Commissioner Sokolow and others would add a sentence clarifying that the temporary use of barges related to valid building permits, repairs, or construction would not be prohibited by the Ordinance.

At this time Mayor Sasser opened public comment, which he closed on receiving no input.

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to approve as amended. Motion carried 5-0.

17. NEW BUSINESS

a. FY 15 Budget: Chamber of Commerce Funding Request (Tony Bryan, Finance Director)

Finance Director Tony Bryan stated that the Chamber of Commerce has submitted a funding request for \$46,430. They also plan to submit a funding request for \$20,000 to the Convention Visitors Bureau (CVB), which assisted with their funding in the previous fiscal year. Town Manager Hoffmann advised that the Town would learn in September whether or not the CVB had provided funding to the Chamber, which would allow them to amend the Town's contribution accordingly.

The Commissioners agreed by unanimous consensus to approve the Chamber of Commerce's request for \$46,430.

b. FY 15 Budget: Draft of the Capital Improvement Plan (Connie Hoffmann, Town Manager)

Town Manager Hoffmann explained that Staff is currently preparing the Manager's recommended budget for FY 2015, of which the Capital Improvement Plan (CIP) is one of the most significant items. She requested direction from the Commission regarding proposed projects for FY 2015, as well as the schedule of projects for FY 2016-18. She noted that the recommended CIP includes the following:

- \$100,000 in proposed improvements for Friedt Park;
- Drainage improvements on Pine Avenue and Basin Drive;
- Completion of the Commercial Boulevard streetscape;

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- Beach restrooms and parking;
- Replace window units in the Public Safety building with central air conditioning;
- \$110,000 toward the County's beach renourishment project;
- \$275,000 for Parking Fund capital improvements;
- Upgrade of the sewer system infrastructure.

The total capital budget comes to \$2.3 million. Town Manager Hoffmann requested feedback on the proposed FY 2015 projects, noting that the proposal is to use most of the balance of the capital fund and require a transfer of roughly \$1.3 million from the General Fund.

The Commissioners discussed the CIP and its priorities. Commissioner Brown noted that many of the projects next year were in residential areas. Commissioner Dodd recommended that funds also be allocated for the undergrounding of power lines where it is cost-effective, including portions of El Mar Drive and the proposed beach restroom site. He also recommended that the Town look into claims of silting as the result of previous beach renourishment efforts.

Town Manager Hoffmann advised that Municipal Services Director Prince and Finance Director Bryan had investigated the silting issue and did not believe it was due to Super Storm Sandy beach nourishment project. Commissioner Dodd expressed concern with the quality control on the sand delivered to the beach during previous renourishment efforts, and felt the Town should become more involved in the process in order to ensure the job is done properly.

Mayor Sasser recalled that the Commission had previously voted in favor of the County's beach nourishment project. He asked if it would be possible for the Town to withdraw their support for the County project. Town Attorney Trevarthen noted that the Town had sent a letter to the County to state pre-conditions, which had not been satisfied. The County's response offered a substantially different position from the Town.

Town Manager Hoffmann stated that the County is now seeking federal funds for the project. She suggested that a "placeholder" figure could be included in the CIP for undergrounding utilities in connection with the public bathrooms. She noted that the utility companies would need to provide engineering estimates for hard costs. The Commissioners agreed by consensus to allocate \$75,000-\$100,000 for this proposed project.

c. Change to Variance Procedures (Commissioner Stuart Dodd)

Commissioner Dodd explained that variance application costs are typically expensive, as they were often intended to be punitive; however, he noted that

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there are many cases in which a variance is required in order to make an improvement. He suggested that the Commission make these costs relative to Staff time and attorneys' fees rather than an artificially high pre-established figure.

Ass't. Town Manager Bentley pointed out that when an Applicant prevails in the Board of Adjustment process; his or her application fee is refunded. He suggested that variance procedures could follow a similar process, resulting in a reduced fee to recover the Town's processing costs if the variance is approved. The Commissioners agreed by consensus to review the Town's variance procedures.

d. Sinking World Art Exhibit Donation Request (Steve d'Oliveira, Public Information Officer)

Public Information Officer Steve d'Oliveira showed slides of the Sinking World art exhibit, which will appear at Frame and Art by the Sea on Commercial Boulevard beginning on July 25th. The exhibit will be promoted as an official Bugfest event. The Town was asked for a \$1000 contribution toward the exhibit's overall expenses, which include printing, shipping, marketing, and other costs. John Boutin, owner of the Windjammer Resort, provided a letter of intent in relation to the exhibit. Other entities will also be approached for donations to defray costs.

Vice Mayor Vincent made a motion, seconded by Commissioner Dodd, to approve. Motion carried 5-0.

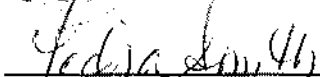
18. ADJOURNMENT

With no further business before the Commission at this time, the meeting was adjourned at 8:30 p.m.



Mayor Scot Sasser

ATTEST:



Town Clerk Tedra Smith

07-22-14
Date