

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, April 27, 2021
6:30 PM**

1. CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 6:30 p.m. Also present were Vice Mayor Alfred "Buz" Oldaker, Commissioner Edmund Malkoon, Commissioner Elliot Sokolow, Commissioner Randy Strauss, Interim Town Manager Linda Connors, Assistant to the Town Manager Neysa Herrera, Town Attorney Susan Trevarthen, Director of Finance and Budget Lucila Lang, Director of Public Works Ken Rubach, Acting Development Services Director Jhanelle Campbell, Special Projects Coordinator Debbie Hime, and Public Information Officer/IT Administrator Steve d'Oliveira, Tedra Allen, Town Clerk

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

All present observed a moment of silence in memory of former resident Adam Geesey.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

5. PRESENTATIONS

a. Mental Health Awareness Month (Steve d'Oliveira, Public Information Officer)

Mayor Vincent read a Proclamation recognizing May 2021 as Mental Health Awareness Month.

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Town Clerk Tedra Allen read the following public comments:

- Barbara Cole, resident, did not agree with the proposed plans for reopening public meetings at Town Hall, which she characterized as antiquated; she also requested that multiple alerts be made to the public in the weeks ahead of reopening, and that chairs and benches be returned to the Plazas
- Scot Sasser, resident, asked that Ordinance 2010-15 be researched by Staff, as it discussed several types of businesses, including smoke shops, that should no longer be allowed in the Town; he noted that there are currently three such shops operating within Lauderdale-By-The-Sea

With no other individuals wishing to speak at this time, Mayor Vincent closed public comment.

7. PUBLIC SAFETY DISCUSSION

a. AMR March 2021 Report (Chief Brooke Liddle)

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

8. TOWN MANAGER REPORT

a. March Finance Report (Lucila Lang, Director of Finance and Budget)

Director of Finance and Budget Lucila Lang reported that ad valorem tax revenues are within expectations at 98.2%, which is consistent with the month of March during the last four years. She also noted that while parking revenues in March 2020, when the COVID-19 pandemic began, were approximately \$167,000, they were \$270,000 in March 2021, an increase of 66.57%.

Mayor Vincent asked how much of the revenues from the Town's Parking in Lieu of Payment (PILOP) program can be attributed to businesses that required additional parking, as well as how many businesses have applied for extra parking. Finance Director Lang replied that she would provide a breakdown of this revenue for the Commission in the future.

Vice Mayor Oldaker commented that an ongoing trend of individuals and families from the northeast moving to Florida would improve property values and by extending the taxable base.

b. Town Manager Report (Linda Connors, Interim Town Manager)

Interim Town Manager Linda Connors stated that the Town is considering the addition of a second Pelican Hopper shuttle using Broward County surtax funds. This would allow for the shortening of wait times on the current route. No additional funds from the Town would be needed, as the new shuttle would be covered using surtax funds.

Commissioner Malkoon observed that Pompano Beach provides on-demand shuttle service using Uber, and asked if any County funds could be made available for this option instead of an extra bus. He pointed out that the Pelican Hopper route is less convenient for residents on the north side of the Town.

Commissioner Sokolow asked if the addition of a second bus would cut wait time in half. It was clarified that routes wait time would change from approximately 55 minutes to 30 minutes. Buses would follow the same route in clockwise and counterclockwise directions. Commissioner Sokolow stated that he was in favor of this change, noting that on-demand service could significantly drive up costs.

Mayor Vincent asked if a specific level of ridership is no longer a concern for the Pelican Hopper. Special Projects Coordinator Debbie Hime replied that the Town's current ridership per hour is 10.2 passengers against a required threshold of 7.2. The Town will file an application with Broward County Transit (BCT) to request the second shuttle.

Mayor Vincent also asked for clarification of the Town's costs for the current shuttle. Special Projects Coordinator Hime explained that the Pelican Hopper is currently funded through BCT's portion of the one-cent surtax: if the application is approved, there is no current or future financial impact to the Town.

The Commissioners agreed by consensus to move forward with this request.

Interim Town Manager Connors continued that one current and one potential property owner have reached out to Town Staff to discuss properties in the RM-25 zoning district located west of Bougainvillea Drive and measuring less than 60 ft. in width. These lots are prohibited from use as short-term rentals. Both individuals have requested that the Commission consider changing the Ordinance governing these properties. She asked if the Commission wished to bring this item forward for discussion by the Planning and Zoning Board as well as by the Commission itself. The properties are located within a

multi-family and hotel zoning district. The prohibition was passed in 2000 and affects only a small area.

Staff has researched the reasons behind this Ordinance but has not discovered a clear explanation. They have also noted that individuals interested in purchasing short-term rental properties in Lauderdale-By-The-Sea feel “pushed out” of this particular area and are more likely to purchase properties in residential neighborhoods.

Commissioner Malkoon requested clarification of the number of properties affected by this prohibition. It was estimated that there were approximately 150 such properties. Interim Town Manager Connors replied that the title of the subject Ordinance includes language that encourages the redevelopment of these properties, although the result of the Ordinance is the opposite. In addition, properties over a certain size are permitted to offer short-term rentals, while adjacent smaller properties are limited to long-term rentals only.

Commissioner Sokolow commented that the Ordinance does not make sense to him and he would support revisiting it. Mayor Vincent agreed, describing the Ordinance as placing an inordinate burden on a number of properties. He was in favor of removing the restriction on short-term rentals.

Interim Town Manager Connors continued that the Broward County Supervisor of Elections has given all Broward municipalities information on the estimated cost of the 2022 election for both Town precincts to be a total of \$12,800. The election cost for the 2020 election was \$2300. This significant increase is expected to occur across the board in all municipalities and to be much larger in some. The Florida Association of Clerks has met with the Supervisor of Elections regarding this increase.

Mayor Vincent stated that the increase in cost should be spread out over time, and advised that he would follow up on this issue with Broward County Commissioner Lamar Fisher. He was in favor of an investigation into this issue.

Vice Mayor Oldaker noted that the Supervisor of Elections calculates his own budget each year, and expressed surprise that these costs are not covered as part of that budget but must be subsidized by municipalities. He also felt these figures should be further clarified for Broward County taxpayers.

Commissioner Sokolow characterized the cost of elections as a means to offset the Supervisor’s budget by having the cities assume some of the costs. He asked if changing

the Town's election dates to match federal and state dates would reduce the cost. Town Attorney Susan Trevarthen pointed out, however, that some of the largest increases were to cities that match these dates.

Mayor Vincent requested additional information on the issue of smoke shops, which was raised under Public Comment. Interim Town Manager Connors replied that there are three such shops in the Town; Code is not clear regarding a prohibition on these businesses. Staff recommends either implementing a distance requirement between businesses or a prohibition on these shops that would be enforceable under Code.

Mayor Vincent recalled that when Ordinance 2010-15 was passed, there were discussions of several "specialty shops" the Commission did not want to proliferate within the Town. While these are not included in the Town's permitted uses, some of these businesses sell products outside their individual classifications. He recommended revisiting the Ordinance to include a number of uses the Town does not want to permit in the future rather than creating a distance requirement between them.

Town Attorney Trevarthen advised that the Town may create definitions or write prohibitions into the B zoning district that would make it clear these are not permitted uses, or they may establish a conditional use process in which certain businesses must come before the Commission and meet specific criteria for approval. Creating a distance requirement is another policy option.

Town Attorney Trevarthen continued that some uses are complex, with Constitutional protections. These would need to be examined one by one. She concluded that in 2010, B uses were opened because there were relatively few that were permitted Downtown. It may be a good time to revisit these and ensure that they reflect the Commission's current wishes for the Town.

Commissioner Strauss requested clarification of the process for businesses not listed as permitted uses, asking if this should include Commission review on a case-by-case basis in the future. Town Attorney Trevarthen replied that this was addressed under Ordinance 2010-15: if a use does not fall within any of the listed uses, the Town Manager reviews the use and consults with the Town Commission. This process may be further modified if the Commission wishes.

Town Attorney Trevarthen further clarified that "specialty shop" is not a specifically defined term, which leaves it open to interpretation. In the case of the subject business, Staff concurred that it would reasonably fall into the category of a specialty shop unless

Code is amended for greater clarity. If Code is amended, the Commission would be asked to determine if a use brought before them qualifies as a permitted use. Permission of one such business would open the door to other similar establishments that might wish to move into the Town.

Commissioner Strauss asked if an Ordinance could be crafted in a way to allow the Commission to review each business on an ad hoc basis. While this would create more work for the Commission, he felt the amount of work would not be inordinate and they would be asked to make decisions on whether uses are or are not acceptable.

Commissioner Sokolow asked if the Town could prohibit certain uses, such as smoke shops, going forward, although there are currently three of these businesses that would be grandfathered in under Code. Town Attorney Trevarthen stated that she would look into this possibility and bring a recommendation back to the Commission.

Commissioner Sokolow also asked if the sale of one of these businesses to a new owner would be permitted. Town Attorney Trevarthen replied that change of ownership typically does not affect use status; however, she would review options for this as well.

It was clarified that Staff would work with Town Attorney Trevarthen to investigate the possibility of a prohibition on smoke shops and arrive at the best alternative. They will also look into other options, such as requiring conditional use or Commission review for specialty shops.

Interim Town Manager Connors continued the Town Manager Report, noting that the Town's vendor list has been updated on its website. It will be regularly updated into the future. Inactive vendors are removed from the list over time. Town Attorney Trevarthen explained that the Broward County Code of Ethics includes special rules related to vendors or contractors which restrict contact between these entities and elected officials.

Interim Town Manager Connors announced that the Town has a new employee, Frederick Murray who started on April 16th and will be working with the Buildings and Public Lands Division of Public Works.

Interim Town Manager Connors continued that new shutters and windows have been installed in Town facilities, generators are on order, and fuel tank installation is underway. Work on the Town Hall roof is on tonight's Agenda. Extra staffing from the Broward Sheriff's Office (BSO) in the Downtown area is expected to conclude after Mother's Day on May 9, 2021.

c. 1st Qtr Welcome Center Report (Amy Smith, Welcome Center)

Eva Marissa, representing the Chamber of Commerce, reported that car rental inquiries are increasing. She has distributed a significant number of schedules for the Pelican Hopper in recent weeks, which may be related to the car rental issue. Hotel accommodations and website activity are down. A blood drive is scheduled for Sunday, May 2, 2021 at the Farmer's Market.

Mayor Vincent asked if there are any concerns with the Pelican Hopper due to COVID-19-related guidelines and restrictions for public transit. Ms. Marissa replied that riders have reported the vehicle is clean and riders adhere to mask requirements.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

- a. April 6, 2021 Commission Workshop Minutes (Tedra Allen, Town Clerk)**
- b. April 13, 2021 Town Commission Meeting Minutes (Tedra Allen, Town Clerk)**

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

11. CONSENT AGENDA

None.

12. OLD BUSINESS

- a. Codrington Drive Complete Street Design (Ken Rubach, Director of Public Works)**

Director of Public Works Ken Rubach advised that the proposed Codrington Drive Complete Streets project would combine different elements of what can be done for a street in a single project. This project was originally included in the Town's Capital

Improvement Plan (CIP) for 2021 and is expected to include significant resident involvement to identify more improvements once the 25% design phase has been reached. Staff looks forward to working with Codrington Drive residents on this project.

Vice Mayor Oldaker commented that there has been discussion of water intruding onto Codrington Drive from other areas, and asked how this would be addressed when water comes from a different jurisdiction. Public Works Director Rubach replied that he and Town Engineer Jay Flynn have discussed this issue with residents, some of whom are looking into the possibility of mitigating the impacts of water intrusion onto their own properties. Different solutions are currently under consideration.

Commissioner Malkoon inquired if the City of Fort Lauderdale is willing to work with the Town with the flooding issue on Flamingo Ave. Staff to reach out to Fort Lauderdale.

Mayor Vincent suggested that when Jarvis Hall is reopened, the Town may wish to consider letting residents address the Commission regarding drainage issues and concerns. He was also in favor of continuing communications with Fort Lauderdale to determine where problems exist, as this will identify which properties are affected. This public input and data will help create consensus on how much mitigation is necessary to prevent water infiltration from Fort Lauderdale onto Codrington Drive. Public Works Director Rubach confirmed that all of this information will be collected prior to the design phase.

It was determined that this Item would be deferred pending additional input from residents.

b. Town Hall Roof (Ken Rubach, Director of Public Works)

Public Works Director Rubach advised that the roof of the Town Hall administration building is the most in need of work. The Item proposes recoating of a single-ply membrane over the existing roof, which would seal the roof and address existing imperfections. This work can be done through a cooperative purchasing agreement. He noted that the original estimate for this work was significantly higher, as he had wished to budget for more comprehensive work.

Vice Mayor Oldaker requested additional clarification of what would be done to the Town Hall roof. Public Works Director Rubach replied that a moisture survey must be conducted to determine if there is damage or existing material to be replaced. Any underlying issues

will be addressed prior to recoating. If the roof is more than 25% wet, the entire roof would require replacement.

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

c. Town Hall and Commission Meeting Update (Linda Connors, Interim Town Manager)

Interim Town Manager Connors advised that Staff has prepared to reopen Town Hall on May 3, 2021, with the first Town Commission meeting in person scheduled for May 11. Chairs for the Commissioners will be placed 6 ft. apart, with tables spaced appropriately as well. Attendees will be asked to wear masks and temperatures will be taken. Jarvis Hall can safely accommodate 14 to 16 people in this manner, with chairs to be provided on the portico. A TV and exterior speakers will be placed on the portico as well.

Interim Town Manager Connors asked if there are any Commissioners who do not feel it would be safe to return to Town Hall, explaining that if so, the location of the Commission can be relocated from the ground to the dais. She also asked if they wished to discuss alternate configurations.

Commissioner Malkoon asked if members of the public would be asked to sign up in advance to speak at an upcoming workshop. Interim Town Manager Connors confirmed this, adding that Staff will advertise this meeting on the Town's channel to encourage participants to sign up to speak. A sign will also be placed outside Town Hall. Individuals who sign up to speak will be guaranteed this opportunity. No members of the public will be turned away: if there are not enough seats, they will be directed to a location in the Town Hall complex where extra seats are available.

Commissioner Malkoon requested clarification of U.S. Centers for Disease Control (CDC) guidance on spacing between seated individuals. Town Attorney Trevarthen replied that the recommended distance is still 6 ft. for governmental entities. It was also confirmed that alerts will be sent to Town residents.

Commissioner Sokolow observed that sanitizing and cleaning upgrades are in place, and the Town has considered adding specialized filters to the Town Hall air conditioning system. Public Works Director Rubach replied that the current ionization system is expected to purify 99.9% of air coming through the system.

Mayor Vincent stated that he would prefer the Commission be seated on the dais with partitions between them, although he acknowledged that not all participants may be comfortable with that configuration or with in-person meetings.

13. NEW BUSINESS

a. Pavement Condition Study (Ken Rubach, Director of Public Works)

Public Works Director Rubach explained that this study will tell the Town the condition of its roadways. The last study was conducted several years ago and took place only in specific areas. The reason for this study is to provide guidelines on which roads need work at present and what kind of work should be done at what time. It will also help in planning stormwater projects and the planning of CIP projects over the next five years.

Vice Mayor Oldaker asked how the extensive repaving of some parts of the Town play into the condition study. Public Works Director Rubach advised that the study will rate the work that has been done to show how roadways have aged over the past five years. It will also identify any proactive maintenance that may be necessary.

Vice Mayor Oldaker noted that most of the Town's roads are laid out in a grid configuration, which means trucks may have difficulty with right-angle corners and stray into swales. Public Works Director Rubach replied that Staff will look at specific problem areas with the intent of mitigating them, including corners where there is consistent damage to grass or there may be other underlying issues.

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

b. Waste Pro Contract Renewal (Linda Connors, Interim Town Manager / Neysa Herrera, Assistant to the Town Manager)

Interim Town Manager Connors noted that the Waste Pro contract will be up for its third and final renewal option in the near future. Assistant to the Town Manager Neysa Herrera and Waste and Recycling Coordinator Vicki Eckels are working with the contractor to resolve any specific complaints, and the Interim Town Manager has scheduled a meeting with Waste Pro's Regional Vice President to address the bigger picture, including communication and other issues.

Significant progress has been made since these discussions began in January 2021, including earlier collection times in the Downtown area. This has resulted in a decrease in complaints. Waste Pro has committed to replacing its metal dumpsters with plastic, which are easier to maneuver for business owners. Waste Pro has also been encouraged to subcontract its recycling dumpsters in multi-family developments, as there had been difficulties coordinating this program. While major issues remain with businesses and multi-family developments, progress is ongoing in these areas. The contractor is asked to inform these clients when they know collections will be late.

Waste Pro's contract ends in September 2021. The Town is required to advise them whether or not they wish to proceed with negotiations by June. Interim Town Manager Connors and Waste Pro representatives will bring forward information for the Commission's consideration at the May 25, 2021 meeting.

Vice Mayor Oldaker commented that there is significant activity at the County level regarding solid waste and the direction waste and recycling concepts for the South Florida region. He felt a short-term extension of the Waste Pro contract might be the best option.

Commissioner Malkoon observed that he has heard of several pickup issues in the Town's condominium buildings, including three missed pickups in a row, and expressed concern with the health and fire safety issues posed by this. He also spoke in favor of ensuring that provision of plastic containers is included in any coming contract, as well as adherence to performance metrics.

Commissioner Sokolow also noted his concern for pickup issues in multi-family residences, recalling that pickup has not been on time every Monday for at least five weeks. This is an issue because the condominium is not notified of when pickup will not occur, which means dumpsters are out all day. He emphasized the need to take care of these issues quickly if there is a desire to renew the existing contract.

Russell Mackie, Regional Vice President for Waste Pro, confirmed that the past 12 months have been difficult in the solid waste industry due to COVID-19, including labor and equipment challenges. He acknowledged that the level of service provided has not been up to the company's expectations, and that proactive communication should be a major aspect of improvement. He emphasized Waste Pro's commitment to providing the Town the service it expects.

c. Historic Preservation – County Changes to its Ordinance (Linda Connors, Interim Town Manager)

Interim Town Manager Connors recalled that in 2014, Broward County changed its Historic Preservation Ordinance to require communities without such Ordinances to file under the Broward County Historic Preservation umbrella. At that time, the Commission adopted a Historic Preservation Ordinance so the Town could retain autonomy.

Since that time, Broward County has changed its Ordinance to require autonomous municipalities to become certified local governments through the Florida Bureau of Historic Preservation's program, which has a number of requirements, including:

- Municipalities must have a true historic preservation program with specific requirements for membership, including a minimum number of board meetings per year and annual state certification
- Training of staff and surveying of the community's historic properties, which are properties over 50 years in age without respect to historic significance
- Matching funds must be provided to any grant funds received from the state

These requirements would fall to the Development Services Department, which would need to hire additional staff or consultants for assistance with the program.

Interim Town Manager Connors concluded that the Town will need to determine by November 2021 if they wish to become a certified local government. She requested direction from the Commission on whether to continue as an autonomous local government with its own historic preservation program, or to file under the County and State umbrella.

Commissioner Malkoon commented that while he was in favor of the Town taking ownership of its own historic resources if it is able, the certification process for a local government can be lengthy and expensive. He asked if the Town could complete this effort if the Commission chooses to move forward with it. Interim Town Manager Connors replied that the first step in the process would be modifying the Town's own Historic Preservation Ordinance, which the Town may begin right away.

Commissioner Malkoon estimated that certification may take at least one year, and noted that the Town has not moved forward with any historic preservation initiatives. He did not feel there was sufficient time to undertake or complete these efforts by the deadline of November 2021.

Mayor Vincent stated that while the Town maintains a sense of historical value, and the Commission is in favor of home rule, the County had not identified any structures in

Lauderdale-By-The-Sea as historic prior to the Town's Ordinance. Interim Town Manager Connors added that the Town had been able to secure a commitment from the County that whenever a property is eligible for historic designation within a municipality, the County would give that municipality's governing body a voice in that designation process.

The Commissioners determined by consensus to have Staff amend Code to eliminate existing references to historic preservation in order to prevent a duplicative program.

d. Renewal of Town Contracts (Tedra Allen, Town Clerk)

Interim Town Manager Connors advised that each year, the Town's purchasing manual requires all contracts up for renewal be brought before the Commission for consideration. Staff recommends the extension of several of these contracts that have renewal options available, including State Engineering, Limousines of South Florida, Andy Massari Multi-Media Design Services, and CAP building inspection.

Four other contracts with renewal options will be brought forward separately, including BSO, the Volunteer Fire Department, Waste Pro, and the Farmer's Market. There are also contracts that will expire in 2021 and may be brought forward to "piggyback" on another contract, including All on Stage Production for sound and light staging for Christmas-By-The-Sea, Ericks Consulting, Civic Plus Audio Eye Allay for Americans with Disabilities Act (ADA) accessibility software, Zambelli, and Kilowatt Electric for the authorization of additional funds to cover the rest of 2021 for electrical maintenance and installation. The Town will review its Strategic Plan for Marketing with regard to consultant Conceptual Communications and determine next steps for this contract.

Vice Mayor Oldaker asked why the Town's master list of contracts was not brought forward at an earlier time, pointing out that some of the contracts have already reached their expiration dates. Interim Town Manager Connors explained that this issue is not expected to recur next year. There are mechanisms in place to generate a report of contracts set to expire in the near term, so the Town may either renew or extend them or prepare a request for proposal (RFP).

Commissioner Oldaker recalled that in 2020, the Commission had had to renew its hurricane debris removal contract because its expiration date was pending in the short term. He asserted that Staff should regularly review this list as an administrative function and bring these contracts before the Commission for approval before their expiration.

Commissioner Sokolow made a motion, seconded by Vice Mayor Oldaker, to renew the Table 1 contracts. Motion carried 5-0.

14. COMMISSIONER COMMENTS

Commissioner Malkoon stated that he was anticipating the return to in-person meetings, including input from Town residents, at Jarvis Hall in May. He thanked Staff for their work during the pandemic.

Vice Mayor Oldaker addressed the upcoming budget process, reiterating that the Town's tax base is expected to be very favorable in the coming year.

Mayor Vincent reiterated the Commission's directive to Staff regarding the reevaluation of COVID-19-related restrictions in the Downtown area, which were discussed at a previous meeting. He noted that Staff is reaching out to Downtown businesses to ensure that they return to their original outdoor café design plans and observance of noise and other regulations. He emphasized that while it may take time to return to normal enforcement, the Town has not abandoned these issues.

15. ORDINANCES 1ST READING

None.

16. ORDINANCES 2ND READING

None.

17. RESOLUTIONS – PUBLIC COMMENTS

- a. Resolution 2021-26 -- APPROVING AND AUTHORIZING TOWN OFFICIALS TO EXECUTE A CONSTRUCTION AGREEMENT BETWEEN THE TOWN OF LAUDERDALE-BY-THE-SEA AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR PURPOSES OF CONSTRUCTING CROSSWALK ENHANCEMENTS WITHIN THE STATE RIGHT-OF-WAY.**

At this time Mayor Vincent opened public comment, which he closed upon receiving no input.

Vice Mayor Oldaker noted that there has been a positive pedestrian response to a new sidewalk and crosswalk installed by the Town, and observed that he looked forward to finalization of the A1A crosswalk so pedestrians can safely cross at this location.

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

18. QUASI JUDICIAL PUBLIC HEARING

None.

19. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 8:45 p.m.



Mayor Chris Vincent

ATTEST:



Town Clerk Tedra Allen



Date

April 27, 2021
Town Commission Meeting
Public Comments

1. Barbara Cole, resident (161 words)

I do hope this is the last virtual meeting in our Town and that at the next one public comments are at the podium to a dais with all 5 Commissioners with plexiglass between them a room with chairs following the latest 3 feet apart CDC guidelines instead of the plan shown which are antiquated. I also ask that multiple alerts go out weeks ahead of the opening.

The CIP workshop which contains important items such as El Mar Drive and the neighborhoods designated for big budget design projects require that those impacted have a say in person! Please start insisting on backup and prior studies before rubber-stamping new studies such as traffic turning for Benihana or replacing portals. This Town has most likely dealt with all such issues before many times over. Finally, please direct the Town to put the rest of the chairs and benches back in the plazas which should have been done a long time ago.

2. Scot Sasser, resident

Honorable Mayor, Vice Mayor and Commissioners,

There is an item in the Town Manager's Report this evening regarding distancing requirements for Smoke Shops that states we now have 3 Smoke Shops in Town. The Mayor my recall that back in October of 2010 we discussed Ordinance 2010-15 where the Commission discussed specific businesses that should no longer be allowed in Town. These included, specifically consignment shops, electrical shops, paint-wallpaper & flooring, auto supply, funeral home, head/smoke shops and more radio/electronics. I remember this because smoke/head shops was specifically my concern. The item was discussed at P&Z 1st reading and was discussed at a Commission Roundtable. In all fairness I tried to research Ordinance 2010-15 but the online archives only go back to 2012. I would urge you to ask staff to research this Ordinance for your back-up and ask how we now have 3 smoke shops in town? Perhaps the final Ordinance failed to list prohibited uses but it would be well worth researching to find out.

I also researched the permitted uses in the Town Code and found the below. You should ask yourselves how not 1 but 3 smoke shops are now operating in Lauderdale-By-The-Sea. It is painfully obvious the process broke down somewhere. The only permitted use even close would be "Specialty Shop" which, lets face it, is a stretch and much too broad of an interpretation. It's unfortunate that we now have 3 smoke/head shops in our Town. Please research how this could happen and bring the answers back to public forum.

We cannot lessen the standards we have set for Lauderdale-By-The-Sea nor should we let all the hard work and investment over the last decade be degraded! I remember several years later there was much more discussion about marijuana dispensaries and we decided to restrict those uses. We need to make sure these do not slide in under the radar along with tattoo shops and other uses that could further impact the aesthetics and culture we have cultivated. Since the genie is out of the bottle regarding smoke shops I urge you to do everything you can to restrict further proliferation.