

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

AGENDA CONFERENCE MINUTES

Town Commission Meeting Room

4501 Ocean Drive

Monday, September 13, 2004

6:00 P.M.

1. CALL TO ORDER, MAYOR OLIVER PARKER

The meeting was called to order by Mayor Parker at 6:03 p.m. Present were Mayor Parker, Vice Mayor Kennedy, Mayor Pro Tem Clark, Commissioner Wessels, and Commissioner John Yanni (arrived at 6:04 p.m.). Town Manager Baldwin, Town Attorney Cherof, and Town Clerk Medina were also in attendance.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was recited.

Mayor Parker stated that he was unsure if Commissioner Yanni would be able to attend this meeting. He asked if there were any objections to providing an excused absence in the event that he was indeed unable to attend. There were no objections.

3. REVIEW AGENDA FOR REGULAR MEETING OF SEPTEMBER 13, 2004

- Approval of Minutes

Commissioner Wessels referred to the minutes of the regular meeting of August 10, 2004, and asked that a typographical error on page 9 be corrected. He indicated that "mayor" should be changed to "major" with regards to the Broward County Sheriff's Office official. There were no other changes offered.

- Public Hearings
 - Fire Assessment

Mayor Parker referred to the proposed resolution for a townwide Fire Assessment. Manager Baldwin confirmed that the proposed rate was for one year. Mayor Parker announced the rate structure.

In response to Mayor Parker's inquiry concerning how hotels/motels were being charged, Manager Baldwin explained that the rates were determined based upon the classification of the Florida Department of Revenue which was then provided to the County's Property Appraiser's Office. He referred to Exhibit "B", line 449, and Attorney

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Cherof provided a description of how properties were classified. Attorney Cherof explained that a petition would need to be filed in order to change a designation. Vice Mayor Kennedy asked how a timeshare was classified. Manager Baldwin expressed his belief that timeshares were classified as condominiums and, as such, were treated as residential property.

Mayor Parker expressed concern that if a petition affected the classification of a property during the upcoming year, the budget could be affected. Attorney Cherof explained that the Town was charged with establishing its revenues based on the current status of properties. He gave an example of a property that burned down and became vacant after the budget was adopted. Attorney Cherof referred to the methodology used in the calculations needed for the budget process.

Mayor Parker asked if the Town was confident with the unit count provided by the Property Appraiser's Office. Manager Baldwin explained that the Town could not, at this juncture, make any changes to the unit count; however, he explained that the Property Appraiser's Office was confident with the numbers provided. He added, too, that although the Property Appraiser's Office would not, at this time, make any corrections, the Town was in the process of verifying the unit count to ensure the count was correct for the coming year.

Some discussion followed concerning the assumptions made based on the trials upheld in court and the demand for protective services based on the classification of a property. The Commission looked forward to the public hearing.

- Millage Rate

Manager Baldwin requested that the Commission consider the temporary approval of the previously cited millage rate due to storms still pending. He advised that there would be one additional public hearing on this matter wherein the Commission could reduce the millage rate.

- Budget

Manager Baldwin provided a listing of the changes made pursuant to the comments made at the budget workshop. He indicated that, if needed, Ms. Colon would make a presentation to the Commission concerning the specific changes.

Vice Mayor Kennedy stated that in regards to lobbyists, he would like to provide funds for two lobbyists. He felt that there was a good opportunity this year to receive grants in the amount of approximately \$250,000 from the State. Vice Mayor Kennedy felt that it would be beneficial to the Town to have the additional lobbyist at this time so that the Town could accomplish its goals. He asked that the Commission reconsider this issue.

The Commission did not have the necessary consensus to move forward with the proposed change.

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- Ordinance, 2nd Reading
 - Sewer Rate

The Commission had no objections to the proposed ordinance.

- Consent Agenda

Commissioner Wessels referred to the special permit application made by Mr. David Gadsby and questioned if the roadway would be blocked during the event. As there was no one in attendance from the Village Grille at this time, the Commission agreed to pull this item from the consent agenda during the regular meeting to ensure that questions could be answered by the petitioner.

- Resolutions

The Commission had no objections to applying for Urban Forestry grant funds.

- New Business
 - Site Plan

Brad Townsend, representing Walter H. Keller, Inc., advised that the petitioner had supplied two different elevations for the Commission's consideration. He explained that based on the Planning and Zoning Board's recommendations, the Commission was to determine which elevation it preferred. Mr. Townsend briefly described the colors and details offered in the elevations, such as shutters and banding improvements for the windows along the sides of the building.

4. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 6:53 p.m.

Oliver Parker
Mayor

ATTEST:

Alina Medina, Town Clerk

Date Accepted: _____