

# TOWN OF LAUDERDALE-BY-THE-SEA

## TOWN COMMISSION

### REGULAR MEETING

### AGENDA

Town Commission Meeting Room

**4501 Ocean Drive**

**Tuesday, December 14, 2004**

**7:00 P.M.**

1. **CALL TO ORDER, MAYOR OLIVER PARKER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION, TOWN CHAPLAIN**
4. **PRESENTATIONS**
  - A. Employee(s) of the Month, Broward Sheriff's Office, District 13 (*Chief Scott Gooding*)
5. **REPORTS**
  - A. Lauderdale-By-The-Sea Chamber of Commerce
  - B. Budget Report for Period Ending November 30, 2004
6. **APPROVAL OF MINUTES**
  - A. November 23, 2004, Agenda Conference
  - B. November 23, 2004, Regular Meeting
7. **ORDINANCES (2nd Reading) "Public Hearings"**
  - A. **Ordinance No. 2004-18**; an ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending (second amendment) the 2003/2004 fiscal year budget; appropriating said amounts to specific designated accounts in accordance with the attached Exhibit "A" to the specific funds; authorizing expenditure of those amounts in accordance with the budget as amended; providing for conflicts; providing for severability; and an effective date.

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- B. **Ordinance No. 2004-15**; an Ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida; approving the franchise agreement with Comcast to utilize the Town's public ways to provide cable service over the cable system; providing for conflicts; providing for severability; providing for inclusion in the Code; and providing an effective date (*tabled from October 26, 2004*)
  
- C. **Ordinance No. 2004-19**; an ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending the Code of Ordinances, Chapter 6, Article I, to add a new section 6-10, regarding demolition site maintenance; providing for codification, conflict, severability, and an effective date.
  
- D. **Ordinance No. 2004-20**; an ordinance of the Town of Lauderdale-By-The-Sea, Florida amending Chapter 20, Utilities to create a new Article IV titled "Stormwater Utilities"; establishing a stormwater management utility; providing for definitions; providing that the Town Commission shall serve as directors of the utility; establishing charges and rates; establishing a utility trust fund; providing procedures for appeal of assigned charges; providing for cost avoidance credits; providing for enforcement and collection of delinquent charges; adopting and accepting the findings contained in the Hartman & Associates Stormwater Utility Plan Study; and providing for conflict, severability and an effective date.

**8. PUBLIC COMMENTS**

**9. ORDINANCES (1<sup>ST</sup> Reading)**

- A. **Ordinance No. 2005-01**; an ordinance of the Town of Lauderdale-By-The-Sea providing for the issuance of Town permits for work within the public right-of-way and/or utility easements and establishing a fee schedule for engineering and municipal services inspection, permit review and administrative costs; providing for codification as Article IV of Chapter 6 of the Code of Ordinances, severability, and an effective date.

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- B. **Ordinance No. 2005-02**; an ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 24, Land Development Code to create a new Article IX to be titled: Seagrape Drive Sidewalk Plan; adopting sidewalk design requirements for East Seagrape Drive from Commercial Boulevard to palm Avenue; requiring conformity to the sidewalk plan as a condition of site development or re-development for properties fronting on Seagrape Drive; providing for a fee in lieu of construction of sidewalk improvements; providing for conflict, severability and an effective date.
  
- C. **Ordinance No. 2005-03**; an ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Section 2-143 of the Town of Lauderdale-By-The-Sea Code of Ordinance entitled “Normal Retirement Benefit” to amend the pension plan for Volunteer Firefighters and provide that the minimum of 2% per year benefit accrual shall be effective for retirements after March 1, 2004; providing for codification; providing for conflict; providing for severability; and providing an effective date.
  
- D. **Ordinance No. 2005-04**; an ordinance of the Town of Lauderdale-By-The-Sea, Florida, rescinding Ordinance 81 and adopting a new ordinance to honor the Freidt Family and other citizens; renaming Friedt Park and Recreation Center to Municipal Park; naming the playground area “Friedt Family Playground”; naming the soccer field “Firefighters’ Field”; naming the tennis courts “Sylvia Neely Tennis Courts”; naming the bocce courts “Spicola Courts”; providing for conflict, severability, and an effective date.
  
- E. **Ordinance No. 2005-05**; an ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 24, Land Development Code to create a new Article VIII to be titled: El Mar Drive Streetscape Plan; adopting a Streetscape Plan for the redevelopment of El Mar Drive from Pine Avenue to Palm Avenue; requiring conformity to the Streetscape Plan as a condition of site plan approval for properties fronting on El Mar Drive; providing for conflict, severability, and an effective date.

**10. CONSENT AGENDA**

- A. SPECIAL EVENT PERMIT: **Poulos** (Birthday party), Sunday, January 2 **or** 9, 2005; 1:00 p.m. – 5:00 p.m.

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- B. SPECIAL EVENT PERMIT: **Community Church** (Health and Wellness Fair and Walk-a-thon), Saturday, January 8, 2004; 8:30 a.m. – 2:00 p.m.
- C. RESOLUTION: Community Block Grant Application for Fiscal Year 2005-06, in an amount not to exceed \$22,000

**11. RESOLUTIONS**

**12. OLD BUSINESS**

- A. Discussion and/or action concerning the scheduling of a workshop in January 2005, to further discuss the proposal made by the Historical Preservation Board (*Commissioner Yanni*) (*continued from October 12, 2004*)
- B. Discussion and/or action concerning the existing moratorium (*continued from September 21, 2004*)

**13. NEW BUSINESS**

- A. Discussion and/or action concerning request for removal of Jim Silverstone from Volunteer Fire Department due to recent actions taken and questions concerning his good faith effort in implementing present contract with Broward Sheriff's Office (*Vice Mayor Kennedy*)
- B. Discussion and/or action concerning request made by Jan's Homemade Candies Inc. regarding the use of neon signs (*Mayor Parker*)
- C. Discussion and/or action to consider the amendment to the agenda format to include new section providing for discussion and/or action regarding Commission correspondence
- D. Discussion and/or action regarding the consideration to have the Master Plan Steering Committee review the desirability of rezoning or redevelopment between the south alleyway and Datura Avenue, between A1A and El Mar Drive; together with the consideration of a moratorium for the area while the rezoning and redevelopment is being considered (*Mayor Parker*)
- E. Discussion and/or action concerning Town refund for the cost of extra coverage by Broward Sheriff's Office and barricades totaling \$1340, from account number 001-572-000-500-495, Special Events, for Christmas by the Sea (*Mayor Parker*)
- F. SPECIAL EVENT PERMIT: Athena's Restaurant; New Year's Eve Celebration, Friday, December 31, 2004; 7:00 p.m. – 1:00 a.m. (*Vice Mayor Kennedy*)

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- G. Discussion and/or action concerning request made by Citizens Action Committee for meeting scheduled to be held on Thursday, December 16, 2004, at 7:00 p.m. (*Manager Baldwin*)

- 14. TOWN MANAGER REPORT**
- 15. TOWN ATTORNEY REPORT**
- 16. COMMISSIONER COMMENTS**
- 17. ADJOURNMENT**

*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 ACCOMODATION 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.*