

# **TOWN OF LAUDERDALE-BY-THE-SEA**

## **TOWN COMMISSION**

### **AGENDA CONFERENCE MINUTES**

Town Commission Meeting Room

*4501 Ocean Drive*

*Tuesday, May 10, 2005*

*6:00 P.M.*

#### **1. CALL TO ORDER, MAYOR OLIVER PARKER**

The meeting was called to order by Mayor Parker at 6:08 p.m. Present were Mayor Parker, Vice Mayor Kennedy, Mayor Pro Tem Clark, Commissioner Wessels, and Commissioner Yanni. Also present were Town Manager Baldwin, Town Attorney Cherof, and Town Clerk Medina.

#### **2. PLEDGE OF ALLEGIANCE TO THE FLAG**

The Pledge of Allegiance was recited.

Mayor Parker announced that earlier today the Town had hosted the Garden Club's Annual Spring Meeting of District 11 of the Florida Federation of Garden Clubs.

#### **3. REVIEW AGENDA FOR REGULAR MEETING OF MAY 10, 2005**

There were no objections to the presentations or the minutes as presented.

- Item 9A Ordinance No. 2005-08, 1<sup>st</sup> Reading  
An amendment regarding the connection to the sanitary sewer system within a specific time following availability.

Town Attorney Cherof explained that Section 20-16, specifically sub-section b, referred to the installation of a lateral stub from the main sewer lines to the property line of each adjacent property at the Town's expense. He explained further that the amended ordinance deleted the language obligating the Town for the cost of constructing sewer taps to the property line. Attorney Cherof added that the sewer lines would be housed adjacent to property lines at the Town's expense and clarified that the property owner would be obligated to pay the cost for connection from the property line to their house.

Town Manager Baldwin clarified the word "Lateral" as defining the limits of the Town's obligation in this matter.

There were no objections to the ordinance.

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- Item 9B Ordinance No. 2005-09, 2nd Reading  
Providing an additional section requiring the completion of new building projects.

Mayor Parker suggested the ordinance should not apply to the completion of the interior of the building but rather to the exterior and requested Town Attorney Cherof to add language addressing both areas. Attorney Cherof briefly discussed outside storage of equipment and materials used for interior construction. Mayor Parker specified that new construction needed to be completed within eighteen (18) months pending a single family home or duplex, but on repair and renovations it had to refer to exterior renovations requiring completion.

Commissioner Wessels agreed with Mayor Parker regarding requirements for the completion of exterior work. However, he suggested an extension for unusual circumstances.

The Commission discussed the possibility of administering fines for incomplete construction within the specified period; offering extensions for unusual circumstances; and addressed the issue of outside storage during construction.

Mayor Parker instructed Town Attorney Cherof to prepare an Ordinance with language referring to:

1. Time limitations for exterior construction and re-construction only, inclusive of storage.
2. Issuance of an automatic sixty (60) day warning citation to complete construction or be fined.
3. Allow applicant to apply for an extension within a 15 day period.

There were no objections.

Mayor Parker further instructed Town Attorney Cherof that the Ordinance should instruct the Town to develop an internal policy.

There were no objections to have this item tabled to the Commission meeting of May 24, 2005.

- Consent Agenda

At the request of Mayor Pro Tem Clark, Mayor Parker amended the agenda to move items 6J, 6K, and 6L, from New Business, to the Consent Agenda. There were no objections.

There were no other comments regarding the Consent Agenda.

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- Resolution  
Resolution No. 2005-06 regarding the inclusion of Sunset Lane and Palm Club Drive in the Town's pending sewer improvement project.

There were no objections to the Resolution.

- Old Business

Item 12D, Report regarding height restrictions

Mayor Parker asked Attorney Cherof to provide an update during the regular Commission meeting.

Item 12F, Scheduling of a Workshop regarding height restrictions

Mayor Parker asked staff to schedule a Workshop to discuss items 12D, 12E, and 12F. There were no objections.

Item 12I, Sidewalk plan for Seagrape Drive

Mayor Parker advised the tabling of items 12G, 12H, and 12I to the Commission meeting of May 24, 2005. There were no objections.

Item 12K, Update on Sanitary Sewers

Town Attorney Cherof advised the status of the pending agreement with Pompano Beach concerning sanitary sewers, item 12K, referring to obligations and fees.

- New Business

Item 13A, Public Hearing regarding Site Plan Review request for Marina Village Overlay District; B&B Garden Court.

Manager Baldwin advised there had been a problem with the advertisement for this project and requested a tabling to the Commission meeting of June 28, 2005. There were no objections.

Item 13B, El Prado Park improvements

Town Manager Baldwin explained that three conceptual plans had been considered and that Craig Unger, of Minto Communities, would be making a presentation during the regular meeting.

Item 13C, Hardship parking permits for 4342 East Tradewinds Avenue

Town Manager Baldwin indicated staff did not have a favorable recommendation.

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Item 13D, waiving occupational licenses for church sponsored activities on church grounds

The Commission discussed the confusion over the need for an occupational license for church activities, suggesting an Ordinance be prepared that would waive licensing for activities on church property.

As there were no objections from the Commission, Mayor Parked directed Attorney Cherof to prepare the Ordinance for consideration at the May 24, 2005.

Item 13E, Obtaining renderings for a proposed future Town Hall complex

The Commission discussed the need to set parameters and accept recommendations from developers and architects and referenced a study that had been previously prepared. There was full consensus to agree to approve this item in concept.

Item 13F, Planning services contract agreement with Walter Keller, Inc.

Town Manager Baldwin confirmed that the contract had not yet been received by Attorney Cherof.

There were no objections to have the item tabled to the Commission meeting of May 24, 2005.

Item 13G, Preparation of an Ordinance regulating pool setbacks

Mayor Parker stated the Commission would need to make an interpretation of the intent so that an appropriate amendment could be prepared, if needed. There were no objections.

Item 13H, Appointment to the Master Plan Steering Committee

Mayor Pro Tem Clark proposed a motion, seconded by Mayor Parker to appoint Laura Ward to the position with full consensus.

Item 13I, Protocols for undergrounding of utilities and streetscaping improvements by petition

The Commission discussed the Town's need to have a unanimous consent from every property owner prior to making improvements. The controversy pertained to the percentage of property owners who wished to pay, rather than wait to have improvements installed, and assessed by special assessment bond.

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- Town Manager Report

Town Manager Baldwin explained that Broward County Commissioner Ilene Lieberman had requested a donation of funds for an advertisement to be placed in the program honoring Humanitarians of the Year. He explained that Sheriff Ken Jenne had been nominated for this honor and asked if the Commission wished to participate. Town Manager Baldwin advised that proceeds would benefit The Soref Jewish Community Center and briefly described the advertisement spaces available and their cost.

Commissioner Yanni made a motion, seconded by Vice Mayor Kennedy, to allocate \$300 for a half page advertisement. The Commission agreed 4-1; Commissioner Wessels dissented, stating that he believed additional information was needed.

**4. ADJOURNMENT**

Mayor Pro Tem Clark made a motion to adjourn the meeting. There being no objections and no further business to discuss, the meeting was adjourned at 7:10 p.m.

\_\_\_\_\_  
Oliver Parker, Mayor

ATTEST:

\_\_\_\_\_  
Alina Medina, Town Clerk

Date Accepted:\_\_\_\_\_