

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

AGENDA CONFERENCE

MINUTES

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, December 13, 2005

600 P.M.

1. CALL TO ORDER, MAYOR OLIVER PARKER

The meeting was called to order by Mayor Parker at 6:05 p.m. Present were Mayor Parker, Vice Mayor Kennedy, Mayor Pro Tem Clark, Commissioner Wessels, and Commissioner Yanni. Also present were Town Manager Robert Baldwin, Attorney James Cherof, and Town Clerk Medina.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was recited.

3. REVIEW AGENDA FOR REGULAR MEETING OF DECEMBER 13, 2005

Development Services Director Harry Diehl gave an update regarding parking areas behind buildings on Commercial Boulevard that back up to Harbor Drive. He requested postponing parking enforcement until the utility companies complete their work in that area. There were no objections to extending abatement of parking enforcement in that area to January 10, 2006.

There were no objections to the minutes of the November 9, 2005, Workshop Meeting, the November 22, 2005, Agenda Conference, or the November 22, 2005, Regular Meeting.

ORDINANCES (1ST Reading)

- 9A, Ordinance No. 2005-16: An ordinance of the Town Commission of the Town of Lauderdale-by-The-Sea, Florida, amending Chapter 24, Section 24-5.5 to require Commission approval as a condition allowing for designation of the front lot line of a property to be designated by the property owner and amending the definition of "Lot, Corner"; amending Section 24-5.36 of the Land Development Code to require additional landscaping to buffer and screen properties which elect an alternate front yard.

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Mayor Parker requested that Ordinance 2005-16 be amended to refer to the Code Section being affected, as opposed to Ordinance 2005-12.

Attorney Cherof suggested the Commission amend Ordinance 2005-16 at the regular meeting, and approve the amended version at 2nd reading. There were no objections.

- 9B, Ordinance No. 2005-20:

OPTION A. An ordinance of the Town of Lauderdale-By-The-Sea, Florida submitting to referendum an amendment to Article XIV, Section 277 of the Town Charter, deleting Section(5)(f), amending Section 5(e) and related sections to allow the replacement of existing non-conforming buildings with multiple non-conforming buildings and eliminating restrictions on the square footage of non-conforming buildings that are replaced or rebuilt, but otherwise maintaining height limits; providing for notice of an advertisement of the referendum election to be published in accordance with the State of Florida Election Code; providing that this ordinance, when adopted, shall be submitted to the qualified electors of the Town of Lauderdale-By-The-Sea, Florida on the March 2006 Municipal Election Ballot and shall become effective as provided by law.

OR

OPTION B. An ordinance of the Town of Lauderdale-By-The-Sea, Florida, submitting to referendum an amendment to Article XIV, Section 277 of the Town Charter, amending Sections 5(d) through 5(f) and related sections to allow the replacement of existing non-conforming buildings with multiple non-conforming buildings and eliminating restrictions on the square footage of non-conforming buildings that are replaced or rebuilt, but otherwise maintaining height limits; providing for a notice of an advertisement of the referendum election to be published in accordance with the State of Florida Election Code; providing that this ordinance, when adopted, shall be submitted to the qualified electors of the Town of Lauderdale-By-The-Sea, Florida, on the March 2006 Municipal Election Ballot and shall become effective as provided by law.

Mayor Parker explained the difference between Options A and B. He explained that Option A allowed no limitation to the non-conforming space of new buildings and allowed new buildings to be constructed bigger, but not taller; Option B allowed new buildings to be constructed bigger, and also allowed more buildings within the lot.

Mayor Parker read the ballot question for Option A and Option B.

Commissioner Yanni thought the ballot questions were confusing and that people would have difficulty voting correctly as presented. He said the ballot question did not really explain anything.

Commissioner Clark questioned the limited size allowance compared to land parcel size. He thought Option B needed additional language to state that the original land parcel was inclusive of the non-conforming buildings.

After considerable discussion, the Commission agreed 3-2 to remove Ordinance 2005-20 from the agenda. Vice Mayor Kennedy and Mayor Pro Tem Clark favored Option B.

CONSENT AGENDA

- 10E, RESOLUTION 2005-26: designating insurance carriers for various categories insurance coverage for the Town and Town officers, employees, and agents; directing the Town Administration to process applications for insurance coverage; and providing for an effective date.

Mayor Parker asked about the provision of life insurance and Manager Baldwin explained it was a \$100,000 policy. Mayor Parker questioned whether the Commissioners could participate at their own expense. Attorney Cherof said that he would have to review that option.

There was no further discussion and no objections to the consent agenda.

RESOLUTION

- 11A, "PUBLIC HEARING" - Resolution No. 2005-24: A Resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, setting forth the Town's intent to use the uniform method for the collection of a non-ad valorem special assessment to be levied upon real properties lying within the municipal boundaries of the Town, as more particularly described in Exhibit "A", attached hereto, to fund the Town's stormwater utility system; stating a need for such levy; providing that a copy of this Resolution shall be forwarded to the Property Appraiser, Tax Collector and the Florida Department of Revenue.

Manager Baldwin explained that due to stormwater billing circumstances by the City of Pompano Beach and the City of Fort Lauderdale, the Town had to bill residents themselves. He added that it was administratively difficult for the Town to send out special bills and believed it was best to put it under the uniform method of collection.

OLD BUSINESS

- 12A, "PUBLIC HEARING" VARIANCE – James Pollock/Thomas Keaney (Ocean Mist Pub), 210 Commercial Boulevard (*staff recommending denial; Board of Adjustment recommending approval*) (*continued from November 8, 2005*)

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The Commission favored the issuance of a variance, rather than changing the ordinance, 4-1, with Commissioner Wessels dissenting.

- 12B, Report on protocol for processing applications for Environmental Resource Licenses (*Development Services Director Harry Diehl*)
(*continued from November 22, 2005*)

Commissioner Wessels said the Town must ensure navigational issues were well monitored. Mayor Parker suggested Item 12B be tabled to the January 10, 2006 meeting. There were no objections.

- 12C, Discussion and/or action regarding the Town's request for the use of one uniform zip code townwide (*Mayor Oliver Parker*)

Vice Mayor Kennedy said the United States Postal Service indicated that there was a format to follow to apply for an individual zip code. He said the required forms were forthcoming. Mayor Parker suggested reviewing Item 12C at the January 10, 2006 meeting. There were no objections.

- 12G, Discussion and/or action to reschedule hurricane preparedness workshop meeting to a different date to allow for a longer meeting
(*Commissioner Charles Clark*)

Commissioner Clark indicated that a one hour workshop scheduled prior to an Agenda Conference was not enough time to discuss hurricane preparedness. He suggested a separate Workshop to allow for full and complete discussion. Mayor Parker suggested March 1, 2006.

NEW BUSINESS

- 13F, Discussion and/or action regarding the proposed contract renewal between the Town and GSG, Inc

There were no objections to continue the proposed contract renewal between the Town and GSG, Inc., until January 24, 2006.

- 13H, Consideration of providing assistance with funding for the Community Performing Arts Center.

Vincent Ragusa referred to a letter (hereby attached as part of these minutes) from Mr. J. Auber Smith, President of the Community Performing Arts Center, Inc. of Lauderdale-By-The-Sea. Mr. Ragusa talked about the expenses accrued by the Center and requested permission to produce a play or concert at Town Hall. He requested \$630.50 per month, or approximately \$8,000 for the year. Mr. Ragusa indicated the Center

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would only request the money if the need should arise, and once the Center profited on the play or concert, the money would be returned to the fund.

Manager Baldwin said \$12,000 had been appropriated into the budget. There were no objections to approve the funds on a monthly budget.

Mayor Parker suggested placing this item at the beginning of the agenda at the regular meeting. There were no objections.

3. ADJOURNMENT

Commissioner Yanni made a motion to adjourn the meeting. There being no objections and no further business to discuss, the meeting was adjourned at 7:03 p.m.

Oliver Parker, Mayor

ATTEST:

Alina Medina, Town Clerk

Date Accepted: _____