

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

AGENDA CONFERENCE

MINUTES

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, April 11, 2006

7:00 P.M.

1. CALL TO ORDER, MAYOR OLIVER PARKER

The meeting was called to order by Mayor Parker at 6:04 p.m. Present were Mayor Parker, Vice Mayor Yanni, Mayor Pro Tem Clark, Commissioner Silverstone and Commissioner McIntee. Also present were Town Manager Robert Baldwin, Town Attorney James Cherof, and Deputy Clerk White.

Town Clerk Medina was not present.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was recited.

3. REVIEW AGENDA FOR REGULAR MEETING OF APRIL 11, 2006

Mayor Parker announced that Ordinance 2006-03 was an Ordinance for first reading and, as such was not eligible as a Public Hearing. He advised the public that anyone wishing to speak on Ordinance 2006-03 would speak during Public Comments.

Mayor Parker reviewed the order of the Agenda and advised that the Shade Session would take place when the court reporter arrived.

There were no objections to the reports.

Commissioner McIntee questioned whether time limitations would be applied to the presentation of reports. Mayor Parker replied negatively. He added that a Commissioner could make a motion to take control of a presentation if there appeared to be problems.

There were no objections to the February 28, 2006, or the March 28, 2006, Regular meeting minutes.

Ordinances (1st Reading)

- 11A, ORDINANCE NO. 2006-03: An Ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 5, Section 5-24 "Pets Prohibited on Beach" to

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allow for dogs on the public beach within the north and south boundaries of El Prado; authorizing the Town Manager to establish a system for issuance of permits; authorizing the establishment and modification of permit fees by resolution of the Town Commission; providing for severability; providing for codification; providing for conflicts; and providing for an effective date. (*Commissioner Jerome McIntee*)

Mayor Parker felt the Ordinance was to be presented for discussion and not for first reading. Attorney Cherof said the necessary information needed to draft the Ordinance was obtained quicker than anticipated. He added that the Commission could table the Ordinance on first reading if they so desire.

Attorney Cherof explained that Mayor Parker brought up a procedural point. He said that when the Attorney's office was directed to prepare an Ordinance it was to come back before the Commission for discussion before first reading.

It was the consensus of the Commission to consider Ordinance 2006-03 on first reading 4-1. Mayor Pro Tem Clark preferred discussion of the Ordinance.

Mayor Parker felt the public would want to speak on the Ordinance. The Commission agreed to reserve judgment on Ordinance 2006-03 until after public comments were heard during the regular meeting.

Consent Agenda

- 12A, SPECIAL EVENT PERMIT: Easter Sunrise Services/Community Church, Sunday, April 16, 2006; on El Prado Beach, beginning at sunrise until approximately 8:00 a.m. (*set up to begin on April 15th, at 6:00 p.m.*)

Mayor Parker said there was a 60-day rule and wondered why the permit was before the Commission five days prior to the event. Vice Mayor Yanni believed that the Church probably thought it was automatic since the Easter Sunrise Service was an annual event.

- 12B, AGREEMENT: Townwide annual trimming of palm trees (*staff recommending use of Bornama Tree Services, Inc.; \$5,880*)

Vice Mayor Yanni felt that the company the Town used over the past three years did a good job and disagreed with Town policy to go with the lowest bid. He requested this item be removed from the Consent Agenda for further discussion. There were no objections.

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- 12C, CONTRACT: with Florida Blacktop, Inc. to install five speed humps on Seagrape Drive, south of Commercial Boulevard (*piggybacking on contract with the City of Fort Lauderdale, Contract #10757, at a cost of \$21,052.75*)

The Commission discussed the basis for speed humps and whether they would hinder emergency aide. Commissioner McIntee questioned the number of speed humps. Additional discussion followed with Commissioner McIntee requesting removal of this item from the Consent Agenda for further discussion. There were no objections.

- 12D, CONTRACT: with OK Generator for the purchase of a generator system for the Town's Emergency Operation Center (*for \$73,066.22*)

Manager Baldwin explained that the cost had exceeded the budget by \$73. Municipal Services Director Mason added that the additional cost resulted from a repair to the air conditioning unit at Jarvis Hall due to Hurricane Wilma. Manager Baldwin added that staff planned to use Jarvis Hall as the Town's Emergency Operation Center.

Resolution

- 13A, RESOLUTION NO. 2006-07: A Resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, urging Florida Power & Light to expedite tree trimming in areas adjacent to power transmission lines; providing for an effective date.

Commissioner Silverstone questioned whether a meeting was to take place with Florida Power and Light first to determine responsibility. Attorney Cherof explained that the Resolution was only a request to expedite tree trimming, and possibly a predicate to the meeting with Florida Power and Light to have it adopted by the Commission.

There were no objections to Resolution 2006-07.

- 13B, RESOLUTION NO. 2006-08: A Resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, directing the Town Clerk to deliver to the Florida Secretary of State a copy of the Town's revised Charter incorporating the amendments to Section 7.1 (formerly) which were approved by a majority of the electors in the March 2006 Biennial Election and providing an effective date.

It was the consensus of the Commission to hear public comments at the regular meeting before discussing Resolution 2006-08.

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Old Business

- 14B, Report on beach easements as public beach access in the northern sections of Town (*Development Services Director Harry Diehl*) (*tabled from March 28, 2006*) (**staff requesting a tabling to April 25, 2006**)

There were no objections to tabling this item to April 25, 2006.

- 14C, Schedule Workshops for discussion of Unified Land Development Code (*tabled from March 28, 2006*)

It was the consensus of the Commission to table this item to May 23, 2006.

- 14E, Discussion and/or action concerning prohibited type of fencing at 221 Washingtonia Avenue, as requested by Barbara Cole (*Mayor Oliver Parker*)

Ms. Barbara Cole explained that the fence was installed in December of 2002, according to instruction. She added that two years later, she received notice that the fence was improper. The Commission agreed to allow Ms. Cole to request a variance, waive the fee, and pass the variance. Mayor Parker advised Ms. Cole to go before the Board of Adjustment and then back before the Commission for approval.

Attorney Cherof advised that the fees were set by Code and the Commission did not have the authority to waive the fee, but, in certain circumstances, could direct the administration to pay the fee on behalf of the applicant, when the Commission feels there are compelling reasons to do so.

- 14F, Discussion and/or action concerning the reconfiguration of Jarvis Hall, including the enclosing of the portico and the moving of the dais

Vice Mayor Yanni and Mayor Parker shared their visions for the new Jarvis Hall. Municipal Services Director Mason advised that Code would not allow the opening of the portico as it was a load bearing wall, it would be necessary to have a supporting beam across the top.

It was the consensus of the Commission to direct staff to supply a plan at the next meeting.

- 14G, Discussion and/or action regarding concerns raised by Nance Nixon concerning the enforcement of construction noise at the Oriana construction site prior to 8:00 a.m. and after 5:00 p.m. (*Mayor Oliver Parker*)

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Ms. Nixon requested items 14H and 14I be removed from the agenda and have staff address the noise issue. Discussion followed.

- 14H, Discussion and/or action regarding removal of sand piles at the Oriana construction site, as requested by Nance Nixon (*Mayor Oliver Parker*)

This item was removed from the agenda.

- 14I, Discussion and/or action regarding the completion of the Oriana construction project, as requested by Nance Nixon (*Mayor Oliver Parker*)

This item was removed from the agenda.

New Business

- 15E, Discussion and/or action concerning beach front properties having their street addresses posted on the beach side to aid with emergency calls and notification of locations (*Mayor Oliver Parker*)

Mayor Parker explained the benefits of posting addresses on beach front properties. There were no objections.

- 15F, Discussion and/or action concerning the landscaping on Commercial Boulevard, east of State Road A1A and along El Mar Drive (*Mayor Oliver Parker*)

Mayor Parker suggested contracting with an outside landscaping crew to handle the job and free up Municipal Services personnel for other duties. There were no objections.

- 15G, Discussion and/or action on a request made by Lee Travelstead, of 230 Pine Avenue, concerning the installation of sprinklers and landscaping along Pine Avenue, west of Poinciana Street, once the new Sea Ranch wall is completed (*Mayor Oliver Parker*)

Municipal Services Director Mason advised that this item had been approved previously and the Town had applied for a grant. This item was removed from the agenda.

- 15H, Discussion and/or action on a request made by Norma Fayer, of 5100 North Ocean Boulevard, concerning the policy for key deposits for shuffleboard/bocci court (*Mayor Oliver Parker*)

Municipal Services Director Mason explained the policy regarding the issuance of keys. He explained that a \$25 deposit was required to insure the key would be returned. He

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added that once the key was returned, \$15 was returned to the resident, bringing the yearly cost of the key to \$10.

The Commission discussed daily rentals of the key and pro rating the cost throughout the year. It was the consensus of the Commission 3-2 to request Administration to change the policy. Vice Mayor Yanni and Commissioner McIntee disagreed.

- 15J, Discussion and/or action concerning Fiscal Year 2006/2007 (*Town Manager Robert Baldwin*)

Manager Baldwin referred to his April 11, 2006 memorandum to Mayor Parker requesting general guidance from the Commission. The Commission agreed to meet with Manager Baldwin in his office at their convenience.

4. ADJOURNMENT

Commissioner Silverstone made a motion to adjourn the meeting. As there were no objections and no other business to discuss, the meeting was adjourned at 7:00 p.m.

Oliver Parker, Mayor

ATTEST:

Alina Medina, Town Clerk

Date Accepted: _____