

**TOWN OF LAUDERDALE-BY-THE-SEA**  
**TOWN COMMISSION**  
**AGENDA CONFERENCE**  
**MINUTES**

Town Commission Meeting Room  
*4501 Ocean Drive*  
*Tuesday, April 25, 2006*  
*6:00 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 Town Clerk Medina.

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

The Pledge of Allegiance was recited.

There were no objections to the Presentations.

Mayor Parker questioned the reason for the amended agenda. Clerk Medina explained that item 11E, Request for Extension on the Development Order for Villa Caprice, was added to the Consent Agenda. Mayor Parker inquired as to why this item was put on so late and not scheduled for the next agenda. Planning and Zoning Administrator Brad Townsend explained the information was received yesterday, and the Development Order expired today. Mayor Parker stated he would pull this item from the Consent Agenda.

**3. DISCUSSION OF ITEMS**

**Reports**

- 5B, Report on Referendum Advertisement Expenses (*Mayor Oliver Parker*)

Manager Baldwin verified that the expenses were \$36,722 for advertisements, special edition Town Topics, and the Adkins brochures. He agreed to present his report during the Regular meeting.

**Approval of Minutes**

- 7A, April 4, 2006, Special Meeting

This item was considered later in the meeting.

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- 7B, April 11, 2006, Agenda Conference

There were no objections, corrections, or additions to the April 11, 2006 Agenda Conference minutes.

- 7C, April 11, 2006, Regular Meeting

Commissioner McIntee corrected the minutes of the April 11, 2006 Regular meeting. He said item 15C, page 13, Battalion Chief Frailey, of the Broward Sheriff's Office Department of Fire Rescue and Emergency Service, gave the report and not Fire Chief John Corellim as stated. Commissioner McIntee also said the dispatcher did not call for mutual aide and did not follow policy. Chief Frailey confirmed.

There were no objections to accepting the minutes as corrected.

- 7A, April 4, 2006, Special Meeting

Commissioner Silverstone questioned the order of the agenda as stated on page 2 of the April 4, 2006 Special Meeting minutes, regarding the placement of Public Comments. He believed Public Comments was to be placed after Presentations, but before Reports. Clerk Medina clarified that during the discussion that is what was said, but after further discussion it was decided to place Public Comments after Reports. Commissioner McIntee said he reviewed the tape and believed Public Comments should be directly after Presentations.

Mayor Parker pulled the April 4, 2006 Special Meeting minutes, pending verification by Clerk Medina, for approval at the May 9, 2006 meeting.

**Ordinances (2nd Reading) "Public Hearings"**

- 8A, Ordinance No. 2006-02: An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 24 of the Code of Ordinances to provide a comprehensive revision to the Town's Land Development Regulations; providing for the renumbering and recodification of the Land Development Regulations as Chapter 30 of the Code of Ordinances; amending or adding provisions regarding final site plans, architectural standards for the RD-10, RM-25, RM-25A, and RM-50 zoning districts, procedures and requirements for rezoning including application process and requirements, vested rights determinations, quasi-judicial proceedings, general provisions including legislative intent, purpose, rules of interpretation effective staff decisions, enforcement,

violations and penalties and computation of time, definitions, non-conforming uses and structures, including provisions for extensions, alteration, enlargement and reconstruction, zoning map, interpretation of district boundaries, purpose and intent of zoning districts, regulations for the RM-25A zoning district, planned unit development regulations, off-street parking requirements in the B-1A zoning district, off-street parking requirements in the B-1 zoning district, boats, boat lifts and boat houses, boat davits, height of fences, walls and hedges, swimming pool and deck setback requirements, accessory buildings and structures, off-street parking and loading requirements, telecommunication towers and antennas, window awnings and entrance canopies, signs and landscaping; providing for severability; providing for codification; providing for conflicts; and providing for an effective date. *(tabled from February 28, 2006)*

Attorney Cherof recommended the deletion of Ordinance 2006-02 until after the Commission conducted the workshop previously agreed upon. He added that when it was time to pass the Ordinance, it should go back to Ordinances, first reading, and then follow the sequence for providing notice for second reading.

There were no objections to amending the agenda to delete Ordinance 2006-02.

Mayor Pro Tem Clark suggested scheduling the workshop at this time. Discussion followed with Attorney Cherof advising that there were many provisions that should be revised and amended. Mayor Parker requested the amendment of the agenda with the addition of item 13G, Scheduling of a Workshop for the Unified Land Development Regulations.

### **Commissioner Comments**

Mayor Parker clarified that there were no time limits set during Commission Comments.

### **Consent Agenda**

- 11D, REQUEST FOR EXTENSION: of Franchise Agreement with Waste Management for a period of thirty days

Manager Baldwin explained that the delay was due to the request for an extension. He added that this consolidated the agreement between the north and south end of Town and standardized the way garbage was picked up. Manager Baldwin felt further discussion was necessary because there were changes in the size of toters. Director Mason explained the new toters were 96 gallon carts at a cost of \$75 each for residential, multi-family, and commercial establishments. Discussion followed regarding smaller carts

for seniors, the inclusion of port-a-lets for Town sponsored events, and a rate increase as of May 1, 2006. Director Mason indicated the amount of the increase was unknown at this time. It was suggested that a workshop would be beneficial to fully discuss the agreement.

Attorney Cherof concurred with Director Mason that until the Commission entered into the amended agreement, the increase effective May 1, 2006, would be unknown; however, it would be retroactive to that date.

- 11E, REQUEST FOR EXTENSION: on the Development Order for Villa Caprice, located at 4108 and 4110 El Mar Drive for a period of six months

Mayor Parker advised that this item would be removed from the Consent Agenda for discussion.

### **Old Business**

- 13B, Discussion and/or action regarding the preliminary cost estimates for proposing a bond referendum to bury overhead utility lines, install natural gas lines, and construct drainage improvements townwide (*continued from February 28, 2006*) (Town Engineer Kevin Hart)

Mayor Parker inquired as to whether the new cost estimate was inclusive of the cost to bury overhead lines in the resident's back yards. Engineer Hart said his cost analysis did not reflect that cost.

- 13C, Discussion and/or action regarding the scheduling of a workshop meeting to discuss a proposed ordinance permitting a dog beach (*continued from April 11, 2006*)

Commissioner McIntee stated he received 16 calls in favor of the dog beach, and 4 against it. He felt that a workshop, at this point, may not be worth having, but if the Commission wished to consider it in combination with another workshop, he would not object.

- 13E, Report on beach easements as public beach access in the northern sections of Town (*Development Services Director Harry Diehl*) (*tabled from April 11, 2006*) (*Attorney Cherof requesting a tabling to May 23, 2006*)

Attorney Cherof explained that Director Diehl uncovered the potential that there may be some accesses that were a spin off of beach restoration completed some years ago. He

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said he had not been able to get back the Title information on those parcels, and approximated completion of that protect at 20 to 30 days.

There were no objections to tabling this item to May 23, 2006.

- 13F, Discussion and/or action concerning the naming of portals in honor of Town residents (*Vice-Mayor John Yanni*) (*continued from January 24, 2006*)
  - 1) Commercial Boulevard Portal: Alan and Mae Gibson
  - 2) Pine Avenue Portal: Jack and Shirley Forrest

Vice Mayor Yanni said protocols had not been required in the past for naming Portals to the Sea. He recommended May and Allen Gibson for the Commercial Boulevard Portal and Jack and Shirley Forrest for the Pine Avenue Portal. Mayor Parker believed a protocol should be in place.

- 13G, Schedule a Workshop regarding the Unified Land Development Regulation.

There were no objections to scheduling a workshop for June 6, 2006 at 6:00 p.m.

Commissioner McIntee requested the dog beach item be included in the same workshop. Mayor Parker suggested that discussion on the dog beach issue begin at 6:00 p.m., and end at 7:00 p.m., with discussion on the Unified Land Development Regulation issue beginning at that time. There were no objections.

### **New Business**

- 14D, Discussion and/or action regarding the advance scheduling and preparation of agenda items (*Mayor Pro Tem Chuck Clark*)

Mayor Pro Tem Clark opposed last minute agenda items and suggested planning them in advance. Manager Baldwin preferred receiving agenda items by Tuesday, one week before the meeting. Commissioner McIntee believed that was a good idea as long as any public safety issues were exempt. There were no objections.

Discussion followed regarding the setting of a policy that if an agenda item were not received within a specified time limit, it would be placed on the following agenda.

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- 14E, Discussion and/or action regarding the scheduling of a communication meeting (*Commissioner Jerry McIntee*)

Commissioner McIntee suggested the Commission commit to an hour of informal discussion, off the dais, regarding pending issues prior to Commission meetings. He felt that if posted properly, the Commission, by way of communicating, could accomplish more, and shorten the length of the meetings. Commissioner McIntee inquired as to whether this could be done without violating the Sunshine Law.

- 14F, Discussion and/or action regarding term limits (*Commissioner Jim Silverstone*)

Commissioner Silverstone recommended no more than two term limits per seat. Vice Mayor Yanni referenced the people's choice at the last election and felt that term limits were not necessary.

- 14G, Discussion and/or action regarding the paving of pedestrian access at Seawatch Restaurant, from State Road A1A, to the beach for wheelchair accessibility (*Mayor Oliver Parker for Dan Butler*)

Director Mason gave a breakdown on the costs as \$4,000 for showers, including a water meter; \$7,500 for concrete; \$5,400 for asphalt; and \$13,500 for brick pavers.

Discussion followed relating to handicap access on the sand. Mayor Pro Tem Clark preferred to have staff do the research and return to the Commission with all the details. Manager Baldwin agreed that staff should prepare a complete report with correct figures rather than quick estimates.

- 14H, Discussion and/or action regarding procedures for selecting members to boards (*Mayor Pro Tem Chuck Clark*)

Mayor Pro Tem Clark suggested the Commission review all Board and Committee applications and choose the top six or seven as new members. He believed this form of selection would help take the politics out of it. It was agreed that further discussion would be held during the regular meeting.

- 14I, Discussion and/or action concerning available parking for Auxiliary 12 (*Commissioner Jerry McIntee*)

Commissioner McIntee announced that a generous benefactor offered to pay the expenses to build a canopy over Auxiliary 12. Discussion followed relating to the existing slab and the re-location of Station 36.

**4. ADJOURNMENT**

Mayor Pro Tem Clark made a motion to adjourn the meeting. As there were no objections and no other business to discuss, the meeting was adjourned at 7:04 p.m.

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

ATTEST:

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

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