

Amended 09-12-06

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Thursday, September 14, 2006

7:00 P.M.

1. **CALL TO ORDER, MAYOR OLIVER PARKER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION, TOWN CHAPLAIN**
4. **PUBLIC HEARINGS**
 - A. **Resolution No. 2006-18:** A resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, adopting a proposed millage rate for the fiscal year beginning October 1, 2006, and ending September 30, 2007; stating the percentage amount the proposed rate exceeds the rolled back rate; announcing the second and final public hearing to adopt the final millage rate; providing for severability, conflicts, and an effective date.
 - B. **Resolution No. 2006-19:** A resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, adopting a tentative budget for the fiscal year beginning October 1, 2006, and ending September 30, 2007; announcing the second and final public hearing to adopt the annual budget and final millage rate; providing for severability, conflicts, and an effective date.
 - C. **Resolution No. 2006-20:** A resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, relating to the provision of fire protection services, equipment, facilities and programs within the Town of Lauderdale-By-The-Sea; levying the fire protection special assessment upon specifically benefited and assessed properties lying within Fire Protection Special Assessment Area – Townwide within the municipal boundaries of the Town of Lauderdale-By-The-Sea for the fiscal year commencing October 1, 2006; approving confirming and adopting the non-ad valorem assessment roll; providing for other matters relating to the Fire Protection Special Assessment; providing for conflict; providing for conflict; providing for severability; providing for an effective date.

- D. **Resolution No. 2006-21:** A resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, relating to the levy and collection of the Town's Stormwater Management Utility Fees using the procedures set forth in Section 197.3632, Florida Statutes, within the municipal boundaries of the Town of Lauderdale-By-The-Sea for the fiscal year commencing October 1, 2006; approving, confirming, and adopting the Stormwater Management Utility Fees; providing for other matters relating to the levy and collection of the Stormwater Management Utility Fee; providing for conflict; providing for severability; providing for an effective date.

5. PRESENTATIONS

- A. Lauderdale-By-The-Sea Community Performing Arts (*Vincent Ragusa*)
- B. Life Saving Procedures for Public Safety Officers (*John Fletemeyer/Mayor Oliver Parker*)

6. REPORTS

- A. Budget Report for the period ending July 31, 2006
- B. Fourth of July Celebrations (*Mayor Pro Tem Chuck Clark*)
- C. Sidewalk Installation on north side of Seagrape Drive (*Town Planner Walter Keller*) (*tabled from June 13, 2006*)
- D. Report by Commissioner McIntee regarding the status of the donation of an emergency vehicle from Plantation Fire Department (*Mayor Oliver Parker*) (*tabled from July 25, 2006*)

7. APPROVAL OF MINUTES

8. PUBLIC COMMENTS

9. ORDINANCES (2nd Reading) "Public Hearings"

10. COMMISSIONER COMMENTS

11. ORDINANCES (1ST Reading)

- A. **Ordinance No. 2006-12:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending Section 19-25, "Time-Restricted Parking" and to amend subsection (f) to permit two (2) motorcycles to be permitted to be parked in each metered or permit

parking space at the same time within the Town; to create a new subsection (g) to provide that parking at metered spaces on Commercial Boulevard west of Seagrape Drive shall be without charge, Monday through Friday, between the hours of 9:00 a.m. and 5:00 p.m.; providing for conflicts, severability, codification and an effective date.

12. CONSENT AGENDA

- A. SPECIAL EVENT PERMIT: **OKTOBERFEST CELEBRATION**/Property Owners Association, October 21, 2006; from 5:00 p.m. to 10:00 p.m.
- B. LICENSE AGREEMENT: for parking between the Town and Benihana National of Florida
- C. AGREEMENT: for services by Beach Raker to clean beach areas
- D. PURCHASE: of dump truck body for Ford F350 for the Municipal Services Department (*piggybacking on contract with Miami-Dade County*)
- E. CONSTRUCTION CONTRACT: between the Town and Global Coral Reef Alliance for an artificial reef fish habitat
- F. EXTENSION: of a development order for Villa Solemar, located at 4240 Bougainvillea Drive, for a period of six months
- G. EXTENSION: of a development order for Pelican Cove, located at 235 Hibiscus Avenue, for a period of one year
- H. GRANT AGREEMENT: between the Town and Broward County for the 2006 Broward Beautiful Greenshade Grant (*in the amount of \$6,770*)
- I. Drainage outfall
- J. LICENSE AGREEMENT: for parking between the Town and Aruba Beach Café

13. RESOLUTION

14. OLD BUSINESS

- A. Discussion and/or action regarding the cost per foot to bury overhead utility lines for individual properties being constructed (*Town Engineer Kevin Hart*) (*tabled from May 9, 2006*) (**staff requesting a tabling to October 24, 2006**)

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- B. Discussion and/or action regarding the amendment of the Town's regulations concerning the extension of off-site parking from 400 feet to 1,000 feet (*Vice Mayor John Yanni*) (*continued from July 25, 2006*)
- C. Discussion and/or action regarding the consideration of a proposed contract to rid neighborhood of iguanas (*continued from July 25, 2006*)
- D. Discussion and/or action regarding the current contract with Waste Management, Inc. and the possibility of seeking an amendment to the rates for residential units (*Mayor Oliver Parker*) (*tabled from July 25, 2006*)
- E. Discussion and/or action regarding the current contract with Waste Management, Inc. and the possibility of seeking an amendment to the rates for commercial units (*Commissioner Jim Silverstone*) (*tabled from July 25, 2006*)

15. NEW BUSINESS

- A. Discussion and/or action regarding the addition of trash collection as an assessment on property tax roll (*Mayor Pro Tem Chuck Clark*) (*tabled from July 25, 2006*)
- B. Discussion and/or action requiring three bids to be obtained for any Town contract over \$15,000 (*Commissioner Jerry McIntee*) (*tabled from July 25, 2006*)
- C. Discussion and/or action adopting rules of procedures for making appointments to Town boards, limiting appointments to persons who have filed current applications (*Mayor Oliver Parker*) (*tabled from July 25, 2006*)
- D. Discussion and/or action regarding solicitors of signatures for referendum issues to be registered with the Town Clerk, with all solicitors being identified for security (*Commissioner Jerry McIntee*) (*tabled from July 25, 2006*)
- E. Discussion and/or action regarding regulations on insurance coverage for paid solicitors or their employees going door-to-door for signatures, ensuring proper identification cards are issued by the Town for protection of residents (*Commissioner Jerry McIntee*) (*tabled from July 25, 2006*)
- F. Discussion and/or action regarding a proposed ordinance to restrict dogs from public park areas (*Mayor Oliver Parker*) (*tabled from July 25, 2006*)

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- G. Discussion and/or action regarding beach swimmer protection
(Commissioner Jim Silverstone) (tabled from July 25, 2006)
- H. Discussion and/or action concerning existing regulations of hedge heights and hedge placement to ensure safety
(Mayor Pro Tem Chuck Clark) (tabled from July 25, 2006)
- I. Discussion and/or action regarding who picks Fourth of July parade marshal and the possibility of opening the selection to Town residents
(Commissioner Jerry McIntee) (tabled from July 25, 2006)
- J. Discussion and/or action regarding the hiring of a federal lobbyist to obtain federal grant funds
(Commissioner Jerry McIntee) (tabled from July 25, 2006)
- K. Discussion and/or action regarding the order in which items are placed on the agenda for Commission consideration
(Commissioner Jerry McIntee) (tabled from July 25, 2006)
- L. Discussion and/or action for a sidewalk café permit and license agreement for use of Town right-of-way by the Aruba Beach Café, located at One Commercial Boulevard
- M. Discussion and/or action regarding the seeking of a Request for Proposals for fire rescue services
(Commissioner Jerry McIntee)
- N. Discussion and/or action regarding proposed contract with Sal's Towing for towing services for the Town
- O. Discussion and/or action regarding proposed contract with Katz Barron Squitiero, Faust, Terzo, Friedberg, Grady, English & Allen PA for services as Special Magistrate for Parking and Code Compliance Hearings
- P. Discussion and/or action to establish a citizen's committee to establish protocol and procedures for naming public property after citizens
(Commissioner Jim Silverstone)
- Q. Discussion and/or action concerning the naming of Washingtonia Beach Park after Bill and Eva Karley
(Commissioner Jim Silverstone)
- R. Discussion and/or action regarding the designation of certain neighborhoods for residential traffic only – Avalon Avenue at Seagrape Drive and West Tradewinds Avenue
(Mayor Oliver Parker upon the request of Eva Karley)

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- S. Discussion and/or action regarding procedures for allowing advertising in the Town's newsletter (*Town Manager Robert Baldwin*)
- T. Discussion and/or action regarding the possibility to provide a dumpster at a general location for the purposes of allowing residents to remove lawn debris from their yards, not to eliminate garbage (*Commissioner Jerry McIntee*)
- U. Discussion and/or action regarding the possibility to amend the contract between the Town and Waste Management, Inc. to ensure that residents can continue to place yard debris along side their garbage on regular pick up days (*Mayor Oliver Parker*)

16. TOWN MANAGER REPORT

- A. Municipal Services Department Monthly Report (*tabled from July 25, 2006*)
- B. Code Compliance Quarterly Report (*tabled from July 25, 2006*)

17. TOWN ATTORNEY REPORT

18. 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 ACCOMMODATION 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.