

Amended 07/07/06

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, July 11, 2006

7:00 P.M.

1. CALL TO ORDER, MAYOR OLIVER PARKER
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. INVOCATION, TOWN CHAPLAIN
4. PRESENTATIONS
 - A. Lauderdale-By-The-Sea's Online Community Portal (*Jerry Sehl/Vice Mayor John Yanni*)
 - B. Traffic Study of State Road A1A and Commercial Boulevard intersection (*Town Planner Walter Keller*)
5. REPORTS
 - A. Fourth of July Celebrations (*Mayor Pro Tem Chuck Clark*)
 - B. Report by the Volunteer Fire Department regarding Status of Contract with Broward Sheriff's Office (*Commissioner Jim Silverstone/Battalion Chief Joseph Padden*)
6. APPROVAL OF MINUTES
7. PUBLIC COMMENTS
8. ORDINANCES (*2nd Reading*) "Public Hearings"
9. COMMISSIONER COMMENTS
10. ORDINANCES (*1ST Reading*)
 - A. **Ordinance No. 2006-08:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending Ordinance 2005-18 to reflect that a referendum election will be conducted November 7, 2006

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pursuant to Court Order; providing for severability, conflicts, and an effective date

- B. **Ordinance No. 2006-09:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending Ordinance 2005-20 to reflect that a referendum election will be conducted November 7, 2006 pursuant to Court Order; providing for severability, conflicts, and an effective date

11. CONSENT AGENDA

- A. CONTRACT: with Bryant Miller & Olive P.A. for an independent review of the Town's fire assessment
- B. CONTRACT: for the paving of the new municipal parking lot located on State Road A1A and Bougainvillea Drive
- C. CONTRACT: for paving services at Leisure Towers

12. RESOLUTION

13. OLD BUSINESS

- A. Discussion and/or action regarding the possibility of assessing properties for improvements made and completed in the past (*Town Attorney James Cherof*)
- B. Discussion and/or action regarding the possibility of the Town having its own fire inspector/fire marshal (*continued from June 17, 2006*)
- C. Discussion and/or action regarding the hiring of two additional consultants for the positions of Town Engineer and Town Planner (*Commissioner Jerry McIntee*)
- D. Selection of members for the "Walk Around" Committee (*five members needed*) (*next Commissioner to make an appointment is Commissioner Silverstone*)
- E. Discussion and/or action regarding ordinance No. 2005-20, as it pertains to the referendum questions concerning the replacement of existing non-conforming buildings (*Mayor Pro Tem Chuck Clark*)
- F. 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*)

- G. 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*)
- H. Discussion and/or adoption of Ordinance(s) regarding procedure to adopt home based occupational licenses for the residential areas on the southern side of Town and scheduling a referendum election (*Attorney James Cherof*)

PROPOSED ORDINANCE 2006-10, FIRST READING

ORDINANCE NO. 2006-10: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES, "LICENSES" BY ADDING A NEW SECTION 12-23; PROVIDING FOR THE CONTROL AND REGULATION OF BUSINESS ACTIVITY OCCURRING IN RESIDENTIAL ZONING DISTRICTS; PROVIDING FOR REGULATION OF HOME OCCUPATIONS; PROVIDING FOR INSPECTIONS AND FEES; PROVIDING FOR PENALTY; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

PROPOSED ORDINANCE 2006-11, FIRST READING

ORDINANCE NO. 2006-11: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA SUBMITTING TO REFERENDUM AN AMENDMENT TO CHAPTER 12 OF THE CODE OF ORDINANCES TO ADD HOME OCCUPATIONS AS An ALLOWED USE IN RESIDENTIAL ZONING DISTRICTS; 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 NOVEMBER, 2006 GENERAL MUNICIPAL ELECTION BALLOT AND SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

14. NEW BUSINESS

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- A. Discussion and/or action regarding an impartial expert review of the Volunteer Fire Department's standard operating procedures and recommendation on fire suppression contract with the Town
(Commissioner Jerry McIntee)
- B. Discussion and/or action regarding the Town's Emergency Plan for hurricane relief
(Mayor Oliver Parker)
- C. Discussion and/or action regarding the selection of a special meeting date for the Town Manager to deliver the budget message for 2006-2007 **(staff recommending July 17, 2006)**
- D. Discussion and/or action regarding the selection of a workshop meeting date for Budget review **(staff recommending July 26 or July 27, 2006)**
- E. Discussion and/or action concerning proposed ordinance regarding unlicensed contractors *(continued from June 13, 2006)*
- F. Discussion and/or action regarding allegations made by Commissioner McIntee and David Beyer *(as requested at June 27, 2006)*
- G. Discussion and/or action regarding the proposed referendum for terms and term limits *(Petition for referendum filed by the Citizens Initiative Committee) (Town Attorney James Cherof)*
- H. Discussion and/or action regarding placing a straw ballot in November concerning the possibility of providing assessments for the cost of underground utilities *(Mayor Oliver Parker)*
- I. Discussion and/or action regarding the addition of trash collection to ad valorem taxes *(Mayor Pro Tem Chuck Clark)*
- J. Discussion and/or action requiring three bids to be obtained for any Town contract over \$15,000 *(Commissioner Jerry McIntee)*
- K. 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)*
- L. 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)*
- M. Discussion and/or action regarding regulations on insurance coverage for paid solicitors or their employees going door-to-door for signatures,

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ensuring proper identification cards are issued by the Town for protection of residents (*Commissioner Jerry McIntee*)

15. TOWN MANAGER REPORT

A. Municipal Services Department Monthly Report

16. TOWN ATTORNEY REPORT

17. 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.