

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, July 25, 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. Deputy of the Month, Broward Sheriff's Office, District 13 (*Chief Scott Gooding*)
- 5. REPORTS**
 - A. Budget Report for Period Ending June 30, 2006
- 6. APPROVAL OF MINUTES**
 - A. June 6, 2006, Workshop Meeting (*regarding dog friendly beaches*)
 - B. June 6, 2006, Workshop Meeting (*regarding Unified Land Development Regulations*)
 - C. June 13, 2006, Workshop Meeting (*regarding Unified Land Development Regulations*)
 - D. June 17, 2006, Workshop Meeting (*regarding Town policies and operational issues*)
 - E. July 11, 2006, Agenda Conference
- 7. PUBLIC COMMENTS**

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

- 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 14, 2006 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 14, 2006 pursuant to Court Order; providing for severability, conflicts, and an effective date
- C. **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.
- D. **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.

9. COMMISSIONER COMMENTS

10. ORDINANCES (1ST Reading)

11. CONSENT AGENDA

- A. **CONTRACT:** with US Grounds, Inc. for sweeping services throughout Town for the period between October 1, 2006 and September 30, 2007

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- B. **CONTRACT EXTENSION:** on existing service agreement with Brinks Incorporated for a period of two months
- C. **CONTRACT:** for painting services for the Town Hall Complex and the Chamber of Commerce
- D. **CONTRACT RENEWAL:** of existing agreements for emergency services with Waste Management, Grubbs, PBS&J, Tele-Vac South, Inc., and Man-Con, Inc.
- E. **PURCHASE:** of three vehicles for use by the Municipal Services Department
- F. **AMENDED AGREEMENT:** with Broward Sheriff's Office regarding law enforcement services

12. RESOLUTION

- A. **RESOLUTION NO. 2006-16:** A resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, relating to the provision of fire protection services, facilities and programs in the Town of Lauderdale-By-The-Sea, Florida; describing the method of assessing fire protection assessed costs against assessed property located within the town's geographical boundaries, known as fire protection assessment area – townwide; establishing the estimated rates for fire protection services for the fiscal year beginning October 1, 2006; directing the preparation of an assessment roll for fire protection assessment area – townwide; authorizing a public hearing and directing the provision of notice thereof; providing for conflict; providing for severability; providing for an effective date.
- B. **RESOLUTION NO. 2006-17:** 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; providing for the area in which the fee will be levied, a description of the stormwater management utility services funded by the fees and the methodology for determining the fees, and setting forth the initial stormwater management utility fees schedule for the fiscal year beginning October 1, 2006; directing the preparation of an assessment roll as defined in Ordinance 2006-07; authorizing a public hearing and directing the provision of notice thereof; providing for conflict, severability, and an effective date.

13. OLD BUSINESS

- A. 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) (tabled from July 11, 2006)*
- B. 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 11, 2006)*
- C. 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 11, 2006)*
- D. Discussion and/or action to direct Town Attorney to request Broward Sheriff's Office and the State Attorney's Office review allegations and cross-allegations made by Commissioner McIntee and David Beyer *(Mayor Oliver Parker) (continued from July 11, 2006)*
- E. Report by Commissioner McIntee regarding the status of the donation of an emergency vehicle from Plantation Fire Department *(Mayor Oliver Parker) (continued from July 11, 2006)*
 - 1. Discussion and/or action regarding Commissioner McIntee's request to have the Town pay for diesel fuel for the donated emergency vehicle *(Mayor Oliver Parker) (continued from July 11, 2006)*
- F. Discussion and/or action regarding off-street parking and off-site parking places *(Vice Mayor John Yanni) (continued from June 27, 2006)*
- G. Discussion and/or action regarding a change order to the Sunset Lane Sewer Project

14. 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) (continued from July 11, 2006)*

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- B. Discussion and/or action requiring three bids to be obtained for any Town contract over \$15,000 (*Commissioner Jerry McIntee*) (*continued from July 11, 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*) (*continued from July 11, 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*) (*continued from July 11, 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*) (*continued from July 11, 2006*)
- F. "PUBLIC HEARING" – SITE PLAN; Commerce Bank/4353 North Ocean Drive (*tabled from June 13, 2006*) (***applicant requesting additional tabling; new hearing date to be advertised upon Planning and Zoning Board's review of application***)
- G. "PUBLIC HEARING" – VARIANCE; Commerce Bank/4353 North Ocean Drive (*tabled from June 13, 2006*) (***applicant requesting additional tabling; new hearing date to be advertised upon Planning and Zoning Board's review of application***)
- H. Discussion and/or action regarding a proposed ordinance to restrict dogs from public park areas (*Mayor Oliver Parker*) (*continued from June 6, 2006*)
- I. Discussion and/or action regarding beach swimmer protection (*Commissioner Jim Silverstone*)
- J. Discussion and/or action concerning existing regulations of hedge heights and hedge placement to ensure safety (*Mayor Pro Tem Chuck Clark*)
- K. 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*)

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- L. Discussion and/or action regarding the hiring of a federal lobbyist to obtain federal grant funds (*Commissioner Jerry McIntee*)
- M. Discussion and/or action regarding the order in which items are placed on the agenda for Commission consideration (*Commissioner Jerry McIntee*)

15. TOWN MANAGER REPORT

- A. Code Compliance Quarterly 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.