

# **TOWN OF LAUDERDALE-BY-THE-SEA**

## **TOWN COMMISSION**

### **REGULAR MEETING**

### **MINUTES**

Town Commission Meeting Room

**4501 Ocean Drive**

**Tuesday, March 25, 2008**

**7:00 P.M.**

1. CALL TO ORDER, MAYOR ROSEANN MINNET

Mayor Minnet called the meeting to order at 7:04 p.m. Present were Mayor Roseann Minnet, Vice Mayor Jerry McIntee, Commissioner Silverstone, Commissioner Birute Ann Clotey, and Commissioner Stuart Dodd. Also present were Town Attorney James Cherof, Town Manager Esther Colon, and Town Clerk June White.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Mayor Minnet gave the Invocation.

4. PRESENTATIONS

a. **Miguel San Miguel**

1. Volunteer Fire Department (Commissioner Silverstone)
2. Citizen on Patrol (Chief Gooding)

Commissioner Silverstone honored Miguel San Miguel for his 20 years of volunteerism to the Town and his dedication to the Volunteer Firefighters Pension Trust. Chief Perkins and Chief Patton of the Lauderdale-By-The-Sea Volunteer Fire Department honored him with a plaque.

Commissioner Silverstone read a proclamation, signed by all members of the Commission, proclaiming March 25<sup>th</sup> as Miguel San Miguel day.

Chief Gooding awarded Miguel San Miguel with a 1,000 hour pin in recognition of his participation in Citizens on Patrol.

- b. **Broward County Building Department Services – Rate Study – Reduction of Fees (Manager Colon)**

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Armando Lenarez, gave a PowerPoint presentation regarding full service benefits from permit application acceptance to occupational licensing. He explained their plan of action for the proposed fee schedule would be reviewed by the County Commission on April 8, 2008 with a public hearing scheduled for May 6, 2008. Mr. Lenarez said the permits below 6,000, such as sewer hookups, and driveways were cut by 38%. He said Broward County Building Services wanted to provide service at a low cost.

Commissioner Silverstone asked if the permits above 6,000 were also going to be cut. Mr. Lenarez said they were. He added that overall, they have held down increases. Commissioner Dodd asked what the minimum permit value was. Mr. Lenarez said that some jobs required more than one trip and were more complicated. He suggested that the minimum fee was \$125.

**c. Broward County Sea Turtle Conservation Program – Explanation of Parking Permits (Assistant to Town Manager Olinzock)**

Lou Fisher, Broward County Environmental and Growth Management said the issuance of the 5 parking passes were essential in doing their studies and explained the need for round the clock surveyors. He said turtle season did not end in October and continued through February. Mr. Fisher said each of the parking passes had to be issued in the individual's name as it was required by the State.

Vice Mayor McIntee said he had no problem allowing 5 permits, but wanted to know how many of the 5 would be in Town at the same time. Mr. Fisher said not all 5 at the same time.

Vice Mayor McIntee made a motion to assign 5 parking permits. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 4-1. Commissioner Clotley voted no.

**5. REPORTS**

**a. End of Month Budget Report for February 2008 (Manager Colon)**

Commissioner Silverstone made a motion to accept the report. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

**b. Development Services Monthly Report for February 2008 (Development Services Director Rabinowitz)**

Commissioner Silverstone made a motion to accept the report. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

**c. Municipal Services Monthly Report for February 2008 (Assistant to the Town Manager Olinzock)**

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Commissioner Silverstone made a motion to accept the report. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

6. APPROVAL OF MINUTES

a. February 26, 2008 Regular Minutes

Commissioner Silverstone made a motion to accept the report. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

b. March 11, 2008 Workshop Minutes

Commissioner Silverstone made a motion to accept the report. Commissioner Clotney seconded the motion. In a roll call vote, the motion carried 5-0.

7. PUBLIC COMMENTS

Maureen McIntee said the Easter by the Sea event and the Easter Sunrise service was outstanding. She added that the number of attendees and volunteers broke the record this year.

Kenny Krachtman asked to be placed on the agenda to discuss the chair issue with code enforcement.

John Yanni was disappointed with the first two commission meetings to rescind the overlay district ordinances. He said the ordinance stated that height limits could only be changed by referendum. He said it was not proper or allowed to rescind the Ordinance. He suggested tabling Ordinances 2008-05, 2008-06, 2008-08, and 2008-09.

Jeff Goldstein said there were a lot of revenue in Town and the people should remain with BSO.

Beverly Kennedy was upset that short term rentals had parties all night long. She was impressed that the police and Code Enforcement stepped in and took care of the situation.

Boomin Yuce noticed that, on El Mar Drive, the lane closest to Oriana, contained a drainage ditch. He was concerned that that was an indication El Mar Drive was going to become one lane rather than two lanes.

Larry Miller was concerned with the training the Volunteer Fire Department had with a high rise condominium fire and their training as paramedics, along with their response time and alertness. He asked the Commission to consider combining the Volunteer Fire Department with BSO.

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Lisa Mitchell spoke in favor the Volunteer Fire Department and indicated that she had problems with BSO EMS. She believed it was time for a change.

Carol Venuti said she had fallen and 30 minutes went by before BSO arrived.

Rosa Michailiuk said everyone should pay the same on their taxes. She believed LBTS had the best Town Manager and agreed with her that apples are apples.

Russ Shulmister suggested that policy forbidding derogatory comments should be extended to the citizens. Mr. Shulmister heard that he had submitted an RFP to become the Town Attorney to the Town of Lauderdale-By-The-Sea. Mr. Shulmister assured everyone he had not.

L. Peanuts Wick thanked Manager Colon on her update. He disagreed with John Olinzock that some projects were canceled out. Mr. Wick felt it was a not a good time to be selling property, but a good time to buy it. He hoped the Commission would attend Broward Days.

Chuck Gress commented that the people in the north did not have the beach access that they want. He said that the residents in Terra Mar Island paid an additional \$25,000 premium for exclusive beach access. Mr. Gress explained that the Federal Government can take property as Eminent Domain with just compensation. He said it was achieved through a process called Condemnation Proceedings. He added that El Mar Beach was not a case of Eminent Domain as there was no property there to be condemned.

Frank Herrmann was in favor of rescinding Ordinance 2006-18. He believed in longer term limits.

John Thompson asked for the 3 minute clock to be on during Public Comments.

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

- a. ORDINANCE NO. 2008-03: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING SECTION 30-313 OF THE CODE OF ORDINANCES, GENERAL PROVISION, TO DELETE THE CURRENT SECTION 30-313 IN ITS ENTIRETY AND ADDING A NEW SECTION 30-313 TO CLARIFYIY PROVISION REGARDING THE HEIGHT OF HEDGES, PLANTINGS AND FENCES (Commissioner Clotley) Passed on 1<sup>st</sup> Reading March 11, 2008

Mayor Minnet read Ordinance 2008-03 by title only.

Mayor Minnet opened public hearing.

Beverly Kennedy believed the Town should have more greenery.

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Vice Mayor McIntee agreed with Ms. Kennedy except for hedges on corners. He did not believe they should be that high. Commissioner Silverstone asked why 10 feet was decided upon. Development Services Director Frank Rabinowitz said that when the request came in Code Enforcement felt that the hedges should not be higher than the house itself and limited them to 10 feet. Vice Mayor McIntee felt that since some houses were 12 feet, the hedge height should be 12 feet town wide.

With no one else wishing to speak, Mayor Minnet closed the public hearing.

Commissioner Silverstone made a motion to amend the Ordinance to change the height limit from 10 to 12 feet. Vice Mayor McIntee seconded the motion. In a roll call, the motion carried 5-0.

Commissioner Silverstone made a motion to adopt Ordinance 2008-03 as amended. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

- b. ORDINANCE NO. 2008-04: AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA AMENDING CHAPTER 6, BUILDING AND BUILDINGS REGULATIONS, OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 6-8.1 PORTABLE STORAGE UNIT PROVISIONS, TO CLARIFY PERMIT FEES, LENGTH OF PERMITS, ELIMINATION OF SURETY REQUIREMENTS, AND STORAGE SIZE LIMITATIONS (Development Services Director Rabinowitz) Passed on 1<sup>st</sup> Reading March 11, 2008

Mayor Minnet read Ordinance 2008-04 by title only.

Mayor Minnet opened the public hearing. With no one wishing to speak, Mayor Minnet closed the public hearing.

Vice Mayor McIntee made a motion to adopt Ordinance 2008-04. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

- c. ORDINANCE NO. 2008-05: AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA RESCINDING ORDINANCE 2006-18; CONFIRMING THE TERM LIMIT PROVISIONS OF THE NOVEMBER 2006 CHARTER AMENDMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (Commissioner Dodd) Passed on 1<sup>st</sup> Reading March 11, 2008

Mayor Minnet read Ordinance 2008-05 by title only.

Mayor Minnet opened public hearing. With no one wishing to speak, Mayor Minnet closed the public hearing.

Commissioner Dodd made a motion to adopt Ordinance 2008-05. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5-0.

- d. ORDINANCE NO. 2008-06: AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA REPEALING ORDINANCE 2003-511, WHICH CREATED THE MARINA VILLAGE OVERLAY DISTRICT; PROVIDING FOR LIMITATION ON THE EXTENSION OF SITE PLANS APPROVED UNDER OVERLAY DISTRICT REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (Commissioner Dodd) Passed on 1<sup>st</sup> Reading March 11, 2008

Mayor Minnet read Ordinance 2008-06 by title only.

Mayor Minnet opened public hearing. With no one wishing to speak, Mayor Minnet closed the public hearing.

Commissioner Dodd wanted to have tasteful development in Town and not huge developments such as Oriana.

Commissioner Dodd made a motion to adopt Ordinance 2008-06. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 4-1. Mayor voted no.

- e. ORDINANCE NO. 2008-07: AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA REPEALING ORDINANCE 2003-529, WHICH CREATED THE BEACH VILLAGE OVERLAY DISTRICT; PROVIDING FOR LIMITATION ON THE EXTENSION OF SITE PLANS APPROVED UNDER OVERLAY DISTRICT REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (Commissioner Dodd) Passed on 1<sup>st</sup> Reading March 11, 2008

Mayor Minnet read Ordinance 2008-07 by title only.

Mayor Minnet opened public hearing. With no one wishing to speak, Mayor Minnet closed the public hearing.

Commissioner Clotey made a motion to adopt Ordinance 2008-07. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 4-1. Mayor voted no.

- f. ORDINANCE NO. 2008-08: AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA REPEALING ORDINANCE 2006-01, WHICH RENAMED THE BEACH VILLAGE OVERLAY DISTRICT TO THE HOSPITALITY ZONING OVERLAY DISTRICT AND MODIFIED REGULATIONS OF THAT DISTRICT; PROVIDING FOR LIMITATION ON THE EXTENSION OF SITE PLANS APPROVED UNDER OVERLAY DISTRICT REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (Commissioner Dodd) Passed on 1<sup>st</sup> Reading March 11, 2008

Mayor Minnet read Ordinance 2008-07 by title only.

Mayor Minnet opened public hearing. With no one wishing to speak, Mayor Minnet closed the public hearing.

Commissioner Clotley made a motion to adopt Ordinance 2008-08. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 4-1. Mayor voted no.

- g. ORDINANCE NO. 2008-09: AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA REPEALING ORDINANCE 2003-510, WHICH CREATED THE TOWN VILLAGE OVERLAY DISTRICT; PROVIDING FOR LIMITATION ON THE EXTENSION OF SITE PLANS APPROVED UNDER OVERLAY DISTRICT REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (Commissioner Dodd) Passed on 1<sup>st</sup> Reading March 11, 2008

Mayor Minnet read Ordinance 2008-07 by title only.

Mayor Minnet opened public hearing. With no one wishing to speak, Mayor Minnet closed the public hearing.

Commissioner Silverstone made a motion to adopt Ordinance 2008-09. Commissioner Clotley seconded the motion. In a roll call vote, the motion carried 4-1. Mayor voted no.

9. COMMISSIONER COMMENTS

Commissioner Clotley discovered that most business owners preferred the bags on their meters. She said they indicated that their parking spaces were being taken over by valet parking at BeniHana. She asked the Town Manager to speak with the owners of BeniHana and Blue moon. Commissioner Clotley announced that the Town was in need of a grant writer and asked anyone with the expertise to come forward and help the Town. Commissioner Clotley said that the decision to choose EMS was difficult.

Commissioner Silverstone thanked everyone for coming out and volunteering at the Easter Egg Hunt.

Commissioner Dodd congratulated Cristie Furth for the Easter Egg Hunt event. He said he was working on the 4<sup>th</sup> of July Event and working diligently on the El Mar Drive project.

Vice Mayor McIntee said El Mar drive as going back to two lanes. He said he supported AMR and was upset that EMS took 30 minutes to arrive on a call. Vice Mayor McIntee thought the Easter Egg Hunt Event was a team effort and thanked the VFD for their participation.

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Mayor Minnet said Easter by the Sea was a great success as well as the Easter Egg Hunt event. Mayor Minnet met with the business owners in Town and felt better signage was necessary regarding the parking situation. She believed EMS was an important issue that was to be decided for the good of all.

Mayor Minnet called for recess at 9:00 p.m., and reconvened at 9:05 p.m

10. ORDINANCES (1st Reading)

- a. **ORDINANCE 2008-10 - AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 17, ARTICLE VII, SECTION 17-101 OF THE CODE OF ORDINANCES TO LIMIT THE USE OF JARVIS HALL TO A LOCAL CIVIC ORGANIZATIONS, A TOWN RESIDENTS AND A BUSINESS THAT HOLDS A TOWN OCCUPATIONAL LICENSE; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (Requested at the March 11, 2008 Commission Meeting - Vice Mayor McIntee)**

Mayor Minnet read Ordinance 2008-10 by title only.

Vice Mayor McIntee made a motion to adopt Ordinance 2008-10 on first reading. Commissioner Silverstone seconded the motion.

Commissioner Dodd questioned whether Ordinance 2008-10 conflicted with item 14g on the agenda. He did not think that the Scenic Group was Civic Organization. Attorney Cherof said once Ordinance 2008-10 passed there would be a conflict. Manager Colon asked if the Ordinance 2008-10 could be amended to include government agencies. Attorney Cherof said Section A could be amended.

Commissioner Dodd made a motion to amend Ordinance 2008-10 to include government agencies. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5-0.

Vice Mayor McIntee made a motion to adopt Ordinance 2008-10 on first reading as amended. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

11. CONSENT AGENDA

- a. Discussion and/or action for Issuance of Hardship Permits (Clerk White)
- d. Buoy Maintenance (Assistant to the Town Manager Olinzock)
- e. Commission approval for use of Jarvis Hall by LBTS July 4<sup>th</sup> Committee. Dates on Application. Use of Kitchen and Televising and Broadcasting of Event is not requested (Assistant to the Town Manager Olinzock)

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Vice Mayor McIntee made a motion to approve the Consent Agenda. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

**12. RESOLUTION**

- a. Resolution 2008-06: A Resolution for discussion and/or action opposing the Army Corp of Engineers future depletion or reduction of the levels of Lake Okeechobee (Discussion and/or action John Olinzock) Request to table to April 8, 2008 – Revised Resolution not received)

Vice Mayor McIntee made a motion to table Resolution 2008-06 to the April 8, 2008 Commission meeting. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

**13. OLD BUSINESS**

- a. Discussion and/or action regarding drafting an Ordinance to pull the bags from the parking meters on Bougainvilla and Poinciana (Vice Mayor McIntee – Tabled at the March 11, 2008 Commission meeting)

Vice Mayor McIntee said he polled the businesses and it was 33 to 2 to leave the bags on the parking meters. He wanted to table this item to allow time for discussions with parking enforcement to get things corrected.

Vice Mayor McIntee made a motion to table to the September 9, 2008 Commission meeting. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

- b. Discussion and approval of VFD Transition Agreement 3/01/2008 to 9/30/2008 (Manager Colon)

Vice Mayor McIntee made a motion to approve the VFD Transition Agreement. Commissioner Clotey seconded the motion.

Mayor Minnet asked Chief Perkins whether VFD (Volunteer Fire Department) would still need their administrative office. Chief Perkins said they did. He added that it worked better for interviews, drug testing, and kept administration and training separate. Mayor Minnet asked how a Chief was chosen. Chief Perkins said they were voted in yearly. He added that he was elected as the Transitional Chief. Mayor Minnet said the VFD identified code of ethics / conducts but did not provide them in the agreement. Chief Perkins said once the transition was agreed upon, everything would be provided.

Commissioner Silverstone inquired of the ISO rating if the Town did not use BSO (Broward Sheriff's Office). Battalion Chief Patrick Pointu explained that currently the ISO rating was 4. He expected that to increase with better tracking of their equipment. Chief Pointu explained ISO was an insurance organization that was put together in an attempt to provide different quotes for insurance by looking at equipment, water supply

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and training of firefighters. Commissioner Silverstone stated that in theory the stronger the fire department was the lower the insurance rates would be.

Commissioner Clotey asked about the drowning on the beach a couple weeks ago and asked if the VFD was qualified to supply lifeguards. Chief Perkins said they were not qualified at this time.

Commissioner Dodd asked whether the VFD saw a possibility of working together with BSO. Chief Perkins believed that BSO did not want to work with them.

Mayor Minnet asked to have a roster made available to the Commission. Chief Perkins said they would supply the roster within 24 hours of signing. Mayor Minnet asked whether the VFD did background checks. Chief Perkins said they did along with drug testing and interviewing. Chief Perkins said that currently the VFD had 37 fire fighters on the roster and more coming from other cities and other counties.

Vice Mayor McIntee asked whether the VFD had the option to pick and choose members of VFD. Chief Perkins said they did. Chief Pointu added that they do random drug testing. Chief Perkins stated that should a Volunteer firefighter fail the drug test they did not get a second chance. Vice Mayor McIntee asked if the VFD would restrict any town member from the government from coming in to look at records. Chief Perkins said their records were public and had no problem reporting to town manager.

Mayor Minnet found the Transition Agreement a bit vague. She wanted to see a roster of all the fire fighters included in the transition.

Attorney Cherof said that the draft agreement included a reference to the operational procedures manual. He said that document was referenced as Exhibit "A" and that a roster could be added as exhibit "B".

Mayor Minnet entertained a motion to include within agreement, the operational procedures manual and a roster of the VFD. Attorney Cherof advised that the first item was already included and suggested the motion be made to authorize the Town Manager to execute the agreement. Discussion continued regarding the submission of a roster as it differed daily. Mayor Minnet did not feel comfortable signing the agreement without it. Attorney Cherof said the Vice Mayor could sign or the Commission could authorize the Town Manger to sign by way of a motion.

Commissioner Clotey made a motion to direct the Town Manager to execute the agreement and VFD had 48 hours to submit a roster. The motion died for lack of a second.

Vice Mayor McIntee made a motion to approve the agreement as provided. Commissioner Silverstone seconded the motion. Vice Mayor McIntee amended the motion to direct VFD to provide a roster within 48 hours after the signature of the transition to the Town Manager. Commissioner Silverstone accepted the amendment. In a roll call vote, motion carried 5-0.

In a roll call vote, the motion to approve as amended carried 5-0

- c. Discussion and approval of VFD Equipment and Vehicle Agreement  
3/01/2008 to 9/30/2008 (Manager Colon)

Commissioner Silverstone made a motion to approve the VFD Equipment and Vehicle Agreement. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

- d. Sale and purchase of property (Manager Colon) (Tabled at the March 11, 2008 Commission Meeting)

Commissioner Silverstone made a motion to direct the Town Manager to proceed with the sale and purchase of property. Vice Mayor McIntee seconded the motion.

Commissioner Clotey asked what the approximate cost would be in purchasing the property. Manager Colon said the Town purchased the off-site building at \$1.6 million and the property for sale was currently at \$1.9 million. She added that it was a good time to purchase property, especially the adjoining property.

In a roll call vote, the motion carried 5-0

- e. Pay off/down Promissory Note (Manager Colon) (Tabled at the March 11, 2008 Commission meeting)

Manager Colon said there was \$2.5 million of untapped general fund money. She it was intended for property acquisition and should the sale and purchase of property occurred she wanted to pay down some of the loan.

Vice Mayor McIntee made a motion to give managerial authority to pay down the note. Attorney Cherof advised that the motion be more specific.

Manager Colon wanted to pay down the remaining stormwater note of \$538,000 in Capital Improvement.

Vice Mayor McIntee made a motion to pay up to \$540,000 towards Capital Debt. Commissioner Clotey seconded the motion. In a roll call vote, the motion carried 5-0.

#### 14. NEW BUSINESS

- a. Award RFP # 07-12-01- Emergency Medical Services

Commissioner Silverstone made a motion to award RFP 07-12-01 to AMR (American Medical Response). Commissioner Dodd seconded the motion.

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Commissioner Dodd said the qualifications for Emergency Medical Services were the same. He wondered why AMR had a large turnover and thought that perhaps it had something to do with salary. Commissioner Dodd wanted AMR to address the issue with locating addresses and getting to them quickly.

Commissioner Clotley inquired of the 58 complaints filed against AMR for not arriving to a call in a timely manner in the Town of Davie. Brooke Liddle, Operations Manager of Broward County AMR, replied that he believed shortly after AMR contracted with the Town of Davie, they took on an additional population that required a significant amount of responsiveness. He added AMR had to add an additional medical unit, at their own expense, to accommodate for that increase.

Vice Mayor McIntee asked how fast AMR would react to an emergency call relating to a Town employee and whether AMR would consider installing a GPS unit on their vehicles. Operations Manager Liddle said the reaction to a call would be immediate and they would consider GPS units. Vice Mayor McIntee asked whether AMR would consider carrying a certain type of medical equipment should the Commission request it. Operations Manager Liddle said they would.

Mayor Minnet asked the Commission if they would consider tabling this item until a fire RFP is determined. She felt EMS and fire should be looked at as an entity rather than separately. Commissioner Clotley believed they were two separate issues that needed to be address individually.

In a roll call vote, the motion to award the RFP 07-12-01 to AMR carried 4-1. Mayor Minnet voted no.

**b. Selection of Board and Committee members (Town Commission)**

Commissioner Clotley felt everyone should select someone to a Board and/or Committee. Mayor Minnet agreed.

**1. Planning and Zoning Board**

Commissioner Dodd made a motion to appoint Arthur Oldbaker to the Planning and Zoning Board. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5-0.

Vice Mayor McIntee made a motion to appoint Cristie Furth to the Planning and Zoning Board. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

Mayor Minnet made a motion to appoint Brendon Barry to the Planning and Zoning Board. Commissioner Clotley seconded the motion. In a roll call vote, the motion failed 2-3. Vice Mayor McIntee, Commissioner Silverstone, and Commissioner Dodd voted no.

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Commissioner Clotley made a motion to appoint Lawrence "Peanuts" Wick to the Planning and Zoning Board. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

Commissioner Silverstone made a motion to appoint Arthur Franczak to the Planning and Zoning Board. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5-0.

Commissioner Dodd made a motion to appoint William Hubly to the Planning and Zoning Board. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

Vice Mayor McIntee made a motion to appoint Bridget Ryder as 1<sup>st</sup> Alternate to the Planning and Zoning Board. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

Mayor Minnet made a motion to appoint George Hunsaker as 2<sup>nd</sup> Alternate to the Planning and Zoning Board. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

**2. Board of Adjustment**

Commissioner Clotley made a motion to appoint Thomas Carr to the Board of Adjustment. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

Commissioner Silverstone made a motion to appoint Joseph Couriel to the Board of Adjustment. Commissioner Clotley seconded the motion. In a roll call vote, the motion carried 5-0.

Commissioner Dodd made a motion to appoint Renee O'Neal to the Board of Adjustment. Commissioner Clotley seconded the motion. In a roll call vote, the motion carried 5-0.

Vice Mayor McIntee made a motion to appoint George Crossman to the Board of Adjustment. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

Mayor Minnet made a motion to appoint Susie Glenn to the Board of Adjustment. The motion died for lack of a second.

Commissioner Clotley made a motion to appoint Jim Pollack to the Board of Adjustment. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

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Commissioner Silverstone made a motion to appoint Dave Gadsby as 1<sup>st</sup> Alternate to the Board of Adjustment. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5-0.

Commissioner Dodd made a motion to appoint Gail Schwartz as 2<sup>nd</sup> Alternate to the Board of Adjustment. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5-0.

**3. Master Plan Steering Committee**

Vice Mayor McIntee made a motion to appoint Joe Guerrero to the Master Plan Steering Committee. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

Mayor Minnet made a motion to appoint Sandra Booth to the Master Plan Steering Committee. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 3-2. Vice Mayor McIntee and Commissioner Silverstone voted no.

Commissioner Clotey made a motion to appoint Russ LaScala to the Master Plan Steering Committee. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

Commissioner Silverstone made a motion to appoint Marilyn Carr to the Master Plan Steering Committee. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

Commissioner Dodd made a motion to appoint Paul Novak to the Master Plan Steering Committee. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

Vice Mayor McIntee made a motion to appoint Mary Ann Wardlock as 1<sup>st</sup> Alternate to the Master Plan Steering Committee. Commissioner Clotey seconded the motion. In a roll call vote, the motion carried 5-0.

Mayor Minnet made a motion to appoint Shevaun Steward-Kuhn as 2<sup>nd</sup> Alternate to the Master Plan Steering Committee. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

**4. Walk Around Committee**

Commissioner Clotey made a motion to appoint Maria Prunskis to the Walk Around Committee. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

Commissioner Silverstone made a motion to appoint Amy Appold to the Walk Around Committee. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

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Commissioner Dodd made a motion to appoint Frank Herrmann to the Walk Around Committee. Mr. Herrmann declined the appointment.

Commissioner Dodd made a motion to appoint Sam Patti to the Walk Around Committee. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

Vice Mayor McIntee made a motion to appoint Lisa Mitchell to the Walk Around Committee. Commissioner Clotney seconded the motion. In a roll call vote, the motion carried 5-0.

Mayor Minnet made a motion to appoint Susie Glenn to the Walk Around Committee. The motion died for lack of a second.

Commissioner Clotney made a motion to appoint Shirley Russotti to the Walk Around Committee. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

Vice Mayor McIntee made a motion to amend the agenda to appoint a Chair and a Co-Chair to the Planning and Zoning Board and to the Board of Adjustment. Commissioner Clotney seconded the motion. In a roll call vote the motion carried 5-0.

Vice Mayor McIntee made a motion to appoint Lawrence "Peanuts" Wick as Chair to the Planning and Zoning Board. Commissioner Dodd seconded the motion. In a roll call vote the motion carried 5-0.

Commissioner Clotney made a motion to appoint Cristie Furth as Co-Chair to the Planning and Zoning Board. Vice Mayor McIntee seconded the motion. In a roll call vote the motion carried 5-0.

Vice Mayor McIntee made a motion to appoint Thomas Carr as Chair to the Board of Adjustment. Commissioner Clotney seconded the motion. In a roll call vote the motion carried 5-0.

Commissioner Silverstone made a motion to appoint Joseph Couriel as Co-Chair to the Board of Adjustment. Commissioner Dodd seconded the motion. In a roll call vote the motion carried 5-0.

- c. Discussion and/or action regarding attendance to Broward Days on April 22 & 23, 2008 (Vice Mayor McIntee)

Vice Mayor McIntee requested permission to attend and reimbursement.

Commissioner Dodd made a motion to allow Vice Mayor McIntee and Commissioner Clotney to attend Broward Days and be reimbursed for expenses. Commissioner Silverstone seconded the motion.

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Mayor Minnet said she will also be attending and declined reimbursement.

In a roll call vote, the motion carried 5-0.

- d. Discussion and/or action regarding attendance to Broward Days on April 22 & 23, 2008 (Commissioner Clotley)
- e, Revisit the issue of freedom of speech during public comments (Commissioner Clotley)

Commissioner Clotley said at the Organizational meeting the Commission decided not to say anything derogatory during public comments. She believed in freedom of speech and felt that everyone should be allowed to speak.

Commissioner Clotley made a motion to allow anyone to speak and say what they want as long as they say it respectfully. Commissioner Dodd seconded the motion.

Discussion Commissioner Dodd agreed as long as decorum remained. Vice Mayor McIntee and Mayor Minnet believed that things were working well and felt that people need to restrict what they say and not offend people.

Vice Mayor McIntee made a motion to continue as they currently did for the next 60 days. The motion died for lack of a second. Vice Mayor McIntee withdrew the motion.

Commissioner Clotley withdrew her motion, Commissioner Dodd withdrew second.

Commissioner Dodd thought that rather than allow someone to just walk up to the dais and speak, that Mayor Minnet might want to recognize that person and, when convenient, allow that person to speak. Mayor Minnet agreed.

- f. Complaint from Robert Bradley regarding illegal sheds on Terra Mar Island (Vice Mayor McIntee)

Vice Mayor McIntee said sheds were illegal in the Town of Lauderdale-By-The-Sea. Manger Colon said she had directed an investigation. Kami Parker, Code Enforcement, reported that there were 11 sheds in Terra Mar and only 1 was permitted in 2003. She said believed all were grandfathered in, but needed to do further research.

- g. Commission approval of use of Jarvis Hall on Thursday, April 17, 2008 at 7:00 p.m. by the SRA1A Scenic Highway Corridor Advocacy Group Broward County (Metropolitan Planning Organization) Video Recording for Broadcasting is being requested (Assistant to Town Manager Olinzock)

Commissioner Dodd made a motion to approve the use of Jarvis Hall as noted. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5-0.

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15. TOWN MANAGER REPORT

- a. Schedule Workshop either Monday, 3/31, Tuesday, 4/1, Wednesday, 4/2 at 5:00 p.m. – Town Attorney RFP # 08-03-02 Presentation

Commissioner Silverstone made a motion to schedule a Workshop for March 31, 2008 at 5:00 p.m. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5-0.

16. TOWN ATTORNEY REPORT

17. FUTURE AGENDA ITEMS

18. ADJOURNMENT

Vice Mayor McIntee made a motion to adjourn. With no further business before the Commission, Mayor Minnet adjourned the meeting at 11:00 p.m.



Mayor Roseann Minnet

ATTEST:

  
\_\_\_\_\_  
June White, Town Clerk

4/11/08  
\_\_\_\_\_  
Date

