

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING MINUTES

Town Commission Meeting Room
4501 Ocean Drive
Tuesday, July 8, 2008
7:00 p.m.

1. CALL TO ORDER, MAYOR ROSEANN MINNET

Mayor Minnet called the meeting to order at 7:00 p.m. Vice Mayor Jerry McIntee, Commissioner Jim Silverstone, Commissioner Stuart Dodd, and Commissioner Birute Ann Clotley were present. Also present were Town Attorney Daniel L. Abbott, Town Manager Esther Colon, and Town Clerk June White.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION - Reverend George Hunsaker

Commissioner Clotley made a motion to add Item 15 O to New Business to discuss the possibility of paying down the capital loan of \$1.2 million. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

4. PRESENTATIONS

a. Employee of the Quarter - April, May, June, 2008 (Assistant Olinzock)

John Olinzock nominated Kelli Dwyer as Municipal Services Employee of the Quarter.

5. REPORTS

a. Development Services Monthly Report - May, 2008 (Director Rabinowitz)

The Commissioners requested last years report for comparative reasons, suggested weekly portal checks and turtle lighting inspections, and suggested addresses not be included in future reports.

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

b. Volunteer Fire Department Monthly Report - May, 2008 (Chief Perkins)

Commission Silverstone questioned the \$900 included in the report. Chief Perkins said there were items on the truck that were missing.

Discussion followed regarding the equipment that was not returned to the Volunteer Fire Department and/or maintained by the Broward Sheriff's Office Fire Department. The Commission discussed whether monies should be held back from BSO.

Mayor Minnet asked whether Chief Perkins was provided a town vehicle. Chief Perkins said he used his own vehicle but there was a command car for administrative use. She inquired of the RFP with Sea Ranch Lakes. Chief Perkins said the Volunteer Fire Departments proposal was re-submitted. Mayor Minnet asked whether Chief Perkins met with Sea Ranch Lakes and who attended the meeting. Chief Perkins said beside himself, Battalion Chief Pontu and Vice Mayor McIntee were present.

Vice Mayor McIntee asked of the condition of the command car and the 2 pumpers that were returned from the Broward Sheriff's Office. Chief Perkins said there were operational problems and the vehicles were in need of routine maintenance. The Commission discussed a recourse to recover the costs once an amount was determined, and prior to the end of the contract with Broward Sheriff's Office.

Manager Colon stated that she was not officially informed of any repair. She said she was only aware of the vehicle maintenance problem. Attorney Abbott said that recovery would depend on the terms of the contract.

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

6. TOWN MANAGER REPORT

Manager Colon stated that she received \$350,000 from Ft. Lauderdale for the sale of the water system. She said, in addition, the sale freed up \$825,000 which brought \$1.2 million that could be used for capital improvement or to pay down a loan.

7. APPROVAL OF MINUTES

a. June 24, 2008 Regular Meeting Minutes

There were no changes, corrections, deletions, or additions to the June 24, 2008 Regular Meeting Minutes.

Town Commission Regular Meeting Minutes
July 8, 2008

Commissioner Silverstone made a motion to approve the minutes of June 24, 2008. Commissioner Clotey seconded the motion. In a roll call vote, the motion carried 5 - 0.

8. PUBLIC COMMENTS

Rick Profusek complemented Commissioner Dodd on the 4th of July event and said Mayor Minnet was a gem.

Edward White believed that relocating the Chamber of Commerce to Commercial Boulevard was a not good idea as he did not feel it would be user friendly.

Fran Scheffler liked the Chamber of Commerce where it was.

Maureen McIntee thought the 4th of July event was the most memorable and thanked everyone that spent hours making the event successful.

Diane Boutin suggested ways the Town could incorporate funds and still maintain savings.

Frank Herrmann did not believe the Chamber of Commerce should be relocated.

Edmund Malkoon, president of the Bel Air Association, thanked the Commission for the funds for their entryways. He liked the idea of a Volunteer Fire Department but was concerned with the process in which they were being incorporated. Mr. Malkoon was not in favor of Ordinance 2008-17 for a referendum.

Cristi Furth, Chair of the Citizen's Initiative Committee invited the Commission to attend an old fashioned Town Hall meeting, Sunday, August 3, 2008, in Jarvis Hall at 7:30 p.m.

Bob Fleishman, Terra Mar Island, said he brought facts to the public meetings and not false rumors.

Louis Marchelos, Athena's Restaurant, thought the 4th of July festivities were incredible. He wanted to place Christmas by the Sea on the next agenda for discussion.

9. ORDINANCES - "PUBLIC HEARING"

I. Ordinances 1st reading

- a. Ordinance 2008-17: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING THE TOWN CHARTER TO REQUIRE THE TOWN TO CONTRACT WITH LAUDERDALE-BY-THE-SEA VOLUNTEER FIRE DEPARTMENT, INC., FOR THE PROVISION OF

FIRE PROTECTION SERVICES WITHIN THE TOWN; REQUIRING REFERENDUM APPROVAL FOR ANY ENTITY OTHER THAN LAUDERDALE-BY-THE-SEA VOLUNTEER FIRE DEPARTMENT, INC. TO PROVIDE PRIMARY FIRE PROTECTION SERVICES IN THE TOWN; PROVIDING FOR CONFLICTS WITH OTHER PROVISIONS OF THE TOWN CHARTER; CALLING FOR A REFERENDUM ELECTION; PROVIDING FOR THE FORM OF THE BALLOT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Mayor Minnet read Ordinance 2008-17 by title.

Mayor Minnet opened the meeting for public participation.

Diane Boutin was against the referendum. She wanted the Town to evaluate the Volunteer Fire Department. Frank Herrmann and Lisa Mitchell supported the referendum. Ms. Mitchell said when the Volunteer Fire Department was terminated they were 95% Certified. Mr. Fleishman was not worried whether the Volunteer Fire Department could do their job. He believed they should have the chance to prove themselves and not give them a free hand. Ms. Russotti defended the Volunteer Fire Department and believed they could handle the high rise condominiums. Joyce Murray was confused as to the purpose of having a contract with terms and conditions if there was going to be a referendum.

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

The Commission discussed spending \$20,000 for a special election, having a postal ballot, or adding a safety clause to the Ordinance. Attorney Abbott stated that any provision could be changed. He added that the Town Charter was the Town Constitution and any safe guards could be added.

Vice Mayor McIntee said it was up to the people whether the referendum would stand. Commissioner Dodd wanted to keep it in the hands of the people so that future Commissions could not do what the previous Commission had done. Commissioner Clotey did not see any reason for a referendum and preferred to wait and let the Volunteer Fire Department prove how great they were.

Mayor Minnet was against the referendum and believed the Volunteer Fire Department should be allowed time to prove themselves. Mayor Minnet asked if this referendum would bind future Commissions by

Town Commission Regular Meeting Minutes
July 8, 2008

putting it in the Charter. Attorney Abbott said it would. Mayor Minnet thought it should be brought up at the next election and not at this time.

Commissioner Dodd made a motion to table Ordinance 2008-17 to the July 22, 2008 Commission meeting pending inclusion of a safety clause. Vice Mayor McIntee seconded the motion. Discussion followed regarding Commission direction to Attorney Abbott for description of the type of safety clause to be included. In a roll call vote, the motion carried 5 - 0.

II. Ordinances 2nd reading

- a. Ordinance 2008-01: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, PROVIDING FOR CERTAIN TEXT AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN TO ADDRESS THE 2005 EVALUATION AND APPRAISAL REPORT; PROVIDING FOR TRANSMITTAL OF THE PROPOSED AMENDMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (Approved 1st reading January 8, 2008) Staff is requesting this item be continued to the July 22, 2008 meeting.

Commissioner Dodd made a motion to continue Ordinance 2008-01 to the July 22, 2008. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5 - 0.

10. COMMISSIONER COMMENTS

Commissioner Silverstone thanked everyone for a great 4th of July event. He pointed out the LED light that was installed on the Dais and thought it was a good idea to use them in Jarvis Hall as they were cost effective and efficient.

Commissioner Dodd thanked everyone that had a hand in putting together a successful 4th of July event, including the Volunteer Fire Department and the Broward Sheriff's Office. He addressed the Public Safety Building and believed the Town would benefit from it.

Vice Mayor McIntee thanked everyone for the 4th of July event and thanked everyone for their donations. Vice Mayor McIntee believed the Town would remain at the current 4.1012 millage. He said that was equal to a 10% reduction in taxes.

Mayor Minnet thanked everyone, including staff and the Volunteer Fire Department for their hand in making the 4th of July a success. She announced that a budget hearing would take place on July 22, 2008 at 6:00 p.m., and invited the public to ask their questions at that hearing. Mayor Minnet said there were 10

Town Commission Regular Meeting Minutes
July 8, 2008

streets adopted in the Adopt-A-Street program. She added that she wanted every street adopted.

Commissioner Clotey thanked everyone for their efforts in creating an eventful 4th of July, including the donators. She said her goal was to keep the millage rate the same. She invited input from the public at the budget hearing on July 22nd.

Mayor Minnet recessed the meeting at 8:50 p.m. and reconvened at 9:00 p.m.

11. CONSENT AGENDA

Consent Items 11c, 11d, and 11e were removed from Consent for discussion.

Commissioner Silverstone made a motion to approve Items 11a and 11b on consent. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5 - 0.

- a. July 4, 2008 Celebration expenditures (part of the original \$40,000.00 approved May 27, 2008) 1. Standing Ovarions - \$1,300.00 Sand Sculpture; 2. American Signs - \$596.00 Signage (Assistant Olinzock)
- b. Commission approval of Special Event Application for the Reef Clean Up - Holiday In 2008 on Sunday, July 26, 2008, 7:00 AM till 10:00 PM (Assistant Olinzock)
- c. Commission approval of use of Forty Five (45) parking spaces in the El Prado parking lot by Minto during construction activity, 12 hours a day, six (6) days per week, from July 7, 2008 to December 31, 2008 at the Cost of \$540.00 per day (Assistant Olinzock)

Mayor Minnet believed the El Prado parking lot should be reserved for beach parking. She suggested that Minto utilize the Bougainvilla Parking Lot instead and add a sign in the Town Hall Parking lot that allowed parking for Town business only and prohibited beach parking. Commissioner Dodd asked whether Minto's parking was just for employee parking and not for construction purposes. Mayor Minnet believed the Bougainvilla parking lot would serve their purpose either way.

Commissioner Clotey asked whether Minto requested parking for employees. John Carter, Minto Construction said they needed the spaces for material logistic purposes and for VIP parking. He said he would take a look at Bougainvilla and re-evaluate their needs and submit a revised request.

Discussion continued regarding parking permits, revenues, the installation of signs, and the needs of the people.

Town Commission Regular Meeting Minutes
July 8, 2008

Commissioner Dodd made a motion to table to the July 22, 2008 Commission meeting pending a revised request from Minto. Commissioner Clotey seconded the motion. In a roll call vote, the motion carried 5 - 0.

d. Law Enforcement Trust Fund Expenditure (BSO Chief Scott Gooding)

Chief Gooding gave a brief outline on the status of the six surveillance cameras with an approximate delivery date around September 1, 2008.

Commissioner Dodd fully supported the system. He added that the grant included off road segway and 2 generators. Mayor Minnet inquired as to where the funds came from. Chief Gooding said it came from seized money, such as drug money.

Commissioner Dodd made a motion to approve the Law Enforcement Trust Fund Expenditure. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5 - 0.

e. Award of Construction Contract to Coastal Contracting & Development, Inc., for the Construction of the Commercial Boulevard Pavilion, RFP #08-04-08, Base Bid in the amount of \$370,810.00, Alternates 1B and 2A in the amount of \$8,750.00. Funds have been appropriated in Account 300-519-160-500-620. With the FDEP Permit Approval, Building Permit Issuance, Issuance of Notice to Proceed, Completion in 90 Days (Assistant Olinzock)

Commissioner Dodd wanted to confirm that \$170,000 was grant money. Manager Colon confirmed.

Vice Mayor McIntee made a motion to approve the award of Construction Contract to Coastal Contracting & Development, Inc. Commissioner Clotey seconded the motion. In a roll call vote, the motion carried 5 - 0.

12. RESOLUTION

13. OLD BUSINESS

a. Commission Approval of award of bid to Al Siefert Electric in the amount of \$5,029.00 for the removal and replacement of seven (7) recessed lighting fixtures above the dais in Jarvis Hall (Tabled at the June 24, 2008 meeting by Vice Mayor McIntee) (Assistant Olinzock)

Commissioner Silverstone explained that the two LED lights currently installed over the Dais fit perfectly, produced sufficient light, were cost effective, and were a cooler light. He added they were guaranteed to last 5 years at a cost of \$85 per light.

**Town Commission Regular Meeting Minutes
July 8, 2008**

Vice Mayor McIntee made a motion to remove this item from the agenda. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5 - 0.

- b.** If fire services are provided to a neighborhood community by our VFD, the charge for this service must be at least 50% higher than what is charged LBTS residents and businesses for similar services (Tabled at the June 24, 2008 meeting by Commissioner Clotley) (Commissioner Clotley)

Commissioner Clotley asked of the status of the Volunteer Fire Department's RFP for fire services to the Village of Sea Ranch Lakes. Chief Perkins said their proposal was rejected for unknown reasons and resubmitted their RFP for a 2 year contract at \$130 per household. Commissioner Clotley did not feel it was fair to the residents of Lauderdale-By-The-Sea for the Volunteer Fire Department to charge the residents of the Village of Sea Ranch Lakes the same amount. Commissioner Dodd reminded everyone that the Volunteer Fire Department would go into Village of Sea Ranch Lakes under Mutual Aid anyway. Commissioner Silverstone believed the Volunteer Fire Department's proposal was supposed to be a certain percentage more. Chief Perkins said the proposal was 10 % more. Chief Pontu explained that the Village of Sea Ranch Lakes would not pay the same for fire services but would pay the same fire assessment. Vice Mayor McIntee pointed out that the money received by the Volunteer Fire Department would go to the Town and not to the Fire Department.

Manager Colon clarified that any funds received over and above had to be placed in a segregated account and not touched for anything else. She added that Sea Ranch Lakes did not need to have a fire department as they could use mutual aid. Discussion continued as to the fairness in relation to the fire charges to the Village of Sea Ranch Lakes and the relationship the Volunteer Fire Department had with the Village of Sea ranch lakes. Mayor Minnet thanked Commissioner Clotley for bringing her sentiments forward.

14. PUBLIC HEARINGS

Vice Mayor McIntee made a motion to amend the agenda to add New Business Item 15 P to direct the Town Manager to prepare the proposed budget with the current Fiscal Year 07/08 4.1012 millage rate. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5 - 0.

15. NEW BUSINESS

- a.** Discussion and/or action to appoint a 2nd alternate to the Board of Adjustment (Clerk White)

**Town Commission Regular Meeting Minutes
July 8, 2008**

Clerk White noted that applications for the Board of Adjustment have not been received.

Vice Mayor McIntee made a motion to table to the July 22, 2008 Commission Meeting. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5 - 0.

- b.** Discussion and/or action regarding relocating the Chamber of Commerce to a building on Commercial Boulevard (Requested by Vice Mayor McIntee at the June 24, 2008 meeting)

There was brief discussion regarding the relocation of the Chamber of Commerce. Vice Mayor McIntee explained relocating the Chamber of Commerce would be beneficial to local business. He suggested that turning the current Chamber building into a post office may aide in obtaining a zip code.

Vice Mayor McIntee made a motion to table to the September 25, 2008 Commission meeting. Commissioner Silverstone seconded the motion.

Commissioner Silverstone removed his second to allow discussion. Commissioner Dodd requested an investigation as to how other Chambers were funded. Mayor Minnet stated that the building that the Chamber was in was the Visitors Center. She pointed out that they were separate entities and added that the Chamber of Commerce ran the Visitors Center. Mayor Minnet believed the Commission needed to clarify whether they were moving the Visitors Center and the Chamber of Commerce, or leaving the Visitors Center where it is with someone else running it and requesting the Chamber of Commerce to relocate and not fund the Visitors Center. Vice Mayor McIntee believed Manager Colon should investigate facts and figures and report at the July 22, 2008 meeting.

Commissioner Silverstone reinstated his second. In a roll call vote, the motion carried 5 - 0.

- c.** Discussion and/or action regarding Resolution # 1254, adopted 1995, which provides for rental fees for the use of Jarvis Hall, and exemptions to (Requested by Town Manager Colon at the June 24, 2008 meeting) (Assistant Olinzock)

Manager Colon said that every time a special event application came in, it had to be brought before the Commission to waive the fees. She requested that the fee requirement be removed since the Commission always waived the fee. Discussion followed regarding the possibility of a refundable deposit.

Town Commission Regular Meeting Minutes
July 8, 2008

Commissioner Silverstone made a motion to direct the Town Attorney to draft a Resolution to amend the current Resolution for the July 22, 2008 Commission meeting. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5 - 0.

- d. Discussion and/or action to establish a Canine Beach in Town. Provide for Ordinance revisions, establish rules and regulations, fees, funding of operation and staffing (Assistant Olinzock)

Assistant Olinzock stated that the current Ordinance would need to be changed in order to accomplish a Canine Beach. Commissioner Dodd said he intended a trial period and asked Attorney Abbott for his opinion. Attorney Abbott agreed it would be necessary to amend the Ordinance that prohibited animals on the beach. Discussion followed regarding the section of the beach to be used for the dogs, parking, and the preferred days and times of usage. Mayor Minnet was concerned with the health issues and did not believe the Town of Lauderdale-By-The-Sea had the facilities or the proper beach size to tend to those issues.

Vice Mayor McIntee made a motion to allow the a Canine beach beginning August 1, 2008, on Saturdays and Sundays from 6:00 p.m. to 9:00 p.m. between the park lines on El Mar Drive to El Prado Avenue, without permits or fees, on a trial basis. In addition Vice Mayor McIntee requested the Town Manager to contact Ft. Lauderdale with an invitation to their dog warden to come to Town and speak with the people.

Discussion followed as to whether the information was enough to pass as an Ordinance on first reading and whether a sunset clause should be added. The Commission clarified that the motion was to move the Ordinance on first reading. Vice Mayor McIntee clarified his motion. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 3-2. Commissioner Clotey and Mayor Minnet voted no.

- e. Master Plan Steering Committee Direction/Goals (Commissioner Silverstone)

Paul Novak stated there were eight (8) ideas before the Committee and out of the eight, the one he preferred was to have the Master Plan Steering Committee have a say in what happens in the overlay district. Commissioner Silverstone gave direction to Mr. Novak that the Master Plan Steering Committee pursue a modification of the overlay districts to conform as before and to maintain a balance of commercial and residential property. There were no objections.

Commissioner Dodd requested the Master Plan Steering Committee change their meeting date to another day, other than the 3rd Monday of the month as it conflicted with the Hillsboro Inlet District meetings and he wanted to

Town Commission Regular Meeting Minutes
July 8, 2008

attend the Master Plan Steering Committee meetings. Mr. Novak suggested Commissioner Dodd come to the Monday, July 21, 2008 meeting, where would discuss future meeting dates.

Vice Mayor McIntee inquired as to whether there was a vacancy on the Master Plan Steering Committee. Mr. Novak said there was and suggested an increase in the number of members from five (5) to seven (7) in the near future. Vice Mayor McIntee suggested filling the vacancy. There were no objections.

Vice Mayor McIntee made a motion to nominate Mark Furth as a member to the Master Plan Steering Committee. Commissioner Silverstone seconded the motion. Mayor Minnet inquired as to whether the Committee was to be all members without alternates. Mr. Novak stated the Committee would determine that at their next meeting. In a roll call vote, the motion carried 5 - 0.

Vice Mayor McIntee wanted the Master Plan Steering Committee to be aware that anything above 3 over 1 had to go to referendum. Mr. Novak said he understood. Vice Mayor McIntee recommended the Master Plan Steering Committee begin their first project with what to do with El Mar Drive.

Commissioner Dodd suggested to the Commission give direction to the Master Plan Steering Committee to make their own recommendations for Chair person and suggested the Commission increase their members from five (5) to seven (7) with no alternates, along with additional advertising for members.

Commissioner Silverstone nominated Shirley Russotti to the Master Plan Steering Committee with the understanding that she was to resign from the Walk Around Committee. In a roll call vote, the motion carried 5 - 0.

- f.** Change the Tennis Court fees from one fee per year non prorated to a prorated per month fee schedule (Commissioner Silverstone)

Commissioner Silverstone made a motion to change the Tennis Court fees from one (1) non-pro-rated fee per year to a pro-rated monthly fee schedule. Commissioner Clotey seconded the motion.

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

- g.** Variance for 1900 SE 16th Street for corner yard setbacks for pool, spa and existing nonconforming fence (Director Rabinowitz) QUASI JUDICIAL PUBLIC HEARING

Town Commission Regular Meeting Minutes
July 8, 2008

Attorney Abbott swore in those wishing to testify. Director Rabinowitz gave a brief history regarding the property and the reason for the variance and recommended approval.

Vice Mayor McIntee made a motion to grant the variance at 1900 SE 16th Street. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5 - 0.

- h.** Building appearance improvements (front and rear) at 239 E. Commercial Blvd. for Commission approval of the proposed permitted structural repairs to the property with the added awning features front and rear. The use of the building, building footprint, and square footage remain unchanged (Director Rabinowitz)
QUASI JUDICIAL PUBLIC HEARING

Attorney Abbott swore in those wishing to testify. Fred McMurtrey of Fred McMurtrey Construction, Inc., represented owner, Charles Chaplin. Director Rabinowitz explained that awning installation in a business district required Commission approval.

Commissioner Silverstone made a motion to approve the improvements at 239 E. Commercial Blvd. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5 - 0.

- i.** Discuss ways to get appropriate coverage in the media (Commissioner Clottey)

Commissioner Clottey wanted to have more media coverage regarding Town events in addition to the local newspapers. Manager Colon said releases were sent out to all the media, public information channels, and newspapers in the tri-county area. Commissioner Dodd stated that he had complained to the Sun-Sentinel for their lack of coverage regarding the 4th of July event and believed if everyone complained to the Editor the Town might get the coverage requested.

- j.** Rumor control about purchase and renovation of motel (Commissioner Clottey)

Commissioner Clottey wanted clarification as to the sale of the property at 5421 NE 14th Street, Ft. Lauderdale, where the money from the sale would go, and the status of the building department.

Manager Colon explained that it would be beneficial to the Town to sell the off site building in Ft. Lauderdale and purchase the adjacent property. She added that the proceeds from the sale of that building would be used to update the public safety complex. She added that the additional funds would be returned to the bank and into the general fund where the monies were borrowed to purchase the adjacent building which would house police,

**Town Commission Regular Meeting Minutes
July 8, 2008**

fire and fire rescue. Manager Colon believed the building department would be moved into the current police department building adjacent to Jarvis Hall.

Commissioner Clotey asked whether sleeping facilities would be provided for the Volunteer Fire Department. Manager Colon said no. She added that there would be adequate sleeping facilities available for AMR, fire services, and during hurricane season.

Vice Mayor McIntee made a motion to extend the meeting to 11:25. Commissioner Silverstone seconded the motion. In a roll call voter, the motion carried 5-0. Discussion continued.

Commissioner Clotey asked where the Town's files would be located. Manager Colon said they would be filed in file cabinets in a room in the current police department. Commissioner Clotey asked when a cap was to be placed on the Volunteer Fire Department. Vice Mayor McIntee said the cap was already there, at approximately 100. He added that only a resident or an employee was an exception.

- k.** Selection of one or more representative(s) to the Florida League of Cities Legislative Committees (Town Clerk White)

Vice Mayor McIntee selected the Urban Administration Committee.
Commissioner Silverstone selected the Finance and Taxation Committee.
Mayor Minnet selected the Energy & Environment Quality Committee.

- l.** Discussion and/or Action by Commission on use of Agency for Real Estate Marketing and Sale of Town Off-Site Public Works Facility, 5423 NE 14 Ave., Fort Lauderdale (Assistant Olinzock)

Assistant Olinzock explained the steps he took to obtain letters of response and noted the commission rate requested for each response.

The Commission discussed the length of time for the contract with a preference of the Commission for a 6 month contract.

Vice Mayor McIntee made a motion to accept the lowest figure submitted by Advanced Asset Management for a term of six (6) months. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

- m.** Commission Approval of the Use of Jarvis Hall by Palette, Mask, & Lyre Studio Theatre, Inc., for Production of Theatrical Plays as Outlined in Use Application. Requesting Waiving of RESO 1254 Use Fees, Collection of Entrance Fees, and Approval of Publications, Brochures, & Advertising. Requesting Co-Sponsorship by the Town (Assistant Olinzock)

Town Commission Regular Meeting Minutes
July 8, 2008

Manager Colon advised there was a conflict with the dates that Palette, Mask, & Lyre requested for their rehearsals. She did not recommend accommodating them by moving the scheduled senior activities.

The Commission discussed at length the availability of Jarvis Hall and the amount of space needed. Vice Mayor McIntee was not comfortable with rehearsals taking place twice a week at Jarvis Hall and suggested the use of the fire house one (1) day out of the week pending permission from Chief Perkins. There were no objections. Commissioner Dodd believed they should be allowed to rehearse a day or two in Jarvis Hall before the night of their performance.

Commissioner Dodd made a motion to allow the use of Jarvis Hall at least the day before their performance or two days before if Jarvis Hall was available. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

Vice Mayor McIntee made a motion to extend the meeting to 11:45 p.m. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5 - 0.

- n. Discussion and/or action regarding an Increase in Occupational License fees by 5% as permitted by State Statute (Director Rabinowitz)

Director Rabinowitz stated that occupational license fees have not changed in two (2) years. He requested a five (5) percent increase to cover the cost of collecting and processing the fees.

Vice Mayor McIntee made a motion to grant a five (5) percent increase. Commissioner Silverstone seconded the motion. Mayor Minnet believed the Town should support the businesses in difficult times and did not support the increase. Vice Mayor McIntee withdrew his motion.

- o. Pay down capital improvement loan with a balance of \$2.1 million (Commissioner Clotley)

Commissioner Clotley made a motion to pay down capital improvement loan with a balance of \$2.1 million. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5 - 0.

- p. Direction to Town Manager to prepare the proposed budget with the current fiscal year 07/08 millage rate (Vice Mayor McIntee)

Vice Mayor McIntee made a motion to direct Manager Colon to prepare the proposed budget with the current fiscal year 07/08 millage rate.

Town Commission Regular Meeting Minutes
July 8, 2008

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

16. TOWN ATTORNEY REPORT

17. FUTURE AGENDA ITEMS

18. ADJOURNMENT

Commissioner Dodd made a motion to adjourn. With no further business before the Commission, Mayor Minnet adjourned the meeting at 11:40 p.m.



Mayor Roseann Minnet

ATTEST:

Town Clerk, June White

Date