

**TOWN OF LAUDERDALE-BY-THE-SEA**  
**TOWN COMMISSION**  
**SPECIAL PUBLIC HEARING**  
**MINUTES**

Town Commission Meeting Room  
**4501 Ocean Drive**  
**Friday, September 12, 2008**  
**5:00 p.m.**

1. CALL TO ORDER, MAYOR ROSEANN MINNET

Mayor Roseann Minnet called the meeting to order at 5:00 p.m. Vice Mayor Jerry McIntee, Commissioner Jim Silverstone, Commissioner Birute Ann Clotey, and Commissioner Stuart Dodd were present. Also present were Town Manager Esther Colon, Town Attorney Daniel L. Abbott, and Town Clerk White.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. PUBLIC COMMENTS

Edith Lederberg, Area for Aging requested \$7,222 in funds.

Debbie Capone, Family Central appreciated the Town's support and requested continued support for funding.

Brian Esler, South Florida Council of the Boy Scouts of America requested the continuation of Town donations.

Cindy Betancourt, Women in Distress requested a \$2,000 donation.

Diane Boutin requested the Commission consider support to the Chamber of Commerce. She urged the Commission to consider funds for lighting along El Mar Drive and the preservation of the portals.

Sandra Booth supported the Chamber and requested the Commission provide funding and allow the Chamber to remain at its current location. She believed \$35,000 would provide services by the Chamber of Commerce. Ms. Booth thought an employee at Town Hall could run a Welcome Center at \$35,000.

George Hunsaker felt an increase in the supervision of projects was needed to review plans in detail and referred to the trees planted next to light poles on the north part of Seagrape Drive as an example. He hoped adequate funds were added to the budget to improve El Mar Drive.

Bill Davis felt the businesses in Town needed the Chamber of Commerce. He stated that \$35,000 would not cover a Clerk's position in Town Hall 7 days a week, 8 hours a day. He requested the Chamber remain in its current location.

Chris Villata preferred the Chamber of Commerce remain where it is, and hoped the Commission would consider the Chamber when they consider beautification.

4. COMMISSIONER COMMENTS

Manager Colon said that the budget was created with the support of the Commission, staff and residents. She added that the budget reflected a tax decrease and no increase in sewer or parking fees. Manager Colon said positions had been cut and hours were reduced, but the level of service remained. Manager Colon introduced John Olinzock, Assistant Town Manager; Don Prince, Director of Municipal Services; Jeff Bowman, Director of Development Services; and Kaola King, Finance and Budget Director. She also introduced Sergeant LaGana, sitting in place for Chief Scott Gooding.

Commissioner Dodd stated that a .0001 drop in the millage rate equaled \$213 in revenues, a .1 drop in the millage rate equaled \$213,000, and .2 drop equaled \$426,000, and a .25 would equal \$532,000. He believed that the Town could afford to give the residents a 3.75 millage rate or a 10% reduction in taxes and reduce the reserves from 2.4 million to 1.87 million. Commissioner Dodd felt the financial support to non-profit agencies should remain as they are.

Vice Mayor McIntee stated that some employees were laid off and others took a personal 25% pay cut. He believed these employees were the heart of the Town who had families to support and bills to pay, and should be at the top of the list when it came to support. Vice Mayor McIntee believed the non-profit agencies and the Chamber of Commerce should also sustain a 25% cut and suggested taking that 25% and placing that amount, \$11,000 to \$12,000 into Capital Improvement fund.

Commissioner Clotey did not feel the millage should be lowered to 3.75. She believed the infrastructure of the town needed money for improvement. She added that the Chamber of Commerce was important to the community and asked that they acknowledge to the people that the Chamber actually gets more than \$35,000 from the Town. Commissioner

Clotley felt the Businesses should decide where they want the Chamber to be located. Commissioner Clotley inquired as to how many employees had gone from 40 hours to 30 hours. Manager Colon replied that everyone in Finance, except for the Finance Director, and everyone in parking, except for the Parking Supervisor, worked 30 hours. She added that the front office was going to 30 hours. Manager Colon pointed out that since complimentary parking meters were provided, revenues dropped from \$195,000 to \$71,170. She added that since there were no meters to enforce and no tickets being issued, staff hours were cut rather than have them laid off.

Commissioner Silverstone favored a 25% reduction in donation amounts to non-profit agencies. He felt the Commission needed to revisit complimentary parking. He explained that by helping the businesses in Town by providing complimentary parking, revenues dropped more than he expected. Commissioner Silverstone believed that the Chamber of Commerce should set a goal to become self sufficient. He felt that since the businesses benefited directly from the Chamber, the businesses should support the Chamber.

Mayor Minnet thanked staff for making adjustments to their budgets. She suggested consideration be given toward closing Town Hall on Fridays to reduce the costs of running the Town. Mayor Minnet encouraged the Chamber of Commerce to look into grant funding and suggested that the parking issues and the level of capital improvement be addressed.

Vice Mayor McIntee asked the status of the capital improvement project budget. Manager Colon said current funds were \$2 million and was to be increased to \$3 million, because the Pavilion would not start until October, 2008. She added that the Seagrape Project would not be completed until October 31, 2008, and the Reef Habitat Program was to begin in October, 2008. Manager Colon said that an additional \$610,000 was needed to finish the projects in fiscal year 2008-2009.

**5. RESOLUTIONS**

- a. RESOLUTION 2008-20 - Fire Assessment - PUBLIC HEARING: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, MAKING FINAL SPECIAL ASSESSMENTS ON PROPERTY THAT IS SPECIALLY BENEFITED BY FIRE PROTECTION SERVICES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008; CONFIRMING THE FINAL ASSESSMENT ROLLS AND LEVYING SUCH SPECIAL ASSESSMENTS (Manager Colon)

Mayor Minnet read Resolution 2008-20 by title only.

Commissioner Silverstone made a motion to adopt Resolution 2008-20 adopting a Fire Assessment at \$130 for the Fiscal Year 2008-2009. Commissioner Dodd seconded the motion.

The Motion and Second was withdrawn by Commissioner Silverstone and Commissioner Dodd for the opening of the Public Hearing.

Mayor Minnet opened the public hearing.

John Thompson presented a spreadsheet that he believed showed that the Broward Sheriff's Office owed the Town of Lauderdale-By-The-Sea at least \$300,000 for capital improvement and vehicle replacement.

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

Commissioner Silverstone believed that what Mr. Thompson said was true. Attorney Abbott said he would look at the agreement should the Commission direct him to do so. Manager Colon advised that the review was done previously. She added that the contract was between the Volunteer Fire Department and the Broward Sheriff's Office and not between the Broward Sheriff's Office and the Town of Lauderdale-By-The-Sea. Manager Colon stated that the Town of Lauderdale-By-The-Sea was not part of those negotiations.

Commissioner Dodd asked whether the Broward Sheriff's Office pulled the wool over the previous administrations eyes as to what the costs were. Manager Colon said Frank Buckert was employed by the Town of Lauderdale-By-The-Sea and not by the Broward Sheriff's Office.

Commissioner Dodd made a motion to adopt Resolution 2008-20 adopting a Final Fire Assessment at \$130. Commissioner Clotley seconded the motion.

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

- b. RESOLUTION 2008-21: Proposed Millage - PUBLIC HEARING: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ADOPTING A RECOMPUTED PROPOSED MILLAGE RATE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009; STATING THAT THE RECOMPUTED PROPOSED MILLAGE RATE DOES NOT EXCEED THE ROLLED BACK RATE; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (Manager Colon)

Mayor Minnet read Resolution 2008-21 by title only.

Manager Colon understood that the Commission may lower the millage rate and requested the meeting be recessed to allow time to recalculate the number and make the proper postings.

Mayor Minnet opened the public hearing.

Diane Boutin urged the Commission to adopt the proposed budget.

Lawrence Wick preferred to see a 3.99 or 3.75 rate and place the savings in long term developments and improvements such as along El Mar Drive, lighting, and sewage.

Barbara Cole believed the Town could lower the millage to a 3.99 or 3.75 millage rate.

John Thompson believed the amount of money held in reserves were more than the Town needed.

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

Commissioner Silverstone warned that once the millage was reduced to under 4 mills, it would make it difficult to raise it in the future.

Commissioner Silverstone made a motion to adopt Resolution 2008-22 adopting a Tentative Millage Rate of 3.9990 for the Fiscal Year 2008-2009. Vice Mayor McIntee seconded the motion.

Mayor Minnet recessed the meeting at 6:30 p.m. to allow for the recalculation of the Budget at a 3.9990% millage rate.

Manager Colon requested clarification on donation reductions. Vice Mayor McIntee made a friendly amendment to Commissioner Silverstone's motion to adopt the a proposed millage rate of 3.9990 and with a 25% decrease in donations to all non-profit organizations, including the Chamber of Commerce. Attorney Abbott stated that the motion should address the millage rate only. He suggested the Commission address the donation reduction separately. Attorney Abbott advised the Commission that the millage could be lowered at the final public hearing, but could not be increased above the 3.9990 once adopted. Vice Mayor McIntee withdrew his amendment.

Mayor Minnet reconvened the meeting at 6:45 PM.

**Town Commission Special Public Hearing  
September 12, 2008**

**Attorney Abbott stated that Resolution 2008-21 was written to reflect the proposed millage rate of 3.9990. He added that Manager Colon recomputed the budget at the 3.9990 millage rate with a drop in ad valorem revenues from \$8,284,000 to \$8,077,919 and a decrease in expenditures in General Government from \$3,485,000 to \$3,279,541.**

**Attorney Abbott read Resolution 2008-21 with the new title, adopting a recommended proposed millage rate of 3.9990.**

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

**Vice Mayor McIntee made a motion to direct the Town Manager to reduce donations by 25% to all non-profit agencies. Commissioner Silverstone seconded the motion.**

**Mayor Minnet read the names of the agencies included in the reduction as the Area Agency on Aging, Women in Distress, Kids Voting Broward, Broward Central, Boy Scouts, Broward Coalition, and the Chamber of Commerce. It was noted that the Chamber of Commerce would be reduced from \$35,000 to \$27,000.**

**Commissioner Dodd believed that instead of making reductions to donations, everyone should tighten their belts. He felt that the non profit organization should not be reduced and should remain at their current donation without their annual 5% increase. Commissioner Dodd added that he was not in favor of reducing funds to the Chamber of Commerce by 25%. Commissioner Clotney agreed as the reduction only equaled \$12,000 out of \$20 million.**

**In a roll call vote, the motion failed 2 - 3. Mayor Minnet voted no. Commissioner Clotney voted no. Commissioner Dodd voted no.**

- c. RESOLUTION 2008-22 - Tentative Budget - PUBLIC HEARING: 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, 2008, AND ENDING SEPTEMBER 30, 2009; PROVIDING FOR AN EFFECTIVE DATE (Manager Colon)**

**Mayor Minnet read Resolution 2008-22 by title only.**

**Mayor Minnet opened the public hearing.**

**John Thompson referred to documents prepared by the Broward County Sheriff's office in 2006 and requested the Attorney look into**

recovering those funds. He hoped the Commission would reduce their salaries by 25% or forgo their 5% increase.

Vice Mayor McIntee made a motion to adopt Resolution 2008-22 adopting a Tentative Budget for the Fiscal Year 2008-2009. Commissioner Silverstone seconded the motion.

Attorney Abbott confirmed that Resolution 2008-22 was moved consistent with the adjustments proposed by Manager Colon and recomputed with the expected revenues from the millage as set, along with a decrease in the General Government line. Manager Colon added that in addition to the 3.9990 that the Pavilion project, the Reef Habitat Project, and the last 30 days of the completion of the Seagrape / Washingtonia Project, would start October 1, 2008 and therefore, the General Fund and Capital Improvement Fund totaled \$17,754,443 reflecting a 3.9990 millage rate.

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

6. ANNOUNCEMENT OF 2ND AND FINAL PUBLIC HEARING ON MILLAGE AND BUDGET

Clerk White announced the 2nd and Final Public Hearing on Millage and Budget was scheduled for Thursday, September 25, 2008 at 5:01 p.m.

7. ADJOURNMENT

Vice Mayor McIntee made a motion to adjourn. With no further business before the Commission, Mayor Minnet adjourned the meeting at 7:05 p.m.



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Mayor Roseann Minnet

ATTEST:

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

9/26/08  
\_\_\_\_\_  
Date