

# TOWN OF LAUDERDALE-BY-THE-SEA

## TOWN COMMISSION

Continuation of January 13, 2009 Workshop

### AGENDA

Town Commission Meeting Room

**4501 Ocean Drive**

**Wednesday, January 21, 2009**

**7:00 P.M.**

1. CALL TO ORDER, MAYOR ROSEANN MINNET

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

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ITEMS OF DISCUSSION:

a. Code

**Section 20-19 Rates & Charges (Water)** - The Commission accepted staff's addition to Section 20-19 (b) Multi-family and Commercial of a \$265.00 charge for a 6.0" meter.

**Section 19-21 (TC) 39-27 (BCC) Boats & Commercial Vehicles** – Revisited – Commissioner Clotey was concerned with the trailers that contained markings for lawn maintenance, RV's and Boats that parked in an area north of 19<sup>th</sup> Street. Direction was given to the Town Attorney to draft an Ordinance to address those issues with review by the Planning and Zoning Board prior to Commission review. Commissioner Silverstone seconded the motion. The motion carried 4-1. Mayor Minnet voted no.

**Section 10-31 Dumpster Enclosures (Type of Fencing)** – There were no changes.

**Section 30-271 (a) Uses** – The Commission accepted the proposed changes.

**Section 2-22 Compensation of Officers and Employees** – There were no changes

**Section 30-313 (23.5) & (23.6) Driveways** – The Commission discussed drainage problems, green friendly driveways, grandfathering and driveway repair material. Vice Mayor McIntee made a motion to grandfather in the gravel driveways that already exist and research other materials. Commissioner Silverstone seconded the motion. Discussion followed regarding putting rules in place. Mayor Minnet wanted staff to work on it and bring it back before the Commission for review. The motion carried 4-1. Mayor Minnet voted no.

**Section 30-313 (30) Mechanical Equipment** – It was the consensus of the Commission to keep the 5 foot setback. Commissioner Dodd made a motion that anything currently at a 3.8 foot setback may be replaced. Commissioner Silverstone seconded the motion. All voted in favor.

**Section 30-313 (30) (f) Generators** – The Commission discussed setbacks from property lines with permanent installation in the back yard for new construction. It was suggested that a clause be included for grandfathering. An Ordinance similar to that of another City was being considered as guide for a draft Ordinance.

**Section 30-21 Nonconforming Uses and Structures** – The Commission agreed to allow language for rebuilding as long as the builder met the original footprint and the new building should meet existing code at the time the building was built. Staff would review and report back to the Commission. Vice Mayor McIntee made the motion. Commissioner Dodd seconded the motion. All voted in favor.

**Article V 6-90 Regulation of Residential Rental Property** – Direction was given to the Town Attorney to create two separate Ordinances with one strictly for vacation rentals.

b. Height

The Commission agreed that when the Overlay Districts were repealed the height limitations were never addressed. The Commission agreed that the people should decide on the height limitations and placed the item on the January 27, 2009 agenda to go to referendum.

c. Capital Improvement

Commissioner Silverstone believed the following should be included in a referendum as to how to fund the projects: 1) increase millage rate; 2) issue a bond; 3) assessment.

The Commission discussed occupancy on the first floor at Oriana. Direction was given to the Town Attorney to find definition/restrictions for first floor

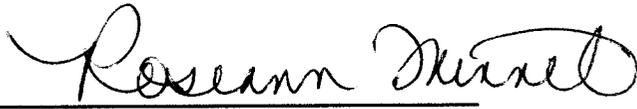
occupancy on the beach and report the findings to the Planning and Zoning Board and the Master Plan Steering Committee.

- d. Referendum for a Charter change to take effect after the next election in 2010 to prevent a conflict of interest ever occurring between employment with a public safety provider for the Town of Lauderdale-By-The-Sea and that of an elected official (Vice Mayor McIntee)

Commissioner Silverstone questioned where the line would be drawn. Commissioner Dodd indicated it was in the Miami Dade Code. The Commission directed Town staff to obtain a copy of the Miami-Dade Code.

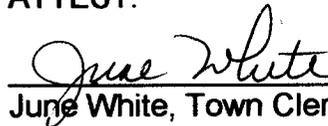
4. ADJOURNMENT

Vice Mayor McIntee made a motion to adjourn. With no further business before the Commission Mayor Minnet adjourned the meeting at 9:25 p.m.



Mayor Roseann Minnet

ATTEST:

 2/12/09  
June White, Town Clerk