

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, March 10, 2009

7:00 P.M.

- 1. CALL TO ORDER, MAYOR ROSEANN MINNET**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. INVOCATION** – Reverend George Hunsaker
- 4. PRESENTATIONS**
 - a. Presentation by Vice Mayor Ken Keechl of Broward County for supplement check award to LBTS Welcome Center (Vice Mayor Ken Keechl)
 - b. Proclamation – Proclaiming April as Florida’s Water Conservation Month (Elbert Waters, Director of the Broward Service Center)
 - c. Proclamation – Proclaiming June 22nd through June 28th, 2009 as Amateur Radio Week (Mayor Minnet)
- 5. REPORTS**
- 6. PUBLIC SAFETY DISCUSSION**
- 7. TOWN MANAGER REPORT**
 - a. Tentative Ribbon Cutting Ceremony – Beach Pavilion (March 30 to April 8, 2009) – Assistance provided by Commissioner Clotney, Sandra Booth, Co-Chair of Master Plan Steering Committee, John Olinzock, Assistant Town Manager and Town staff – Cost \$1,000
 - b. Roundtable Workshop Calendar
 - c. Community Bus – consideration of fare for riders (County recommends)
 - d. Minto – El Mar Drive
 - e. Engineering Services: Lawrence Wick (P&Z Board Chair) and Paul Novak (MPS Committee Chair)

- f. Public Safety Bldg. – Police Department Improvement (Law Enforcement Trust Funds)

8. APPROVAL OF MINUTES

- a. February 10, 2009 Regular Meeting Minutes
- b. July 22, 2008 Regular Meeting Amended Minutes

9. PUBLIC COMMENTS

10. ORDINANCES

1. Ordinances 1st Reading - “Public Comments”

2. Ordinances 2nd Reading – “PUBLIC HEARING”

- a. **Ordinance 2009-15:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY- THE- SEA, FLORIDA, AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES BY AMENDING SECTION 17-14 OF THE CODE OF ORDINANCES TO CHANGE THE FEE STRUCTURE FOR USE OF TOWN TENNIS COURTS; PROVIDING FOR AUTOMATIC ANNUAL FEE INCREASES; PROVIDING FOR PRORATED FEES FOR TENNIS KEYS PURCHASED DURING THE FISCAL YEAR; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (Approved 1st reading at the February 10, 2009 Commission meeting)
- b. **Ordinance 2009-16:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, CREATING CHAPTER 8.5 OF THE CODE OF ORDINANCES TO BE ENTITLED “EMERGENCY MEDICAL SERVICES” TO AUTHORIZE THE IMPOSITION OF FEES FOR THE PROVISION OF EMERGENCY MEDICAL SERVICES; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (Approved 1st reading at the February 10, 2009 Commission meeting)

11. COMMISSIONER COMMENTS

12. CONSENT AGENDA

- a. Commission approval of the Broward County Supervisor of Elections agreement for November 3, 2009 (Clerk White)
- b. Commission approval of 4 Hardship Parking Permits – Paradise By The Sea Motel (Clerk White)

- c. Commission approval of Sewer Lateral repair at 4344 North Ocean Drive by Madsen Barr in the amount of \$6,504.00, waiver of Town ROW permit fees (Assistant Town Manager Olinzock)
- d. Commission approval of Special Event application for Paint the Town Red 2009, Thursday, April 2, 2009 - 5:30 PM till 10:30 PM - a 101 Ocean fundraiser benefiting Kids in Distress (Assistant Town Manager Olinzock)
- e. Commission approval of Special Event application for Clean Energy Day 2009 LBTS, a Town sponsored event, Saturday, April 25, 2009, 8:00 AM till 4:00 PM (Assistant Town Manager Olinzock)
- f. Commission approval of Special Event application for Easter Sunday Service 2009, a Town sponsored event, Sunday, April 12, 2009 5:00 AM till 9:00 AM (Assistant Town Manager Olinzock)
- g. Commission approval to allow AT&T to install a cabinet and two hand holes along Washingtonia (Assistant Town Manager Olinzock)
- h. Commission approval for installation of additional handicap parking space in Town Lot by Town staff adjacent to the 240 Commercial Boulevard Building (Assistant Town Manager Olinzock)
- i. Commission approval to authorize the recording of the attached Code Enforcement lien (Assistant Town Manager Olinzock)
- j. Commission approval for Engineering Services Assistant to be provided to: Planning and Zoning Board and Master Plan Steering Committee pertaining to height restrictions and overlay districts (Manager Colon)
- k. Commission approval to change 60 amp wire to allow for twist lock connection - Commercial Blvd Pavilion (Manager Colon)

13. RESOLUTION – “Public Comments”

- a. **Resolution 2009-07:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA ESTABLISHING EMERGENCY MEDICAL SERVICES FEES
- b. **Resolution 2009-11:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA PROVIDING FOR A PUBLIC HEARING ON A NOTICE OF INTENT CONCERNING PENDING AMENDMENTS TO CHAPTER 30 OF THE CODE OF ORDINANCES

14. QUASI JUDICIAL PUBLIC HEARINGS

15. OLD BUSINESS

- a. Discussion and/or action on specific location of Adopt-A-Street signage (Mayor Minnet) Tabled at the January 28, 2009 Commission meeting by Vice Mayor McIntee
 - Town Hall
 - Town Parks
 - Designated Locations
- b. Discussion and/or action regarding Town sign at Commercial Blvd and A1A (Vice Mayor McIntee) (Tabled at the January 28, 2009 Commission meeting by Vice Mayor McIntee) (Tabled at the February 25, 2009 Commission meeting by Commissioner Dodd)
- c. Discussion and/or action regarding information from Mr. Terri Arthur regarding Green Fest (Requested by Vice Mayor McIntee at the February 10, 2009 Commission meeting) (Tabled at the February 25, 2009 Commission meeting by Vice Mayor McIntee)
- d. Discussion and/or action regarding Valet Parking for 101 Ocean and Village Grill (Vice Mayor McIntee) Tabled at the February 10, 2009 Commission meeting by Commissioner Dodd - Added and Tabled at the February 24, 2009 Commission meeting by Commissioner Dodd
- e. Discussion and/or action on the Lauderdale-By-The-Sea Environmental Sustainability Committee (Mayor Minnet)
- f. Discussion and/or action concerning placing signs directing traffic to the hospitality and business districts on El Mar and Commercial. Can nice unobtrusive signs be placed on medians next to welcome signs, in front of Chamber, and on the pier sign? We need to request help from FDOT but should also consider placing our own signs if possible (Commissioner Clotney) Pulled at the February 24, 2009 Commission meeting by Commissioner Clotney

16. NEW BUSINESS

- a. Discussion and/or action regarding the creation of a Tree Canopy Resolution (Mayor Minnet)
- b. Discussion and/or action supporting the Mayors Against Illegal Guns Statement of Principals (Mayor Minnet)
- c. Discussion of Earth Day April 22, 2009 (Mayor Minnet)

- d. Discussion and/or action on Earth Hour 2009 (Mayor Minnet)
- e. Discussion and/or action regarding an Ordinance to park boats alongside house (Vice Mayor McIntee)
- f. Discussion and/or action regarding a vote of confidence on Town Manager's work performance (Vice Mayor McIntee)
- g. Discussion and/or action regarding putting a clock in the Pavilion (Vice Mayor McIntee)
- h. Discussion and/or action to give Esther authority to allow the use of Jarvis Hall by Elected Officials at short notice if vacant (Commissioner Dodd)
- i. Discussion and/or action concerning RFP's and annually renewable contracts over \$15,000 (Commissioner Dodd)

17. TOWN ATTORNEY REPORT

18. FUTURE AGENDA ITEMS

March 24, 2009

- b. **Ordinance 2009-06 for 2nd Reading:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, CREATING SECTION 17-16 OF THE CODE OF ORDINANCES TO PROVIDE A DEFINITION OF SWALES, TO IMPOSE THE RESPONSIBILITY FOR MAINTAINING SWALES ON THE ADJOINING PROPERTY OWNER OR OWNERS, AND TO REGULATE THE ITEMS THAT MAY BE PLACED OR PLANTED IN SWALE AREAS; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (Tabled on 1st reading at the January 27, 2008 Commission meeting by Commissioner Dodd) **Approved 1st reading at the February 24, 2009 Commission meeting**
- c. **Ordinance 2009-08 for 2nd Reading:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING SECTION 19-21 OF THE CODE OF ORDINANCES TO AMEND THE VESSEL PARKING AND STORAGE REGULATIONS FOR THOSE PROPERTIES THAT WERE ANNEXED INTO THE TOWN IN 2001, FOR SO LONG AS OWNERSHIP OF SAID PROPERTIES DOES NOT CHANGE; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (Approved 1st reading at the January 27, 2009 Commission meeting as amended) **Amended and Approved 1st reading at the February 24, 2009 Commission meeting**
- d. **Ordinance 2009-17 for 2nd Reading:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, CREATING SECTION 5-62 OF THE CODE OF ORDINANCES AND AMENDING SECTION 19-21 OF

THE CODE OF ORDINANCES TO PROHIBIT THE USE OF TARPS OR OTHER NON-CUSTOM FIT BOAT COVERS IN THE COVERING OF BOATS; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE **Approved 1st reading at the February 24, 2009 Commission meeting**

April 7, 2009

- a. **First Reading of Proposed Ordinance** amending Chapter 30 by Town Commission

April 28, 2009

- **Ordinance 2009-07 for 1st Reading:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING SECTION 30-313 OF THE CODE OF ORDINANCES, TO CLARIFY PROVISIONS REGARDING THE HEIGHT OF HEDGES, PLANTINGS AND FENCES; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (Tabled on 1st reading at the January 27, 2009 Commission meeting by Vice Mayor McIntee)

May 12, 2009

- a. **Ordinance 2008-17 for 1st Reading:** 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 OR A FOUR-FIFTHS VOTE OF THE TOWN COMMISSION 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 (TABLED ON FIRST READING AT THE NOVEMBER 10, 2008 COMMISSION MEETING BY VICE MAYOR MCINTEE FOR 6 MONTHS)
- **Second Reading of Proposed Ordinance** amending Chapter 30 By Town Commission

May 13, 2009

- a. **Town Commission Workshop** - 7:00 PM – Fire, Height & Capital Expenditure (Requested at the February 10, 2009 Commission meeting by Vice Mayor McIntee and Commissioner Dodd)

19. 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.