

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

## **TOWN COMMISSION**

### **SPECIAL ORGANIZATION MEETING**

#### **MINUTES**

*Jarvis Hall*

*4505 Ocean Drive*

*Wednesday, March 17, 2010*

*5:00 P.M.*

#### **1. CALL TO ORDER, MAYOR ROSEANN MINNET**

Mayor Roseann Minnet called the meeting to order at 5:05 p.m. Present were Commissioner Stuart Dodd, Commissioner Birute Ann Clotey, Commissioner Scot Sasser, Commissioner Chris Vincent. Also present were Town Attorney Susan Trevarthen, Town Manager Esther Colon, and Town Clerk June White.

Attorney Richard Weiss was also present.

#### **2. PLEDGE OF ALLEGIANCE TO THE FLAG**

#### **3. DISCUSSION ITEM**

- a. Discussion and/or action concerning Town Commission Protocols and Procedures for Conducting Town Business

Attorney Richard Weiss offered options to the Commission regarding meetings and workshops. He described that the Village of Bal Harbour held one regular meeting a month where action was taken; any other issues were brought up at workshops for discussion and public input. Attorney Weiss described that the City of Aventura and the City of Homestead held one formal meeting along with a second regularly scheduled roundtable style workshop meeting with Town staff and Town Attorney in attendance each month. The agenda and any additional items from any Commissioner were discussed at their workshop and their Commission chose whether or not to move forward with the item. He explained that this process worked very well for the City of Aventura as it saved on money and staff time if the issue itself was not well supported.

Attorney Weiss explained that Robert's Rules of Order allowed for a certain amount of formality without being too excessive. He explained it was normally used to make sure that business was conducted in an organized fashion and that it created a balance for the majority and the minority point of views. Attorney Weiss pointed out that it was more appropriate for the Mayor to act as the parliamentarian instead of the Town Attorney.

Attorney Trevarthen explained that it was customary in many cities for the procedures to be presented to the Commission in resolution form and that it could be done that way here, should the Commission so desire.

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Vice Mayor Dodd questioned whether the Sunshine Laws would change anytime in the near future allowing two Commissioners to discuss Town Business and disclosing their meeting at the next Commission meeting. Attorney Weiss said he had not seen any legislation to that effect. He added, however, that two Commissioners could meet and discuss Town Business under the Sunshine Law as long as the meeting was posted accordingly and open to the public with minutes taken. Attorney Weiss emphasized that even though that option was legal it was not widely used and might look bad to the public.

**The following procedures were discussed:**

1. Commissioner Dodd wanted the Staff table moved from the back of Jarvis Hall to the front of Jarvis Hall, in front of the dais.
2. Commissioner Dodd wanted department heads present during monthly Reports and give an update on what the department achieved in the past month. He agreed that department heads may leave after their report, unless an agenda item required their presence. In that case, the agenda item would be brought forward and addressed during that department head's report. If Department heads were required to give additional information on an agenda item that was not on a Report night, the Commission would note on the Agenda Item Request Form that their presence was required at that meeting and at that meeting the item would be taken early.
3. Commissioner Dodd and Commissioner Clotey requested that the order of seating on the dais would be as follows: Town Manager Esther Colon, Commissioner Birute Ann Clotey, Commissioner Chris Vincent, Town Attorney Susan Trevarthen, Mayor Roseann Minnet, Commissioner Scot Sasser, Commissioner Stuart Dodd, and Town Clerk June White.
4. Commissioner Sasser requested that Commissioner Comments be limited to 5 minutes. Mayor Minnet concluded that the Commission agreed that Commission Comments would be without discussion.
5. Commissioner Clotey suggested that should there be more than 10 public speakers signed up, the time should be limited to 2 minutes each. Commissioner Dodd agreed and suggested that no more than 5 people should be allowed to speak on the same subject and the decision should be left up to the Mayor to determine whether anyone had anything else to add. Commissioner Sasser suggested breaking Public Comments up into 2 sessions. Mayor Minnet stated that Public Comments remain before Reports with a 3 minute limitation per speaker.
6. Commissioner Vincent suggested setting a requirement to date stamp and time stamp the front of Agenda Item Request Forms.

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7. Commissioner Vincent suggested each Commissioner provide as much backup to their agenda item as possible and for staff to provide historical backup. If the Commissioner's item required research, the Commissioner should turn their item in sooner to allow Town staff time to get the information together.
8. Commissioner Sasser suggested that each Commissioner put their proposed action or motion on the Agenda Item Request Form.
9. Commissioner Vincent proposed that each Commissioner advise on the Agenda Item Request Form whether they would like visual aids.
10. Commissioner Vincent proposed that Agenda items should only relate to Town Business and not be used for personal attacks.
11. Mayor Minnet proposed to address each other on the dais formally, such as Mayor, Commissioner, Madam Town Attorney, etc., and not by first name.
12. The Commission agreed that the Master Plan Steering Committee appointments would be made by Resolution at the March 23, 2010 Commission meeting and to finalize a procedure for choosing Board and Committee members that would include that the selection of a Chair person and Vice Chair person would be made by the Board and Committee members. The Commission agreed to a 9 member Committee.
13. Commissioner Dodd proposed that a \$5,000 budget amount be developed for the Planning and Zoning Board and the Master Plan Steering Committee to be free to hire professional consultants. Commissioner Vincent was concerned that should the Committee spend the funds how would the Commission proceed to allocate more funds if needed and inquired of a time frame. Commissioner Dodd believed they would be responsible. Attorney Trevarthen stated that the Boards and Committees could make a decision and pursue outside help and they should interact with Town staff so that Town staff could carry that out and assure that public money was handled properly. Mayor Minnet believed there should be better definition and better communication as to what the Committee can and can not do and suggested the Master Plan Steering Committee follow the same rules as the Board of Adjustment and Planning and Zoning Board. Attorney Trevarthen agreed that she would work with the Town Manager and staff to prepare a proposed approach to address the issue with staffing and the money and bring it back so the Commission could advise whether it accurately reflected their intent.
14. Commissioner Dodd wanted to see the Town Manager's salary frozen without an automatic increase, but an increase pending performance review; He also suggested the order of Commissioner Comments be drawn at random. Manager Colon stated that she and every department director did not take a raise.

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- 15. Commissioner Dodd made the following proposals regarding Public Comments: 1) public comments operated under 1 warning for disruptive behavior and then ejection; 2) public speakers can address Commissioners by name; 3) public speakers can only state their name and not state whether they are a resident or non-resident; 4) anyone can speak during public comments on any topic or request to speak on a particular topic at a later time; there would be no double dipping unless the item contained a statutory requirement for a public meeting; 5) the broadest interpretation on personal opinion and personal attack to be determined by the Mayor as the Parliamentarian (no personal attacks at meetings) – can be overruled by a motion and a second.**
- 16. Commissioner Sasser proposed that the Mayor had the right to make and second motions.**

**Attorney Richard Weiss stated that Robert's Rules addressed smaller Boards with less formal rules which allowed the Chairperson to make and second motions and to speak on matters without passing the gavel. He advised that the Commission could clarify that as part of their procedure rules.**

- 17. Commissioner Sasser proposed that Commission and staff should follow the same rules applied to public speakers.**
- 18. Commissioner Sasser requested a progress report / detailed report from staff or Town Manager regarding all ongoing issues and/or projects, sequentially numbered with a timeline and placed as backup material on the agenda. Commissioner Vincent suggested that when the project was completed, it be placed at the bottom of the report with the completion date, and once approved by the Commission, removed from the report. Manager Colon stated her report would be added to her Manager's Report on March 23, 2010.**
- 19. Commissioner Sasser proposed that a motion for discussion be made on an agenda item. He believed the purpose of the item should be clearly stated and no more discussion and/or action items on the agenda.**
- 20. Mayor Minnet proposed monthly roundtable discussions on agenda items, thereby reducing the need for dialogue during regular Commission meetings; staff and Town Attorney to be present; open to the public and without public participation. Commissioner Dodd suggested the dress for roundtable be casual and the meeting be informal.**

**Attorney Weiss advised that the roundtable discussion was a meeting without action; minutes should be taken; meeting should be noticed; agenda & backup should be available, and appropriate staff should be available. He explained that the City of Homestead and the City of Aventura at one time had 4 meetings per month and now have 2 meetings per month; 1 roundtable meeting and 1 regular Commission meeting;**

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it that worked very well for them as their meetings were shortened considerably. He pointed out that the public would also have the opportunity to hear the item prior to the regular Commission meeting and therefore whatever questions they may have had would be answered.

Attorney Trevarthen advised that, should the volume of the meetings be such that the Commission desired to go to a 1 roundtable, 1 meeting structure, the code could be changed because it currently required 2 regular meetings per month.

Commissioner Sasser questioned whether an item that was not discussed at the roundtable can be placed on the agenda and if so can a procedure be put in place that the Commission could vote to have that item discussed at roundtable.

Attorney Weiss stated that if there was an item on the agenda that required excessive discussion it could be deferred to roundtable. Commissioner Sasser requested that procedure be put in place. Mayor Minnet suggested looking at the suggestion at the March 23, 2010 meeting and to discuss it at that time. She agreed that any discussion that would bog down the meeting could be sent to roundtable.

21. Mayor Minnet proposed that staff be available for any follow up on public comment issues and contact that person. Commissioner Sasser suggested that the response also be made available to the Commission. Mayor Minnet proposed that an announcement be made to the public at the beginning of Public Comments to advise that anyone who had a question was to see the Assistant Town Manager to provide information so that their question could be answered.
22. Commissioner Clotley proposed that the Commission consider finishing Commission meetings on the same night and not recess them to another day. Attorney Trevarthen suggested completing quick items and placing the remaining items on the next agenda.
23. Commissioner Clotley proposed that people obtain permission from the Commission to approach the dais to avoid having items such as fish hooks waived in their faces.
24. Commissioner Clotley proposed that each Commissioner continue regular meetings with the Town Manager as it gave the Commissioners an opportunity to ask their questions.
25. Commissioner Dodd proposed that RFP's be placed on the Consent Agenda for Commission approval prior to advertising.
26. Commissioner Dodd proposed to lower the expenditure requirement in the Purchasing Manual to \$10,000.
27. Commissioner Dodd proposed the Town Manager be in her office at 9:00 a.m.

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28. Commissioner Dodd proposed that Budget Meetings, Special Meetings and Commission meetings begin at 7:00 p.m.

The consensus was that a Resolution was to be drafted by Attorney Trevarthen.

4. ADJOURNMENT

Commissioner Sasser made a motion to adjourn. With no further business before the Commission Mayor Minnet adjourned the meeting at 8:50 p.m.



Mayor Roseann Minnet

ATTEST:

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

4-14-10  
\_\_\_\_\_  
Date

