

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

ROUNDTABLE

MINUTES

Jarvis Hall

4505 Ocean Drive

Wednesday, July 14, 2010

7:00 P.M.

1. CALL TO ORDER, MAYOR ROSEANN MINNET

Mayor Roseann Minnet called the meeting to order at 7:00 p.m. Also present were Commissioner Birute Ann Clotley, Commissioner Scot Sasser, Commissioner Chris Vincent, Town Attorney Susan L. Trevarthen, Interim Town Manager Connie Hoffmann, Town Clerk June White, and Deputy Clerk Nekisha Smith.

Mayor Minnet noted that item 2c, Budget Issues, should be Chamber Budget Issues. She added that 2 items from the July 13, 2010 Commission meeting were added under Other Town Business: 1) the Ordinance regarding solid waste and 2) selecting a Halloween Chairperson.

2. DISCUSSION ITEMS:

a. Discussion regarding bringing back the Community Performing Arts Center (Commissioner Chris Vincent)

Commissioner Vincent received a request from Vincent Ragusa to bring back the Performing Arts Center. He said he was in agreement as long as there were no conflicts with Commission meetings or Roundtables.

Commissioner Clotley advised that previous performances did not happen due to scheduling conflicts. She believed it was good to have a Performing Arts Center and advised that Mr. Ragusa would be competing with a private organization that also gave performances. Commissioner Clotley said she supported the idea.

Commissioner Vincent said that Mr. Ragusa assured him that he would work with staff so that the performances would not interfere with other events in Jarvis Hall. He added that the Commission may need move 1 or 2 Roundtables around on the calendar. He said Mr. Ragusa agreed to a minimum of 3 performances.

Mayor Minnet believed that a budget needed to be prepared and should be looked at with the idea to proceed. Even though she favored the idea, Mayor Minnet said she was not sure if this was the right time to do this. Mayor Minnet wanted to see it take off

properly and wanted staff to work with this type of event, if not for this year then perhaps next year. She did not want to rush into it; she wanted time to put a budget together.

Interim Town Manager Hoffmann said funds were available in the recreation account for expanded programming and there would be money available to do new things. She requested a clear understanding of what staff responsibilities were and any money that the Town would contribute or if there would be monies donated. Commissioner Vincent asked the Commission to at least consider that Mr. Ragusa ran this program for over 8 years.

Commissioner Clotey inquired of the amount of money requested. Commissioner Vincent believed it was approximately \$12,000 or \$15,000. Mayor Minnet asked whether the performing arts would have to be open for competitive bidding according to the purchasing manual. Interim Town Manager Hoffmann stated that it was budgeted last year for \$12,000 and believed that Mr. Ragusa projected \$10,000 to \$12,000. She added that if the company was non-profit there would be more leeway regarding advertising for bids.

Commissioner Sasser preferred to see a projected budget from Mr. Ragusa. He added that he wanted Mr. Ragusa to be clear as to how his audit reports should be presented to the Commission. Commissioner Sasser questioned how, if a profit was made, would it be reimbursed back to the Town. He questioned who from staff would oversee the project; was the request actually for Jarvis Hall; was there room for storage; and who would the contract be between. Commissioner Sasser believed a detailed list of responsibilities for both parties should be included.

Interim Town Manager Hoffmann said storage could be worked out as the Town could remove what was currently stored in the bay storage area as some of the items were only used occasionally. Mayor Minnet suggested using the old building services trailer temporarily, as an alternate site.

Mayor Minnet deferred to staff to follow up on the questions.

There was no further discussion.

b. Report on the status of Reef Restoration Project (Interim Town Manager Connie Hoffmann)

Interim Town Manager Hoffmann stated that Global Reef Alliance approached the Town requesting additional funds. She advised that the cost of the buoys were running higher than projected.

Interim Town Manager Hoffmann said the original contract for \$60,280 was increased by the Town approximately \$16,200 and the Town had already paid almost \$50,000 of which \$27,000 remained. She said it was the responsibility of Global Core Reef Alliance to cover the remaining money they needed to complete the buoys. She requested Commission direction.

Mayor Minnet believed this was something to look at closely. Commissioner Sasser was in favor of maintaining the project. He was not happy with the way the project was handled and stated that if the project could get back on track he would be willing to put some of his own money into the project. He suggested that if the Town chose to move forward with the project a separate workshop may be needed.

Commissioner Clotley asked for a date to schedule a Workshop. She added that Global Reef needed to put the buoy in the ocean by August. Commissioner Sasser believed the Workshop should occur as soon as possible. Mayor Minnet did not believe this should be rushed through as they had a fiscal responsibility. She added that the key players and the contract should be included in the workshop for consideration.

Commissioner Vincent said that he reviewed the timeline and saw no sense of urgency.

Commissioner Clotley asked whether the Town should come up with the money or tell them to seek private funding. Commissioner Sasser said he would try any means necessary to get this done but a workshop was needed to do it right. Commissioner Vincent said they needed to take several things into consideration.

Commissioner Sasser believed someone was needed to manage the project from the Town such as a Commission liaison. Commissioner Clotley believed there were other funding sources, such as the County.

Commissioner Sasser said that some of the concerns were monetary but not all. He believed that the project would be set up for failure if they just threw money at it.

A Workshop was scheduled for 5:30 p.m. on July 27, 2010 regarding the reef project. Mayor Minnet stated that residents and people involved in the project would participate.

Commissioner Sasser suggested that questions be provided to staff ahead of the workshop. He asked that staff and Commissioner Clotley look into additional funding sources.

Commissioner Clotley stated that Broward County Mayor Ken Keechl indicated that discretionary funds may be available.

Interim Town Manager Hoffmann pointed out that Cry of the Water obtained the permit in the Town's name.

There was no further discussion.

c. Budget Issues (Interim Town Manager Connie Hoffmann)

Interim Town Manager Hoffmann explained that the Chamber of Commerce requested \$55,000 in funding for next year. She requested Commission direction.

Commissioner Sasser was disappointed that a copy of the Chamber's proposed contract was not in the backup. He said he assumed that more services would come

with an increase. Commissioner Sasser wanted to see a line item detail of services specifically for the Town. He wanted to know why the Chamber had a net income of \$25,000 and what that income would be used for. Commissioner Sasser believed that a Commissioner liaison should be assigned to work with the Chamber of Commerce to bring back funding amounts and recommendations.

Commissioner Clotey agreed with Commissioner Sasser and wanted to know what the expenditures would be line by line and how the money would be spent. She said the Chamber of Commerce was an important entity in Town. Commissioner Vincent recommended that someone from the Chamber give the Commission a presentation of where the Town was going with the Chamber and why they needed the funds along with their budget.

Mayor Minnet stated that communities in Colorado had agreements with their Chamber and Visitors Center that outlined funds and expectations of services.

Mayor Minnet said that Lauderdale-By-The-Sea was the only municipality in Broward County that supported their Chamber of Commerce and the Visitors Center. She advised that she had reviewed examples of other contracts and had copies to pass on so that everyone could see how the contracts were put together.

Commissioner Sasser wanted to know what would be the Chamber's involvement in special events. Mayor Minnet believed the Chamber could be part of the economic development within the community and take part in the Reef project. She believed there were opportunities the Commission should look at in its entirety and utilize a Public Private Partnership. Mayor Minnet suggested that Interim Town Manager Hoffmann get with the Chamber of Commerce and develop some type of marketing agreement.

Interim Town Manager Hoffmann asked whether the Commission wanted to appoint a Commission liaison to be involved. Mayor Minnet offered to be the liaison. Commissioner Clotey asked why no other community in Broward County supported their Chamber of Commerce. Mayor Minnet said that Lauderdale-By-The-Sea was unique in that the Town supported the Visitors Center and other communities did not have a Visitor Center. Mayor Minnet believed that Broward County should be doing a lot of the funding. She stated that someone should be advocating for funds from the Broward County Commission every year.

Commissioner Sasser inquired of the return on the Town's investment in the Chamber. He said he was a supporter and would be glad to look into it as he believed so much more could be accomplished. Commissioner Clotey wanted to see Chamber more involved with the businesses in the community. She believed the majority of the businesses, as members of the Chamber, were outside of town. Commissioner Vincent believed there were not enough businesses within Town that could support the Chambers existence.

Mayor Minnet stated that no direction on the money was given; they needed to get a proper agreement in place first and it needed to be worked on quickly. She confirmed

that Commissioner Sasser would be the liaison with staff to work with the Chamber. Commissioner Sasser stated that he would have a quick meeting with Paul Novak and would update staff.

Commissioner Clotey suggested that staff be the liaison so that the rest of the Commission was not in the dark. Commissioner Vincent stated that Commissioner Sasser worked as the liaison with Choice Environmental. Commissioner Clotey believed that the Chamber was different. Commissioner Sasser said he would make sure that the Commission had all the information prior to negotiating a contract. He agreed that communication needed to happen and he would work with staff.

There was no further discussion.

d. Beach Restroom options (Community Development Director Jeff Bowman)

Director Bowman gave a PowerPoint presentation and pointed out possible restroom locations which were not in preference order. Interim Assistant Town Manager Bentley said the El Prado site was the most desirable location. Commissioner Vincent pointed out that since the El Prado site was Town property, no lease would be required.

Mayor Minnet was concerned with the size of the restroom in relation to the gazebo in El Prado. She said that esthetically it should be the same.

Director Bowman advised that he reviewed the cost estimate for pre-fabrication and also maintenance costs and requested direction on allocating funds. He advised that BSO would close the facility at 9:00 p.m.

Interim Town Manager Hoffmann requested that the Commission narrow down restroom locations.

Mayor Minnet did not believe any of the locations were ideal. Commissioner Vincent favored El Prado Park as installation would be easy. He wanted to make sure they were ADA compliant and that the residents in the area gave their input. Commissioner Vincent also believed that eventually a restroom would need to be placed at the pavilion. Commissioner Clotey believed the best location was near Oriana. Mayor Minnet agreed they should be on the east side of Oriana, not closer to El Mar.

Commissioner Sasser believed the Commission needed to decide if the project was right for his year and whether it should first go before the MPSC (Master Plan Steering Committee).

Mayor Minnet said that this idea came out of the campaign and the Town needed a master plan and should look at that after budget time. Interim Town Manager Hoffmann stated that money was already allocated for a visioning of a master plan. Mayor Minnet questioned whether they needed to look at it as a tourist destination. Commissioner Vincent said that the master plan could not continue to be put off.

Mayor Minnet suggested incorporating something that looked just like the gazebo. She was not sure whether one should be near the fishing pier. Commissioner Clotley suggested a sign that stated that restrooms were available at the Municipal Park.

Commissioner Vincent inquired of staff recommendation. Director Bowman said it would be the El Prado site if the Commission chose to go forward. Mayor Minnet believed the MPSC had many projects and should not be a priority at this time. Commissioner Sasser suggested MSPC review.

Commissioner Clotley did not believe it would fit into next year's budget as money would be tight. Interim Town Manager Hoffmann assured her the money would be there. Mayor Minnet asked whether it was or would be addressed in the Master Plan. Director Bowman said it was not. He said he would get with the MPSC for their opinion.

Mayor Minnet requested that staff get with the MPSC and bring their recommendations back to the next roundtable. Commissioner Vincent did not want to have to do this twice and inquired of the direction that would be given to the MPSC. Mayor Minnet said they wanted the MPSC to give a recommendation based on the presentation given by Director Bowman earlier.

Commissioner Clotley requested that when it was placed on the MPSC agenda there should be a notation on Channel 78 that the issue of restrooms would be addressed. Interim Town Manager Hoffmann said it would on the MPSC agenda the following week.

Mayor Minnet stated that this item would come back at a future Roundtable.

e. Pet Grooming Business (Interim Assistant Town Manager Bud Bentley)

Development Services Director Bowman said that Mr. Scott Pearlstein of 4402 Bougainvillea Drive wanted to open a pet grooming establishment which the Town Code did not allow. He asked for Commission direction and advised that there would be no overnight kenneling, scents or outside grooming.

Commissioner Sasser asked whether this item had to go before the Board of Adjustment. Director Bowman said it would have to go before the Planning and Zoning board. Commissioner Sasser asked whether the neighbors had been contacted. Director Bowman said they were not. Commissioner Sasser asked whether the ventilation had been examined, Director Bowman did not know whether it was or was not. Commissioner Vincent believed that should fall under current building code.

Commissioner Sasser questioned whether the ventilation system would fit. Attorney Trevarthen reminded the Commission that the discussion to take place was for the need to know whether the business could be done under Town Code. She added that the questions that were being asked normally occurred when plans were submitted. Attorney Trevarthen stated that this was the 3rd time this issue arose and asked whether the Commission wanted her to recommend amendments to modernize that section of the Code.

Mayor Minnet agreed this was done before with the community performance center, hair salon and non-permitted uses under the Code of Ordinances. She said the Commission discussed how to avoid going through the Commission every time a new business wanted to come to Town. Attorney Trevarthen asked whether the Commission wanted to look at the broader topic. Commissioner Vincent suggested the business move to a location where it was allowed to avoid delay. Director Bowman stated that there were existing businesses in Town that were legal non-conforming businesses.

Mayor Minnet asked whether the Commission wanted to expand permitted uses in the commercial districts. Commissioner Clotey, Commissioner Vincent and Commissioner Sasser said there were in favor. Attorney Trevarthen interpreted the districts to be B1 & B1a. Mayor Minnet wanted all the commercial districts evaluated by the Town Attorney and then by the Planning and Zoning Board.

Commissioner Sasser wanted to know whether the time it took to look at this would delay the applicant. Attorney Trevarthen said the vast majority of the time would be for the notice of intent for public hearing, a meeting with the Planning and Zoning Board and two (2) Commission meetings. Interim Town Manager Hoffmann suggested using a planning consultant to put it all together. Commissioner Sasser wanted to make sure it would come back to the Commission so that the applicant was not delayed.

There was no further discussion.

f. Building Services Contract (Interim Town Manager Connie Hoffmann)

Interim Town Manager Hoffmann said she was looking at the Building Services Contract as a budget and revenue issue. She said it was possible to lower permit fees by seeking RFPs for Building Services Contractors. Interim Town Manager Hoffmann did not see it as a priority and asked to bring it back to the Commission in 6 months. Mayor Minnet agreed. Commissioner Clotey saw no problem with waiting 6 months and believed they should go out for RFP as they owed it to the residents. Commissioner Sasser agreed and also wanted to go out for RFP as the fees for permitting were to be raised by Broward County. Mayor Minnet agreed to put back the time frame and do it in 6 months.

Interim Town Manager Hoffmann asked for clarification as to whether the Commission wanted staff to come back to the Commission in 6 months with the results. Mayor Minnet confirmed that the Commission consensus was to come back in 6 months with the results of an RFP.

Commissioner Sasser inquired of a term or clause in the contract with Broward County regarding renewal. Interim Town Manager Hoffmann said there was a notice clause in the Broward County agreement.

3. OTHER TOWN BUSINESS:

b. Review the Ordinance regarding solid waste collection (Commissioner Sasser)

Commissioner Sasser said that he had submitted a summary of the ordinance changes at the July 13, 2010 Commission meeting. He advised that there may be additional changes prior to 1st reading.

Attorney Trevarthen advised that the changes were a result from a series of meetings with Choice Environmental, Interim Assistant Town Manager Bentley, Commissioner Sasser and herself. She explained that under Section 10-27 structure was added to the first paragraph to make it easier to follow. Attorney Trevarthen stated that Subsection b was also added to give a description of a mixed use property.

She explained further that Subsection 2, small mixed use properties and Subsection 3, large mixed use properties created a possibility for the users to share their solid waste service. Attorney Trevarthen said it also allowed bulk pickup on mixed use properties by request and for residential use only, setting a 2 cubic yard limit.

Attorney Trevarthen explained that sharing had to be sufficient without spill over. Commissioner Sasser explained that the advantage was that a mixed use property did not have to have a commercial container and a residential container as the residential container could utilize the commercial container with just 1 rate.

Attorney Trevarthen explained that the wording for temporary discontinuance was changed to suspension and also clarified that the property owner needed to provide 15 day written notice of the date they wanted to resume service.

Mayor Minnet stated that the liaison process worked very well in this case and resolved issues that residents complained about for some time. She thanked everyone for their hard work.

Commissioner Sasser advised that in order to accommodate administration some of the wording may also change.

There was no further discussion.

a. Selection of Chairperson for the Halloween event.

Mayor Minnet questioned whether the Community Center could be used since historically it was closed for approximately 2 weeks to put together the haunted house. She also questioned whether there were any decorations for the haunted house and if so, who owned them and where were they stored. Mayor Minnet believed it was great that a Commissioner usually chaired the events such as Easter and the 4th of July and stated that it was a lot of work. She asked Interim Town Manager Hoffmann of her opinion regarding how other communities did it. Interim Town Manager Hoffmann said it was a small Town kind of thing and they usually had a staff person that handled those events.

Interim Town Manager Hoffmann believed that by having Commissioners chair the events, rules and regulation were not always followed as staff would be eager to do what the Commission wanted. She suggested that a staff person with a recreational

background support the Chairperson and pointed out that it was a lot of work and volunteers were not usually willing to put in the time needed. Interim Town Manager Hoffmann suggested converting one of the vacant positions as a part time position to work on a variety of issues, this being one of them.

Commissioner Clotey said that a Chairperson brought change in a positive way and an event coordinator was always appointed.

Commissioner Sasser stated that the Commission previously agreed that the Chairperson did not have to be a Commissioner. He asked how the person would be selected and, if 1 or 2 people from Town wanted to handle the event, how would that be dealt with. Commissioner Sasser asked whether a Committee should be chosen to only work on Town events with someone from staff. He said he just wanted to be fair with the selection process.

Commissioner Vincent liked Interim Town Manager Hoffmann's suggestion. He said the Town did not have a program director and the person could work on other recreational programs as well. Commissioner Sasser asked that perhaps this could be part of the discussion with the Chamber of Commerce regarding additional funding. Mayor Minnet believed it made sense.

Commissioner Clotey said it was a Town tradition to have a Commissioner chair the event with volunteers assisting with the work.

Interim Town Manager Hoffmann said that a staff person would be able to provide assistance to the Chairperson. Mayor Minnet added that it would also avoid doing the things that did not work historically.

Commissioner Clotey pointed out that a Commissioner had to listen to the public but an individual did not always have that responsibility. Commissioner Vincent said that if at some particular time none of the Commissioners could chair the event, they should be able to appoint someone else. He believed that someone within the Town would be more knowledgeable.

Commissioner Clotey preferred that a Commissioner chair the event because in that case, someone would be held responsible. Mayor Minnet suggested putting it on the next meeting. She wanted to determine the status of decorations and whether there was going to be a haunted house as the Community Center would need to shut down for 2 weeks.

Commissioner Vincent explained that he had obtained an inventory of what was available for Easter. Interim Town Manager advised that the only decoration available for Halloween was a coffin. Commissioner Sasser inquired of the budget amount and Interim Town Manager Hoffmann advised it was \$4,000. Interim Town Manager Hoffmann stated that was another reason a staff person should be assigned to Town events as they would be responsible to make sure that Town property for the events were stored properly.

Mayor Minnet believed history should be established with the events so that whoever chaired the events would have something to look at.

Mayor Minnet placed this item on the July 27, 2010 Commission meeting agenda.

Interim Town Manager Hoffmann asked whether the Commission wanted to increase the budget for Halloween. Commissioner Clotney believed the \$4,000 was enough as most of the decorations were made from paper.

Commissioner Vincent asked whether it was possible to appoint a chair to find an outside vendor to set up the decorations for the event. He believed it could relieve a lot of pressure. Interim Town Manager Hoffmann said it would cost more than \$4,000.

Commissioner Sasser volunteered to chair the Halloween event.

Interim Town Manager Hoffmann said she would place it on the agenda to confirm appointment of Commissioner Sasser as Chairperson to the Halloween event.

4. ADJOURNMENT

With no further business before the Commission, Mayor Minnet adjourned the meeting at 9:30 p.m.



Mayor Roseann Minnet



ATTEST:



Town Clerk, June White

8-27-10

Date