

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION

REGULAR MEETING

MINUTES

Jarvis Hall

4505 Ocean Drive

Tuesday, May 28, 2013

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 Vice Mayor Scot Sasser, Commissioner Mark Brown, Commissioner Chris Vincent, Town Attorney Susan L. Trevarthen, Town Manager Connie Hoffmann, Finance Director Tony Bryan, Municipal Services Director Don Prince and Town Clerk Vanessa Castillo. Commissioner Stuart Dodd's absence was excused.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION - Pauline Brooks McGuiness (Representing the Bahai Faith)

Pauline Brooks McGuiness gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Town Clerk Castillo requested to pull Item 10a (April 23, 2013, Regular Commission Meeting Minutes).

Mayor Minnet pulled item 16b (Selection of Waste Disposal Contractors) and questioned if it should be deferred, as Commissioner Dodd was absent, though he had sent a letter to the Town Manager.

Vice Mayor Sasser made a motion to defer item 16b to the next Commission meeting on June 11, 2013. The motion was seconded by Commissioner Brown. The motion carried 4-0.

5. PRESENTATIONS

- a. EMS Week 2013 Proclamation & Life Saver Award Presentations (Chief Brooke Liddle)

Mayor Minnet read a proclamation for Emergency Medical Services Week. Chief Liddle presented members of the team with AMR Award of Excellence for resuscitating a patient that was declared clinically dead on the scene, noting the patient was then transferred to the hospital where there was a positive outcome.

b. ScubaNation TV Show on LBTS (Public Information Officer Steve D'Oliveira)

Public Relations Officer Steve D'Oliveira indicated the subject TV show was about diving and nightlife in Lauderdale-By-The-Sea, which aired in early May 2013. He went on to show a part of the program, stating the rest would be shown at the next Commission meeting.

Town Manager Hoffmann commented that the show resulted in additional bookings at the Town's hotels and new customers for some of the local dive shops.

6. PUBLIC COMMENTS

Mayor Minnet opened the meeting for public comment.

Sandra Green informed the Commission she could not attend the Special Meeting on June 10, 2013, stating she enjoyed serving on the Charter Review Board (CRB). She asked the Commission to consider each CRB recommendation without prejudice and to vote with their heart for what they felt was most beneficial for the Town.

Edmund Malkoon stated he was glad to see the West Commercial Project had broken ground and hoped to open a discussion on post construction issues. He disagreed with the Town participating in the beach re-nourishment project, as its beaches were fine as is, and the Town was being asked to be a donor and put its beaches in danger. He reminded everyone about the POA hurricane preparedness meeting on Thursday, May 30, 2013, at 7:00 p.m., hoping members of the Commission would attend. He mentioned nominations for the 2013 Hometown Hero were being accepted to nominate anyone who made the Town a better place to live. The deadline was June 1st, and name(s) could be sent to www.lbts.poa@gmail.com.

Eric Yankwitt thanked the Town Commission for their help putting together the Chamber of Commerce proposal. He reminded everyone to come out for the June 1, 2013, "Relay For Life" Cancer Society fundraising event.

With no one else wishing to speak, Mayor Minnet closed the public comment portion of the meeting.

7. PUBLIC SAFETY DISCUSSION

a. AMR EMS Monthly Report – April 2013 (Chief Brooke Liddle)

Commissioner Vincent made a motion to accept the report. Commissioner Brown seconded the motion. The motion carried 4-0.

b. BSO Monthly Report – April 2013 (Captain Fred Wood)

Commissioner Brown sought additional information on a traffic initiative noted in the report conducted by BSO on April 25th on A1A and Commercial Boulevard that revealed issues regarding pedestrian activity and jaywalking issues.

Lieutenant Holly Green explained that the BSO Regional Office sent three deputies to conduct enforcement in the subject area as part of their “Click-it-or-Ticket” campaign to identify drivers not wearing their seatbelts, now a primary offense. The deputies were stationed at the Marathon gas station, where they observed drivers not waiting for pedestrians to cross, so the effort became educational for drivers about the need to yield to pedestrians. She noted some pedestrians were in violation, putting a higher percentage of fault on the pedestrians than the drivers, so pedestrians were also educated by the officers on how to safely cross the road using the buttons at the lights. The deputies’ presence acted as a deterrent for both drivers and pedestrians.

Commissioner Brown thought the presence of a uniformed officer was one possible way of dealing with the Town’s very heavy jaywalking problem in the subject area.

Mayor Minnet questioned if the COP program might be available to assist with those issues during certain hours on the weekends, at least to supervise pedestrians crossing.

Lt. Green indicated members of the COP were very responsive to BSO’s requests.

Commissioner Vincent made a motion to accept the report. Commissioner Brown seconded the motion. The motion carried 4-0.

c. VFD Monthly Report – April 2013 (Fire Chief Judson Hopping)

Commissioner Vincent made a motion to accept the report. Commissioner Brown seconded the motion. The motion carried 4-0.

8. TOWN MANAGER REPORTS

a. April 2013 Finance Report (Finance Director Tony Bryan)

The Finance Report was accepted without discussion.

b. Town Manager’s Report (Town Manager Connie Hoffmann)

Town Manager Hoffmann reviewed her report as reflected in the backup, highlighting:

- The West Commercial Boulevard Project began May 28, 2013. Albert Carbon, Project Manager, and the project manager at State Contracting and Engineering recently spoke to every business owner on the south side of street and at least 90 percent of the business owners and residents both on the north side too.
- For the East Commercial Boulevard Project, bids were being assembled and Town staff hoped to bring the proposed guaranteed maximum price (GMP) for that project at the first meeting in June
- Lighting issues for the West Commercial Project would be presented to the Commission at the first meeting in June
- A meeting was held between FP&L and Vice Mayor Sasser, Municipal Services Director Don Prince and the Town Manager to address recent Town power outages and other power line issues
- FP&L recently installed a new streetlight at 251 Tradewinds Avenue
- The ALPR camera system – the selected vendor had been purchased by another company and representatives met with BSO to resolve various issues

Commissioner Brown noted he spoke with resident Bill Vitolo who voiced frustration with FDOT for not allowing the Town to post cameras on their traffic poles, which were felt to be the most logical place to put them. He drew up a proposal and sent it to the director of Broward's Metropolitan Planning Organization (MPO), indicating the need for the MPO to organize its member cities to put pressure on FDOT to allow use of their poles to mount the cameras. Commissioner Brown said he would try to get the matter onto the MPO's June or July meeting agenda.

Commissioner Vincent asked if Town staff could provide the Commission with reports on conversations with business owners on their concerns over the West Commercial Boulevard Project during construction. This way, the Commission would remain aware of these concerns and how they were being handled.

Town Manager Hoffmann thought there were no actual reports, but she would speak with Project Manager Albert Carbon, whom she believed took notes on those interactions and she would figure out how to provide the requested information.

Vice Mayor Sasser inquired if the bid on lighting for the West Commercial project would be available at the next Commission meeting.

Town Manager Hoffmann answered yes, the bids were in from three different companies that made a similar light. These efforts resulted in a significantly lower price, and she thanked Mayor Minnet for her advice in this regard.

Vice Mayor Sasser noted that some merchants along West Commercial Boulevard seemed unaware of when the project would begin so he sought assurance as to the Town's communication plan for these businesses.

Town Manager Hoffmann replied she was unsure why there would be confusion, as Town staff spoke with the businesses and sent written notices, including certified mail.

Vice Mayor Sasser spoke on the FP&L issues, concurring with the information stated in the Town Manager's Report. The problem remained of trees and plants growing into the power lines, so the activity to get that resolved would be beefed up. He mentioned working with the Public Service Commission and that he continued to have conversations with them on getting an unbiased audit done of the Town's equipment.

Mayor Minnet remarked on an FP&L pole in front of High Noon that seemed precarious.

Town Manager Hoffmann responded that this pole had been hit by a driver in the middle of the night the previous weekend, and the driver had abandoned the car. This was brought to FP&L's attention at a recent meeting, and FP&L went with Municipal Services Director Don Prince afterwards to visit the site. FP&L said the pole would be replaced next week.

Mayor Minnet stated that two or three weeks prior, she walked all the businesses that would be affected by construction in the West Commercial Boulevard Project, and many acknowledged receiving certified letters from the Town. Though they expressed many concerns, they were fully aware that the project was moving ahead, so she found it very frustrating to hear any confusion expressed, when the businesses knew there was going to be major construction on West Commercial Boulevard. She would continue to communicate with the businesses, but at some point they needed to take some responsibility in the process, and she was confident Town staff and the project team would continue to be responsive to any issues. Anyone with concerns should contact Town staff or members of the Commission right away and not wait until the last minute.

9. TOWN ATTORNEY REPORT

Town Attorney Trevarthen requested a shade session under Section 286.0118 of the Florida Statutes regarding the litigation of *Northpoint Investments, LLC. vs. the Town of Lauderdale-By-The-Sea*; Case no. 13-1520 CAC E08 consolidated with Case no. 13-1522 CAC E12. The session was to discuss, pursuant to the statute, settlement negotiations and strategy regarding litigation expenses. She said would work with the Town Clerk to identify logical times for the session that would be prior to the special Commission meeting on June 10 and the regular Commission meeting on June 11.

10. APPROVAL OF MINUTES

a. April 23, 2013, Regular Commission Meeting Minutes
Item 10a was pulled with no further discussion

11. CONSENT AGENDA

Item 11a was pulled for further discussion.

Commissioner Vincent made a motion to approve items 11b and 11c on the Consent Agenda. Commissioner Brown seconded the motion. The motion carried 4-0.

- a. Tree to be planted in Swale in front of 4628 N. Bougainville Drive (Town Manager Connie Hoffmann)

Commissioner Brown stated he exchanged a few emails with Mr. Laracella about the subject item, who he stated he was fine with the tree to be planted.

Commissioner Brown made a motion to approve item 11a. Commissioner Vincent seconded the motion. The motion carried 4-0.

- b. Adjusting Sidewalk Café fees during Construction (Town Planner Linda Connors)

Approved on consent.

- c. Excused Absence from May 28, 2013 Meeting (Commissioner Stuart Dodd)

Approved on consent.

12. ORDINANCES – PUBLIC COMMENTS

a. Ordinances 1st Reading

- i. Ordinance 2013-08: OATH OF OFFICE AND EXECUTION OF INSTRUMENTS (TOWN MANAGER CONNIE HOFFMANN)

Mayor Minnet invited and received no public comment.

Commissioner Vincent made a motion to approve Ordinance 2013-08. Commissioner Brown seconded the motion. The motion carried 3-1. Vice Mayor Sasser voted no.

The second reading of the ordinance would be advertised in the Sun Sentinel.

b. Ordinances 2nd Reading

- i. Ordinance 2013-01: AMENDING PARKING AREA STANDARDS TO ALLOW FLEXIBILITY IN DESIGN (TOWN PLANNER LINDA CONNORS)

Town Planner Connors reviewed changes to the proposed ordinance since its first reading, as detailed in the backup, giving a visual presentation on the item. Town staff recommended approval with the additional changes as noted.

Town Manager Hoffmann clarified that under the proposed ordinance, a property in bringing a parking lot up to code could lose no more than 25 percent of their parking spaces.

Town Planner Connors concurred, stating that the last set of changes were a compromise that treated everyone at the same level.

Mayor Minnet invited and received no public comment. She acknowledged the issue had been difficult for the Town's business owners and staff, and thanked staff for communicating with the businesses in an effort to bring the community to the next level, which would not happen without growing pains.

Commissioner Brown sought clarification as to what was entailed in bringing the parking lots up to code, such as striping, handicap parking, asking what other actions were involved that could result in the loss of as much as 25 percent parking spaces.

Town Planner Connors replied size of spaces, drainage and landscaping. Some parking lots contained parking spaces of substandard size. Some had no drainage, so they drained into the Town's streets. Many had no landscaping with asphalt from property line to property line. Town staff requested some flexibility to allow parking lots to be brought as close to code as possible without requiring them to lose too many parking spaces.

Commissioner Brown asked if property owners were responsible for the improvements.

Town Planner Connors answered yes.

Town Manager Hoffmann added that would depend on the lease arrangement between the property owner and the lessee of a property, so Town staff had no true knowledge of who would pay for the changes.

Commissioner Brown wished to know what timeframe owners would be required to bring lots up to code.

Town Planner Connors indicated that when the owners came in for a permit for their driveway or parking area, Town staff reviewed what had to be done to bring them into code.

Vice Mayor Sasser questioned how many properties the subject amendment would affect.

Town Planner Connors responded that generally, it appeared there were five properties with surplus parking.

Vice Mayor Sasser wondered why if the lots had been in the Town in their present state for years Town staff was bothering to change them, asking how the Town would benefit to justify the loss of parking spaces.

Town Planner Connors reiterated the changes would help with drainage, landscaping, and ensure ADA parking spots were included in those lots.

Vice Mayor Sasser wished to know if a permit to restripe a parking lot would trigger the ADA parking space requirement.

Town Planner Connors answered yes, all parking lots are required to have handicap parking.

Town Manager Hoffmann concurred, stating they were required to have ADA parking spaces available regardless of any upgrading, so it was a matter of enforcement.

Vice Mayor Sasser inquired if valet parking lots had to have ADA parking spaces.

Town Planner Connors replied this was a Building Code requirement, so she could not answer that question. The Town did not address valet lots in the Town's code.

Commissioner Vincent questioned if a parking lot owner could be allowed to put in the required ADA parking space, leaving the rest of the lot as is, it would result in the loss only one parking space, much less than 25 percent.

Town Planner Connors commented that one of the problems the Town was having with the parking lots was that some had been restriped many times without a permit, resulting in substandard sized parking spaces.

Town Planner Connors explained it was the Town's experience with private parking spaces in the Bougainville Drive improvement project that led to the awareness of the problem.

Commissioner Vincent indicated he was uncomfortable with the recommended approach. He struggled with the Town's giving out parking through the parking exemption program, and now it was taking away parking.

Town Planner Connors believed the Town sought not to take away parking but to improve drainage, landscaping and beautification, and safety. It was the Town's responsibility to ensure parking areas were safe and protect the Town's streets from flooding.

Commissioner Vincent referred to the recommended solution in the backup by Ms. Chakas representing Aruba of drafting an amendment to exempt parking lots that served the Commercial Boulevard businesses with existing paid, private parking in a conditional use approval. This seemed a logical solution in the present situation.

Assistant Town Manager Bentley replied the solution sounded good until its repercussions were analyzed. The subject code amendment was to provide flexibility in the enforcement of the current code and called for less rather than more regulation. The current code was great for newly-developed properties, not long-existing properties. He

stressed the amendment invoked some reasonableness for existing properties that were space-restricted.

Commissioner Vincent felt unsure a loss of 25 percent of parking spaces was the solution.

Town Manager Hoffmann remarked the ordinance did not dictate 25 percent would be lost; rather it gave the Town Planner more flexibility but limited any loss over 25 percent.

Commissioner Vincent preferred the potential loss of parking spaces to be more uniform across the board.

Assistant Town Manager Bentley stated if properties came in that were identical, he could agree, but that was not the case. The Town's code specified the standard dimensions and layout of parking lots, and it was to this code existing and future lots must currently adhere. But due to space considerations, Town staff suggested building in some flexibility, so improvements could be made to the extent possible.

Commissioner Vincent questioned if any criteria or list had been devised as a guideline to determine flexibility.

Town Planner Connors reiterated draining, landscaping, striping and size of parking spaces, and safety issues as they related to proper access ways.

Town Attorney Trevarthen pointed out the criteria was contained at line 82 of the ordinance. Town staff mentioned there were parking lots in the Town that were so deficient, that if the current code were properly enforced, they would lose up to 40 percent of the parking spaces to get full compliance. She noted the present code allowed no flexibility and required full compliance. Thus, the proposed amendment was a step towards helping the property owner and trying to make the changes more feasible, imposing a maximum on what would be required of the owners, based on the feedback from property owners in the community. She agreed with the comments of Ms. Hoffmann and Mr. Bentley that the application of the code would differ for each property.

Mayor Minnet believed many of the properties were out of compliance based on the way they looked.

Town Planner Connors affirmed this to be the case.

Mayor Minnet noted if the matter was not addressed via some amendment, code staff could cite a parking lot owner, for example, based on a citizen complaint, and full compliance would be required. The Town could opt to tell code enforcement not to enforce the code, as requiring full compliance with no flexibility in the code could result in the parking lot owner being worse off in the effort to come into full compliance.

Town Attorney Trevarthen affirmed this was possible in certain circumstances, hence Town staff's effort to craft a rule that covered desperate circumstances when met.

Mayor Minnet questioned if it were possible to include if the applicant were dissatisfied with Town staff's ruling in the ordinance coming before the Commission.

Town Planner Connors believed a zoning interpretation appeal process was already included in the Town regulations.

Town Attorney Trevarthen concurred, stating the Town code had an appeals procedure for applicants to present their case to the Town Commission if they disagreed with the Town's administrative interpretation. The generic provision would apply.

Mayor Minnet supported bringing some things in the Town up to standard, and though it would not be easy, staff tried to do its best in the variety of circumstances they faced. In the subject instance, the aim was to create guidelines that would work in the majority.

Town Manager Hoffmann indicated the Planning & Zoning Board voted 4-0 in favor of the proposed amendments after going through the pros and cons.

Commissioner Brown made a motion to approve Ordinance 2013-01. Vice Mayor Sasser seconded the motion. The motion carried 4-0.

ii. Ordinance 2013-04: AMENDMENTS TO CHAPTER 30 REGARDING ARCHITECTURAL STANDARDS/ARCHITECTURAL DESIGN STANDARDS MANUAL (TOWN PLANNER LINDA CONNORS)

Mayor Minnet invited and received no public comment.

Commissioner Vincent made a motion to approve Ordinance 2013-04. Commissioner Brown seconded the motion. The motion carried 4-0.

13. RESOLUTIONS – PUBLIC COMMENT

a. Resolution 2013-24: A RESOLUTION AMENDING FY 2012/2013 BUDGET (FINANCE DIRECTOR TONY BRYAN)

Mayor Minnet invited and received no public comment.

Commissioner Vincent made a motion to approve Resolution 2013-24. Commissioner Brown seconded the motion. The motion carried 4-0.

b. Resolution 2013-22: A RESOLUTION ADOPTING THE ARCHITECTURAL DESIGN STANDARDS (TOWN PLANNER LINDA CONNORS)

Mayor Minnet invited and received no public comment.

Town Manager Hoffmann commended Town Planner Connors for coordinating the architectural guidelines project, and said that the consultants did a fabulous job designing the booklet, assisted by Town Staff.

Commissioner Vincent made a motion to approve Resolution 2013-22. Commissioner Brown seconded the motion. The motion carried 4-0.

14. QUASI-JUDICIAL PUBLIC HEARINGS

None

15. COMMISSION COMMENTS

Mayor Minnet reminded everyone to attend the POA Hurricane Preparedness meeting on Thursday, May 30, 2013, at 7:00 p.m. She encouraged community participation in the Cancer Society's *Relay for Life* event on June 1, 2013, at El Prado Park, and further information could be found at www.relayforlife.org.

16. OLD BUSINESS

c. County Beach Re-nourishment Project Update/Sandy Federal Mitigation Efforts (Public Information Officer Steve d'Oliveira)

Eric Myers of the Broward County Environmental Protection & Growth Management Department gave an update on the County's beach re-nourishment and the Super Storm Sandy Mitigation project with the aid of a PowerPoint presentation, highlighting:

- County's Segment II project was in final design phase
- Proposed Segment III project
- Project to mitigate effects of 2012 Storm Sandy on the Town's beaches. Army Corps of Engineers aimed to have all permits and go to bid by July 2013, and have a contract by the end of the fiscal year; work would not commence until November due to sea turtle nesting
- The County's project, so as not to run concurrently with the federal project, would follow up in 2014/2015 with putting sand in the water
- The assumption was beachside cities wanted sand but would only participate if the project was fully funded by the federal government.

Commissioner Brown stated his full support for both projects, asking about the status of the County's permit.

Mr. Myers replied their permit application for the County project which covered the areas at the north and south ends of the Town had been in process for about eight months. He expected the permit application to be approved by late July 2013.

He noted the Corps of Engineers' project would have an expedited permit process. That project would put sand from the south end all the way to the north end of the Town, but above the mean high water line. In this way, they would avoid many of impact issues.

Commissioner Brown questioned the effect if the Town changed its mind about participating in the County project, particularly with regard to the permit application.

Mr. Myers responded that if the Town opted out of the project, he would seek a modification to the current permit application, and their consultant would be directed to change the tapers, starting at the Town's southern boundary going south, and similarly to the north. He did not believe it would "kill" the project but understood the primary impact would be compromising the north end of Galt Mile, having to taper there rather than at a wider section of beach further north.

Commissioner Brown believed that the overwhelming body of evidence showed it would be beneficial to the Town and its residents and businesses.

Vice Mayor Sasser clarified that the Town gave a contingent approval. The conditions were: the Town's cost would not exceed \$356,000 to be reimbursed to the County over a three-year period; the Town would approve any construction staging sites; and the County agreed to repair and pay for any damage done to any of the Town's roadways and beach portal in connection with the sand delivery. All the contingencies had to be executed to the Town's specifications and satisfaction. Based on this conditional approach, he asked if the Town should get some sort of approval from the County to ensure the contingencies would be met before any final agreement.

Town Attorney Trevarthen concurred, as she was unaware of receiving any response to the conditions of approval listed in the Town's letter to the County. The Town Manager, who was the signatory on the letter, indicated she received no response from the County. This, therefore, would be the Town's preliminary question of the County.

Mr. Myers responded that the letters he received from Fort Lauderdale, Pompano Beach and the Town were similarly conditional. From his perspective, rather than blindly saying yes up front, he sought to make sure the plans and all aspects of the project satisfied all the contingencies. The County Commission was concerned about funding, as the Corps of Engineers proved to be an unreliable funding partner for the last number of years, and even with some state funding, the County hoped to form funding partnerships. As the project manager, he remained aware of all the parties' contingencies, and his aim was to honor them. If unable to, he would engage in further negotiations in good faith.

Vice Mayor Sasser recalled there was an amendment to the first project, due to the presence of some corals and where the sand would be placed. However, the federal project Mr. Myers showed in the presentation went right through that same area; he assumed since the sand was only being placed on dry land, there was less concern.

Mr. Myers believed this was the assumption; if the sand only went on dry land, there was less likelihood of it going offshore, and though in windy conditions waves would be pushed up beyond the mean waterline, the sand would get into the water much slower than if placed directly in the water. He said planning the project in this manner was due

less to the avoidance of resource impacts and more to do with permitting, as the plans in the application were less likely to be challenged if the sand was not put directly in the water.

Vice Mayor Sasser reiterated his continued concern with the first project, and now with the second project. It appeared the Town would not get much sand, despite it being free, and they would go through the area taken out of the County project.

Commissioner Vincent questioned where the access points were, particularly those in Fort Lauderdale and Pompano Beach.

Mr. Myers replied that the southern access points for the County project in Fort Lauderdale was the Galt Mile at Oakland Park Boulevard, 27th Street at the park by the water, 23rd Street and 18th Street. After that, access was easy down to Bonnet House. He noted there was also the area they used for the A1A project at around 14th Terrace, and there were a number of other spots along A1A.

Mayor Minnet remarked on not being pleased with the two portal outlets as the access points for delivery of sand for the Sandy project. The Oriana portal was the Town's main thoroughfare to the beach; she would not be in favor of using that access way. She felt they should use Flamingo. She too had a problem with Pine Avenue for the same reason, so the County needed to take a look at those two access areas, as they were the most used in the Town.

Commissioner Vincent concurred, stating these were two major access ways that would be disrupted for the small amount of sand the Town would receive.

Mr. Myers revealed how the access points were chosen, stating he met with Town staff and Pompano Beach representatives to look at the obvious public accesses along the entire project. These two were selected by Town staff as probably most appropriate.

Town Manager Hoffmann was unaware of this and did not know which Town staff made such a determination.

Mr. Myers noted there were other sites that could be considered, such as the Minto property on which only a construction trailer was located; they could speak to the owner.

Commissioner Vincent added this would be moving further into the middle of the Town.

Mayor Minnet thought the Flamingo access would be perfect, as it was between plaza east and the Fountainhead.

Mr. Myers wished to speak with Town staff again, as selected by the Town Manager, as he would be asking the Commission's permission for access.

Mayor Minnet commented though it had been said sand was the best defense, it was found that so was vegetation, and rather than the sand, she preferred to see more sea oats planted. She would propose this at the Town's next budget discussions.

b. Selection of Waste Disposal Contractors(s) (Assistant Town Manager Bud Bentley)

Deferred (See agenda item 4)

17. NEW BUSINESS

a. Budget Calendar (Finance Director Tony Bryan)

Finance Director Bryan said the dates he proposed for budget hearings on September 10 and September 24 were in conflict with the County's budget hearings and needed to change. He proposed holding the first budget hearing on September 11, 2013 the day after the regular Commission meeting, so it would have to be a special Commission meeting.

Town Manager Hoffmann added budget meetings could not be held on the same day of the School Board's meeting, so it might be best to wait until those dates were released.

Mayor Minnet suggested, in the interim, members of the dais should look at the time period for possible dates and coordinate those with the dates Towns staff presented.

Town Manager Hoffmann inquired if anything was missing from the topics for budget discussion noted in the backup that the Town Commission wished included, noting these would take place in June and July.

Commissioner Vincent wished discussion on a budget for public restrooms included.

Town Manager Hoffmann commented they would be in the proposed CIP for the next year.

Mayor Minnet suggested including discussion on a parking garage.

b. Little Free Library Proposal (Mayor Roseann Minnet)

Mayor Minnet mentioned Rosalie Malkoon's desire for the Town to have a library. In light of the many projects taking place, she was unsure if this was a priority at present.

Rosalie Malkoon voiced her desire to preserve the Town's history by having it "archived" for accessibility and discussed different ideas for a library. She noted there were many varieties of libraries, including the e-library and a physical location. A municipal library was another option that would be solely at the Town's expense, next was a County library. To deal with the County and benefit from their library system, the Town had to

follow their rules, as provided online. Ms. Malkoon indicated there was a new coordinator for Broward County Libraries, and she suggested the Town invite him to speak if there was any interest in having a County library in the Town. There were state guidelines and grants that, if awarded to the Town, their rules and regulations had to be adhered to. She would willingly help to gather further information, and at a later date the Town could form a committee that would decide as to the type of library best suited and feasible for the Town. She gave the Town Clerk a copy of a study for the record that showed how the presence of a library benefited the surrounding community financially, asking the Town to consider the matter seriously.

Mayor Minnet commented Ms. Malkoon sounded passionate and encouraged her to form a committee with community support, getting the civic organizations and other people involved in the process.

Ms. Malkoon stated the involvement of a member of the Commission would formalize the efforts and convey a more serious message.

Mayor Minnet was unsure that was needed. She asked the rest of the Commission to discover their position on the matter or if there were any questions from the dais and received none.

c. Notice re: Town Manager Employment Agreement (Town Attorney Susan Trevarthen)

Town Attorney Trevarthen reviewed the subject item as reflected in the backup. Staff recommended approval.

Commissioner Brown preferred to have Mayor Minnet as the liaison to negotiate the Town Manager's contract, along with the Town Attorney and the product of the negotiation to be presented to the Commission.

Mayor Minnet accepted the task.

Vice Mayor Sasser echoed appointing the Mayor as the liaison in the negotiations, but wished for the Town to utilize the extension option instead of renegotiating the Town Manager's contract, in light of the numerous projects in which the Town was involved.

Commissioner Brown made a motion to approve item 17c, appointing Mayor Minnet as the Commission liaison to the contract negotiations. The motion was seconded by Vice Mayor Sasser. The motion carried 4-0.

18. ADJOURNMENT

Vice Mayor Sasser made a motion to adjourn. With no further business before the Commission, Mayor Minnet adjourned the meeting at 9:40 p.m.

Town Commission Regular Meeting Minutes
May 28, 2013



Mayor Roseann Minnet

ATTEST:



Town Clerk Vanessa Castillo



Date