



**CITY OF LIGHTHOUSE POINT, FLORIDA**  
**REGULAR CITY COMMISSION MEETING MINUTES**  
**April 11, 2017 – 6:30 P.M.**

The City Commission meeting was held in Fletcher Hall located at 2200 N.E. 38 Street, Lighthouse Point, Florida 33064.

**Invocation**

Invocation was given by Father Dever, St. Paul the Apostle Catholic Church

**Call to Order**

Commission President Johnson called the regular City Commission meeting for the City of Lighthouse Point, Florida, to order at 6:30 p.m.

**Pledge to the Flag**

Commissioner Long announced the passing of Mary Bentz, wife of former Mayor Leo Bentz, and asked for a moment of silence to remember her. He asked that everyone keep the Bentz family in their thoughts and prayers.

**Roll Call**

Mayor Glenn Troast  
Commission President Sandy Johnson  
Commission Vice President Jason D. Joffe  
Commissioner Michael S. Long  
Commissioner Earl Maucker  
Commissioner Kyle Van Buskirk  
City Administrator John D. Lavisky  
City Attorney Michael D. Cirullo, Jr.

City Clerk Jennifer M. Oh  
Finance Director Frank DiPaolo  
Fire Chief David Donzella  
Library Director Christy Keyes  
Police Chief Ross Licata  
Public Works Director Charles Schramm  
Recreation Director Becky Lysengen

**Proclamation** – Library Appreciation Month

**Proclamation** – Library Volunteer Appreciation Month

**Approval of Minutes**

A **motion** to approve the City Commission Minutes of the Regular Meeting of March 21, 2017 was made by Commissioner Maucker, seconded by Commissioner Van Buskirk, and CARRIED 5:0 as follows:

Yes: Commissioners Joffe, Long, Maucker, Van Buskirk, and Johnson

**Treasurer's Report**

City Administrator Lavisky read the Treasurer's Report for the period ending April 11, 2017.

Commissioner Van Buskirk asked for an update on the recent billing changes for residential trash collection. Finance Director DiPaolo said that the fund is looking good, and that the City has collected between 80% and 90% so far, which was expected. Commissioner Joffe would like to measure the success of this effort. Finance Director DiPaolo said that he can prepare an analysis as it gets closer to year-end, and should be able to provide some information around July.

Commissioner Long inquired about the status of the FPL Hardening Project and the double poles throughout the City. Public Works Director Schramm said the next phase of the Hardening Project is scheduled for July 2017 in the area of NE 21<sup>st</sup> Avenue coming into Lighthouse Point from Federal Highway. He also said that he is preparing a comprehensive list of double poles, and has again reached out to AT&T and Comcast.

### **Public Comments and Requests Regarding Agenda Items**

Jane Hartsell, of Tarleton Manor, discussed the appeal for Sweetbrier Holdings, LLC and her concerns of additional traffic along NE 21<sup>st</sup> Way. Ms. Hartsell also read a letter from Tarleton Manor resident Maria Gilda Montes, who is not opposed to the business but is concerned about the additional traffic it will create.

Tom Perry, President of Tarleton Manor, discussed the traffic on NE 21<sup>st</sup> Way. Mr. Perry also asked the City Commission to consider the appearance of this property, as this is the entrance to Lighthouse Point.

Sally Edwards, of Tarleton Manor, discussed the traffic along NE 21<sup>st</sup> Way and suggested adding speed humps.

Peter Capello, Lighthouse Terrace, is a COP and was involved with the traffic study that the Police Department conducted. He believes the location of this business will create a traffic hazard.

### **Reports of City Administration**

City Administrator Lavisky provided an update on the Post Office. He stated that there will be a public hearing on Tuesday, April 25<sup>th</sup> at 4:30 p.m. in the Post Office Lobby. City Administration will send out an electronic newsletter to residents notifying them of the public hearing. The information will also be forwarded to the Pompano Beach Pelican and the Deerfield Observer. The City Commission requested that notification of the public hearing be widely disseminated.

Commissioner Joffe requested that a resolution be placed on the next agenda opposing the relocation of the Post Office.

Mayor Troast discussed possible code amendments related to election issues. Consensus of the City Commission was to place the following items on an upcoming agenda for discussion: 1) raising qualifying fees, 2) requiring more petition signatures, 3) a verification process by the Supervisor of Elections or the City Clerk, and what the Supervisor of Elections would charge for verification during qualifying, 4) temporary sign changes, 5) extending term limits, 6) reviewing the Charter, and 7) options available if two people are running for office and one is unable to take office, as it stands now, the other person would win by default. The items will be addressed separately, with signs being the first priority.

## **Department Reports**

### **Reports of City Attorney**

City Attorney Cirullo provided a report on the pending litigation on the Charles Hickox property located at 3301 NE 30<sup>th</sup> Avenue. There is a new attorney representing the estate, and they are attempting to schedule mediation. Pursuant to FSS 286.011, City Attorney Cirullo requested the ability to schedule a closed door attorney-client session on the two related cases. Consensus of the City Commission was to schedule the session for some time in May.

### **Reports of Standing Committees**

**Boards: Next Meetings:**

- Planning & Zoning – May 2, 2017
- Code Enforcement – April 18, 2017
- Community Appearance – April 20, 2017
- Special Magistrate – May 3, 2017
- Marine Advisory – May 4, 2017

**Unfinished Business:** None

### **New Business:**

1. Appeal of Planning and Zoning Board decision of March 7, 2017 for Sweetbrier Holdings, LLC located at 2101 NE 36 Street.

City Attorney Cirullo provided a summary of the appeal, saying that Steve Siebert representing Sweetbrier Holdings, LLC made application to the Planning and Zoning Board on February 1, 2017, requesting a variance for a drive-thru and a site plan approval. The Planning and Zoning Board approved both the variance and the site plan on March 7, 2017. City Attorney Cirullo added that it has been determined that the variance was not required for the drive-thru.

On March 14, 2017, the City received a letter of appeal for both the variance and the site plan from Leo Bentz. On April 2, 2017, a supplement to the notice of appeal was received from Mr. Bentz. Mr. Bentz could not attend the meeting, but did request that the supplement to the notice of appeal be read into the record.

Steve Siebert, architect for the project, addressed the City Commission and stated that they received approval from the Planning and Zoning Board for the site plan. They have met with staff several times and also met the requirements for this project to go forward.

Monique Keitz, Sweetbrier Holdings, LLC, confirmed that there would not be any music outside of the building and the doors would be closed.

City Commissioners did have some concerns about the traffic flow and driveway access to the property.

Both business owners know that there will be a learning curve for access to the property. They are open to any suggestions and willing to accommodate any traffic related issues. They have offered to have their staff and/or a police officer present when the business opens to direct traffic.

Carly Altier, Sweetbrier Holdings, LLC, asked for clarification on the site plan approval. City Attorney Cirullo explained that an appeal was received from a resident, and it did include both the variance and the site plan.

A **motion** to deny the appeal for Case #17-01, as the variance was determined as moot, and further deny the appeal for Case #17-02 and uphold the decision of the Planning and Zoning Board with the condition that the drive-thru will close at 7:30 p.m. and be included with the site plan was made by Commissioner Maucker, seconded by Commissioner Van Buskirk, and CARRIED 4:1 as follows:  
Yes: Commissioners Joffe, Maucker, Van Buskirk and Johnson  
No: Commissioner Long

**Ordinances:**

2. First reading of an ordinance establishing a gift acceptance policy.
---

A **motion** to read the title of the ordinance was made by Commissioner Maucker, seconded by Commissioner Joffe, and CARRIED unanimously. City Attorney Cirullo read the title of the ordinance.

Discussion ensued regarding the following concerns with the proposed ordinance: defining “gifts”, who would set the value of a gift, lowering the threshold required for City Commission approval, creating a gift acceptance form, adding donated items to inventory, and whether the policy would apply to sponsorships.

Library Director Keyes asked for clarification on sponsorships. She stated that the Friends of the Library are a non-profit organization, and asked if they would be classified as a sponsor. City Commissioners confirmed that they would be considered sponsors, and the City Administrator is authorized to accept a gift from the organization.

Recreation Director Lysengen recommended keeping the threshold as is.

Consensus of the City Commission was to add two new sections as follows:

- (d) The value of a gift shall be ascribed by the donor at the time the gift is tendered to the City.
- (e) The term gift does not include sponsorships of City events.

A **motion** to approve the ordinance as amended establishing a gift acceptance policy on first reading, was made by Commissioner Van Buskirk, seconded by Commissioner Maucker, and CARRIED 4:1 as follows:  
Yes: Commissioners Joffe, Maucker, Van Buskirk and Johnson  
No: Commissioner Long

The ordinance on first reading carries the following title:

**ORDINANCE 2017 – 0946**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, AMENDING CHAPTER 2, "ADMINISTRATION", ARTICLE VI, "FINANCE", DIVISION 1, "GENERALLY", TO CREATE A NEW SECTION 2-164 TO BE ENTITLED "GIFTS TO CITY" TO PROVIDE FOR A PROCESS OF ACCEPTING GIFTS BY THE CITY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**Resolutions:**

3. Resolution providing authority to City Administration to reimburse four properties for plumbing expenses related to the conversion to the reuse water system.

A **motion** to read the title of the resolution was made by Commissioner Joffe, seconded by Commissioner Long, and CARRIED unanimously. City Attorney Cirullo read the title of the resolution.

City Commissioners determined to change the reimbursement to 75%, with a \$1,000 maximum.

A **motion** to approve the resolution as amended providing authority to City Administration to reimburse four properties for plumbing expenses related to the conversion to the reuse water system was made by Commissioner Van Buskirk, seconded by Commissioner Maucker, and CARRIED 5:0 as follows:

Yes: Commissioners Joffe, Long, Maucker, Van Buskirk, and Johnson

The resolution as adopted carries the following title:

**RESOLUTION NO. 2017 – 2124**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, APPROVING THE REIMBURSEMENT OF SEVENTY-FIVE PERCENT (75%) OF THE CONNECTION COSTS, UP TO \$1,000, FOR PLUMBING EXPENSES ASSOCIATED WITH THE CONNECTION TO THE REUSE WATER SYSTEM FOR FOUR (4) DUPLEXES WHICH ARE PARTIALLY HOMESTEADED; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE NECESSARY DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Public Requests from the Floor:** None

**Communications:**

Commissioner Van Buskirk said that the Police Department did an amazing job with the Tip-a-Cop event. There was a great turn out and they raised \$12,000 for the event. The Torch Run is on April 20<sup>th</sup>, and if anyone would like to participate please contact Corporal Paul McCormick.

Commissioner Van Buskirk commended Library Director Keyes for the Volunteer Luncheon. He said it was amazing how many volunteers participated in the luncheon, and thanked the Library for everything they do, as it is much appreciated.

Commissioner Maucker mentioned that he hopes the construction of the Veteran's Memorial is scheduled after Easter. Mayor Troast said that he would contact Chuck McLaughlin to reach out to the contractor for the project.

Commissioner Joffe mentioned that Lighthouse Point has a new resident, State Senator Gary Farmer.

Commissioner Joffe also discussed updating the Code of Ordinances. He said that the issue with the variance for the Sweetbrier drive-thru could have been avoided if the Code was more clear.

Mayor Troast announced the Easter Egg Hunt at St. Paul's on Sunday, April 16<sup>th</sup> at 1:00 p.m. sharp! He also announced the Concert in the Park on April 22<sup>nd</sup> and that April 18<sup>th</sup> is Tax Day. Mayor Troast also reported of a new fraud scam involving the FAFSA system.

Commissioner Long discussed board attendance for the Planning and Zoning Board. City Administrator Lavisky said that the Board also discussed this and would like more alternates.

**Adjournment:** There being no further business the meeting was adjourned at 8:56 p.m.

ATTESTED

APPROVED

By: Jennifer M. Oh  
Jennifer M. Oh, City Clerk

By: Jason D. Joffe  
Jason D. Joffe, Commission Vice President

