



CITY OF LIGHTHOUSE POINT, FLORIDA
REGULAR CITY COMMISSION MEETING MINUTES
June 28, 2016 – 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 Van Buskirk called the regular City Commission meeting for the City of Lighthouse Point, Florida, to order at 6:30 p.m.

The public microphone was disconnected due to severe interference with the audio system.

Pledge to the Flag

Roll Call

Mayor Glenn Troast	City Clerk Jennifer M. Oh
Commission President Kyle Van Buskirk	Finance Director Frank DiPaolo
Commission Vice President Sandy Johnson	Fire Chief David Donzella
Commissioner Jason D. Joffe	Library Director Christy Keyes
Commissioner Michael S. Long	Police Chief Ross Licata
Commissioner Earl Maucker	Public Works Director Charles Schramm
City Administrator John D. Lavisky	Recreation Director Becky Lysengen
City Attorney Michael D. Cirullo, Jr.	

Approval of Minutes

A **motion** to approve the City Commission Minutes of the Regular Meeting of May 24, 2016 was made by Commissioner Maucker, seconded by Commissioner Johnson, and CARRIED 5:0 as follows:

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

Treasurer's Report

City Administrator Lavisky read the Treasurer's Report for the period ending June 28, 2016.

Public Comments and Requests Regarding Agenda Items

Jennifer Laurence, Lighthouse Point resident, addressed the City Commission in favor of Item #8, an Agreement with Coreland Construction Corp. for the construction of a new sidewalk on Lighthouse Drive.

Also in attendance were:

Elizabeth Laurence, Alexander Laurence, Jenna Basso, Katie Socia, Hailey Cofer, Hunter Cofer, Mason Ford, Bryce Ford, Luiz Lira, Caio Lira, Conor Frederickson, Cole Frederickson, and Colin Frederickson, who also addressed the City Commission and spoke in favor of the sidewalk.

Lighthouse Point residents Michelle Socia, Alex Socia, Janet Scherer, and Janet Limperis also spoke in favor of the sidewalk on Lighthouse Drive and of the traffic and speeding concerns in the same area.

Reports of City Administration

City Administrator Lavisky provided a report on the PACE Program

Department Reports

Reports of City Attorney

City Attorney Cirullo provided an update on a Proposed Amendment to the Settlement Agreement regarding the sale of the Alpha 250 Property.

Reports of Standing Committees

Boards: Next Meetings:	Planning & Zoning – August 2, 2016
	Code Enforcement – September 20, 2016
	Community Appearance – July 21, 2016
	Special Magistrate – July 12, 2016
	Marine Advisory – August 4, 2016

Item #8 was moved to the beginning of the meeting, due to the number of attendees for this item.

8. Waive the bid process and adopt a resolution approving an Agreement with Coreland Construction, Corp. for construction of a new sidewalk on Lighthouse Drive.
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A **motion** to read the title of the resolution was made by Commissioner Maucker, seconded by Commissioner Long, and CARRIED unanimously. City Attorney Cirullo read the title of the resolution.

Some minor amendments were made to the Agreement prior to the meeting and were reviewed and approved by the City Commission.

A **motion** to waive the bid process and approve the resolution approving an Agreement with Coreland Construction Corp. for construction of a new sidewalk on Lighthouse Drive as amended was made by Commissioner Long, seconded by Commissioner Maucker, and CARRIED 5:0 on a roll call vote as follows:

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

The resolution as adopted carries the following title:

RESOLUTION NO. 2016 – 2081

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, APPROVING AN AGREEMENT WITH CORELAND CONSTRUCTION, CORP. FOR NEW SIDEWALK CONSTRUCTION ON LIGHTHOUSE DRIVE; AUTHORIZING THE EXPENDITURE OF FUNDS; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE AGREEMENT AND ALL NECESSARY DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Unfinished Business: None

New Business:

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| 1. Appeal of Community Appearance Board decision by Pinch A Penny, located at 4758 North Federal Highway. |
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City Attorney Cirullo provided a summary of the appeal, saying that Pinch A Penny made application to the Community Appearance Board on June 16, 2016, requesting approval for exterior modifications. The Community Appearance Board denied the application for the screening of a bleach tank enclosure.

Karen McLead, Director of Legal and Administrative Affairs of Pinch A Penny, addressed the City Commission. Ms. McLead stated they are requesting to appeal the decision of the Community Appearance Board and asked that the exterior modifications for the bleach tank be approved as presented in their proposal. Kent Braden, also of Pinch A Penny, addressed the City Commission. Zoning Administrator Mariluz Maldonado discussed the 8' maximum height for the fence enclosure. Alternatives for the bleach tank enclosure were discussed, and included: enclosing the bleach tank inside the building, and possibly installing two enclosures with a smaller tank in each enclosure.

After a lengthy discussion, consensus of the City Commission was for the applicant to go back to the Community Appearance Board for further consideration of a revised design.

A **motion** for the applicant to return to the Community Appearance Board to seek further consideration of a revised design, was made by Commissioner Joffe, seconded by Commissioner Maucker, and CARRIED 5:0 as follows:

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

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| 2. Consider authorizing the expenditure of Federal/State Forfeiture Funds for the purchase of law enforcement equipment and for law enforcement operations. |
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A **motion** to authorize the expenditure of Federal/State Forfeiture Funds for the purchase of law enforcement equipment and for law enforcement operations, was made by Commissioner Long, seconded by Commissioner Joffe, and CARRIED 5:0 as follows:

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

Ordinances:

3. Second reading and public hearing of an ordinance providing for the collection and levying of a special assessment to fund Residential Solid Waste Collection Services. Advertised in the Sun Sentinel on June 18, 2016

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

The public hearing was opened. No one having come forward, the public hearing was then closed.

A **motion** to approve the ordinance providing for the collection and levying of a special assessment to fund Residential Solid Waste Collection Services on second and final reading was made by Commissioner Maucker, seconded by Commissioner Long, and CARRIED 5:0 on a roll call vote as follows:

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

The ordinance on second and final reading carries the following title:

ORDINANCE NO. 2016 - 0939

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, AMENDING CHAPTER 74 ENTITLED "SOLID WASTE" TO CREATE AN ARTICLE III ENTITLED "RESIDENTIAL SOLID WASTE COLLECTION SERVICES SPECIAL ASSESSMENT", TO PROVIDE FOR THE LEVY AND COLLECTION OF A RESIDENTIAL SOLID WASTE COLLECTION SERVICES SPECIAL ASSESSMENT RELATED TO THOSE SERVICES WITHIN CITY OF LIGHTHOUSE POINT; PROVIDING DEFINITIONS AND FINDINGS; AUTHORIZING THE IMPOSITION AND COLLECTION OF A RESIDENTIAL SOLID WASTE COLLECTION SERVICES SPECIAL ASSESSMENT; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF THE RESIDENTIAL SOLID WASTE COLLECTION SERVICES SPECIAL ASSESSMENT ROLL AND FOR CORRECTING ERRORS AND OMISSIONS; PROVIDING THAT RESIDENTIAL SOLID WASTE COLLECTION SERVICES SPECIAL ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE RESIDENTIAL SOLID WASTE COLLECTION SERVICES SPECIAL ASSESSMENT ROLL; ESTABLISHING PROCEDURES AND METHODS FOR THE COLLECTION OF A RESIDENTIAL SOLID WASTE COLLECTION SERVICES SPECIAL ASSESSMENTS; ESTABLISHING THE PRIORITY OF THE LIEN OVER PRIOR RECORDED LIENS OR MORTGAGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Second reading and public hearing of an ordinance amending the permitted, conditional and prohibited uses in the City's B-1, B-2, B-2A, B-3, and B-3A business districts. Advertised in the Sun Sentinel on June 18, 2016.

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

The public hearing was opened. No one having come forward, the public hearing was then closed.

A **motion** to approve the ordinance amending the permitted, conditional and prohibited uses in the City's B-1, B-2, B-2A, B-3, and B-3A business districts on second and final reading was made by Commissioner Maucker, seconded by Commissioner Joffe, and CARRIED 5:0 on a roll call vote as follows:

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

The ordinance on second and final reading carries the following title:

ORDINANCE NO. 2016-0940

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA; AMENDING CHAPTER 42, "LAND DEVELOPMENT CODE", ARTICLE IV, ENTITLED "ZONING", OF THE CODE OF ORDINANCES OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, TO PROVIDE DEFINITIONS FOR AIRLINE MEASUREMENT, ALCOHOLIC BEVERAGES, BANK OR FINANCIAL INSTITUTION, CONVENIENCE STORE, HALFWAY HOUSE, OFFICE MEDICAL, PACKAGE STORE AND SHELTER; TO AMEND THE PERMITTED, CONDITIONAL AND PROHIBITED USES IN THE CITY'S BUSINESS ZONING DISTRICTS (B-1, B-2, B-2A, B-3 AND B-3A) AS FOLLOWS: TO PROHIBIT FORTUNE TELLING OR SIMILAR USES, PACKAGE STORES, AMUSEMENT AND GAMING, ANIMAL AND PET RELATED USES, CHECK CASHING AND PAYDAY LOAN USES, HEALTHCARE USES AS DESCRIBED HEREIN, SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, AND SHELTERS AND HALFWAY HOUSES FROM THE B-1 ZONING DISTRICT; DELETE BATH AND MASSAGE PARLORS, HEALTH INSTITUTIONS AND REDUCING STUDIOS AS PERMITTED USES IN THE B-2 ZONING DISTRICT; TO PERMIT DIAGNOSTIC TESTING CENTER IN THE B-2A ZONING DISTRICT; TO DELETE BARBECUE AND REFRESHMENT STANDS, BOXING AND SPORTS ARENAS, GOLF DRIVING RANGES, MINIATURE GOLF COURSES, BOWLING ALLEYS, SKATING RINKS, PLAYGROUND AND PLAY FIELDS, AND PAWNSHOPS AS PERMITTED USES IN THE B-3 ZONING DISTRICT; TO PERMIT BOAT SALES, AND KENNELS AND BOARDING USES, IN THE B-3A ZONING DISTRICT; TO PROVIDE ADDITIONAL CONDITIONAL USES IN THE B-3A ZONING DISTRICT AND THE CRITERIA AND DEFINITIONS FOR THE FOLLOWING CONDITIONAL USES IN THE B-3A ZONING DISTRICT: FORTUNE TELLING AND SIMILAR USES; GAMING ESTABLISHMENTS, GOLFING, PLAYGROUND AND SIMILAR USES; NIGHTCLUBS AND SIMILAR USES; CHECK CASHING STORES AND SIMILAR USES; THEATERS, SPORTS ARENAS AND SIMILAR USES; PAWNSHOPS AND SIMILAR USES; CONSIGNMENT SHOPS AND SIMILAR USES; HEALTHCARE USES AS DESCRIBED HEREIN OTHER THAN OFFICE MEDICAL; HOSPITALS; AND THRIFT SHOPS OR SIMILAR USES; ESTABLISHING REGULATIONS FOR THE RETAIL SALE OF DOGS AND CATS; PROVIDING FOR A REASONABLE ACCOMMODATION PROCESS FOR PERSONS WITH DISABILITIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

5. First reading of an ordinance to implement regulations governing wireless facilities. Advertised with the Florida Administrative Register on May 25, 2016.

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

A **motion** to approve the ordinance implementing regulations governing wireless facilities on first reading was made by Commissioner Long, seconded by Commissioner Maucker, and CARRIED 5:0 as follows:

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

The ordinance on first reading carries the following title:

ORDINANCE NO. 2016-0941

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA; AMENDING CHAPTER 20, "COMMUNICATIONS", ARTICLE II, "COMMUNICATIONS RIGHTS-OF-WAY", OF THE CODE OF ORDINANCES OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, TO PROVIDE FOR REGULATION OF PERSONAL WIRELESS SERVICE FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE

Resolutions:

6. Resolution approving support for the Florida Department of Transportation for delivery of the Ibis Bridge Replacement Project and support for complete road closure and detours necessary for the construction phase.

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

A **motion** to approve the resolution approving support for the Florida Department of Transportation for delivery of the Ibis Bridge Replacement Project and support for complete road closure and detours necessary for the construction phase, was made by Commissioner Johnson, seconded by Commissioner Maucker, and CARRIED 5:0 as follows:

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

The resolution as adopted carries the following title:

RESOLUTION NO. 2016 - 2079

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, AUTHORIZING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO CONSTRUCT CERTAIN ROADWAY AND BRIDGE IMPROVEMENTS WITHIN THE RIGHT-OF-WAY OF NE 23RD AVENUE AND OVER THE IBIS WATERWAY FOR THE RECONSTRUCTION OF BRIDGE NO. 867202, FDOT FM NO. 434359-1; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

7. Resolution appointing five (5) regular and two (2) alternate members to the Planning and Zoning Board.

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

A **motion** to approve the resolution appointing five (5) regular and two (2) alternate members to the Planning and Zoning Board was made by Commissioner Maucker, seconded by Commissioner Long, and CARRIED 5:0 as follows:

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

The resolution as adopted carries the following title:

RESOLUTION NO. 2016 – 2080

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, REAPPOINTING WILLIAM GALLO, FREDERICK MACLEAN, JR., AND SAL MIGLIORE TO SERVE AS REGULAR MEMBERS, APPOINTING DENNIS SMITH TO SERVE AS A REGULAR MEMBER, APPOINTING AND MOVING MICHAEL COHEN, A CURRENT ALTERNATE MEMBER, TO SERVE AS A REGULAR MEMBER, REAPPOINTING PETER MCDONOUGH AND APPOINTING SUSAN MOTLEY TO SERVE AS ALTERNATE MEMBERS ON THE PLANNING AND ZONING BOARD; PROVIDING BOARD MEMBERS WITH A TERM OF OFFICE; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comments and Requests from the Floor:

Hieki Tetzner, Lighthouse Point resident, addressed the City Commission about traffic and speeding in the area of NE 48th Street. Mayor Troast asked Chief Licata to speak with Mrs. Tetzner to determine the exact location.

Jennifer Laurence, Lighthouse Point resident, addressed the City Commission about the status of installing speed humps in the north-end of the City. Chief Licata is in the process of compiling data from traffic counts in the area, and is also communicating with the City of Deerfield Beach about the speed humps that they recently installed.

Ron Rosen, Lighthouse Point resident, stated that cars are coming through NE 22nd Avenue to circumvent the speed humps on NE 49th Street.

Leo Bentz, Lighthouse Point resident, discussed the tree located at NE 36th Street bridge. He would like the tree removed. He is concerned that this bridge is the only exit for residents living in the Lake Placid area, and that the tree poses a threat to the bridge if a storm occurs.

Mayor Troast explained that the tree had recently been trimmed significantly, which will allow wind to pass through in the event of a storm. City Administrator Lavisky explained that the City does have the local authority to remove the tree in coordination with Broward County.

Consensus of the City Commission was for City Administration to explore all of the costs involved to remove the tree, excavate the roots, and repair any damage caused to the seawall as a result of the removal.

Communications:

Commissioner Joffe thanked Mike and Eddie of the Fire Department, who recently assisted his mother with the removal of a car seat from her car.

Commissioner Van Buskirk thanked the Police Department for their efforts in holding a fundraiser for Code Enforcement Officer Jim Finley, who just lost his house to a fire.

Adjournment: There being no further business the meeting was adjourned at 8:57 p.m.

ATTESTED

APPROVED

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

By: [Signature]
Kyle Van Buskirk, Commission President

