

December 11, 2019

Village Council Meeting

Attendance:

Mayor Soto
Mr. Neal
Mrs. DiCarolis
Mr. Nelson
Mr. Hodgson
Mr. Fulmer
Mr. Tomlinson
Mrs. Bryan

Also:

Mr. Doody
Starr Paton

The roll was called and a quorum was determined.

The minutes from the November 13, 2019 village council meeting were reviewed. Motion made by Mrs. Bryan and seconded by Mr. Hodgson to approve the minutes. Motion passed unanimously.

Mr. Tomlinson reviewed the accounts payable. All the bills were ordinary and necessary. We have had excessively high water bills over the last 2 months. Starr has met with the landscape and irrigation vendors as well as City of Ft. Lauderdale to try to determine the cause of the issue. Mayor Soto stated we need to look into installing irrigation wells for the wall. Motion made by Mr. Hodgson and seconded by Mr. Nelson to approve the accounts payable for December. Motion passed unanimously.

Mr. Tomlinson reviewed the November 30, 2019 financial statement. Cash balance at the end of November was \$1,021,000. Cash balance is \$160,000 improved over last year. November is the second month of the fiscal year. We received \$288,000 as the first of the ad valorem receipts and received \$855,000 on Monday. The rest of the budget appears to be in line. The audited financial statements have been completed and will be presented to the council at the January meeting. Motion made by Mrs. Bryan and seconded by Mrs. DiCarolis to approve the November 30, 2019 financial statement. Motion passed unanimously.

Police Report:

Chief O'Brien stated we have signed an MOU with Broward Sheriff's Office to provide training and Narcan kits for the officers after the first of the year. The mobile computers have been installed in the police vehicles and give the officers camera views as well as information and access to reports. We are closing out one of the lowest calls for service year for the plaza and village. Boat parade is this coming weekend and staff will be on hand to handle entries and parties.

Code Compliance Report:

Mario Sotolongo was ill and not able to attend.

Public comments opened.

Ms. Mary Fanizzi Krystoff of 5 Oneida Lane spoke regarding pedestrians walking into the village via the pedestrian gate on the south side of the village. Ms. Krystoff asked the Mayor and Chief what protocols are in place to assure these individuals are vetted prior to entry into the village. Ms. Krystoff also asked about the protocols for workers without valid driver's licenses. She is very concerned about the safety of her family following the recent murder of an individual in Lauderdale by the Sea. Both Mayor Soto and Chief O'Brien responded to her questions, explaining the implementation of the new camera system and the ability to set alarm boundaries on the pedestrian entries so that gate personnel are aware of entry even when they are busy. Mrs. DiCarolis suggested better signage on the gates and repair of the closers on the gates themselves so they do not remain open.

Mr. Bryan Phegley of 10 Winnebago Road asked if the village will be cutting taxes next year following increase of property value and ad valorem receipts.

Public comments closed.

New Business:

Mayor Soto asked the council to consider a variance request for 23 Gatehouse Road. Mr. Lew Rubin of 23 Gatehouse Rd. and Ms. Julie Donahue of 21 Gatehouse Rd. were sworn in by Mr. Doody to speak regarding the variance request. Mr. Rubin stated he would like a 4½-foot by 17-foot encroachment on the north side of his property so that he may construct a gym. Mr. Rubin needs the gym for therapeutic reasons relating to his back. Mr. Rubin discussed the height of the structure Ms. Donahue spoke with the council and asked for a rendering of the addition as she lives next door and would like to see how close the addition would be to her residence and the location of the addition. Mrs. Barbara Copanos of 20 Gatehouse Road spoke and asked for a better visual of the addition. Mr. Tomlinson asked the nature of the hardship and Mr. Rubin responded the variance is needed due to his physical limitations and for medical reasons. Mayor Soto asked Mr. Doody to please explain the requirements for a variance. Mr. Doody stated a hardship is not self-created and cannot be economic in nature. The hardship should be particular to the shape of the property to allow for utilization of the property. The Mayor advised Mr. Rubin to come back with a rendering or drawing that would give the council a better indication of location and appearance of the addition. The council discussed further with Mr. Rubin. Motion made by Mr. Hodgson and seconded by Mr. Nelson to table the consideration of the variance to the January meeting. Motion passed unanimously.

The Mayor asked the council to consider the engagement letter from Hinkle, Richter and Rhine for the 2019-20 fiscal year. Motion made by Mr. Tomlinson and seconded by Mrs. Bryan to approve the engagement letter with Hinkle, Richter and Rhine. Motion passed unanimously.

The Mayor asked the council to consider the request from First Watch Restaurant to allow for a liquor license and outdoor seating. Mayor Soto stated there is a bar/lounge existing in the plaza. Mr. Doody stated it is a prohibition in the code from 1976 stating the sale of alcoholic beverages is prohibited within 300 feet of an existing establishment and read the code section 3-9 to the council. The code gives the board of adjustments or village council to authority to allow for a special exception that would not be contrary to public interest. The restaurant would need to make an application and would require a hearing of the council. Mr. Doody's office was contacted by attorneys for First Watch. As the Village does not have a zoning department, Mr. Doody is bringing it before the council and the Mayor. Mayor Soto would like to have a representative from First Watch appear before the council to discuss. Mr.

Doody stated the hours of operation could also be an issue. Currently they only operate during breakfast and lunch hours. The Council could make hours of operation a condition under the special exception if granted. The alcohol would be for service only without a "bar". The council further discussed sale hours for alcoholic beverages. Mr. Doody discussed regulation of the seating with the council as well. Motion made by Mr. Hodgson and seconded by Mr. Neal by table further discussion until the January meeting and to have Mr. Doody respond to First Watch's counsel.

Mayor Soto advised the council that Mario Sotolongo was ill and not available to discuss the code compliance software with the council. Motion made by Mrs. Bryan and seconded by Mr. Fulmer to table the discussion of the code compliance software until the January meeting. Motion passed unanimously.

The January meeting will be held on Wed. January 8, 2020 at 5:00 p.m.

Adjourn.