



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, February 2, 2011, 7:00 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, February 2, 2011 at 7:00 p.m. Present were Mayor Desca DuBois, Vice-Mayor Patricia Osterman, Commissioners Kendall Rumsey, Steven Hockman and Jeanine Longtin, Town Manager Maria Davis, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley.

Mayor DuBois led the Invocation and the Pledge of Allegiance. Town Clerk Vivian Lemley performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

A presentation for Black History Month was added to the agenda.

Motion: A motion was made by Commissioner Longtin to approve the Agenda as modified; Vice-Mayor Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner Hockman	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 5-0

PRESENTATION

Black History Month

Ms. Leila Jenkins began her presentation. She explained that Dr. Carter G. Wilson was the creator of Black History Month. She gave a brief history on Dr. Wilson and how Black History Month was created. She gave reasons why Black History Month should be observed. She invited everyone to the Lake Park Library to review the books on display for Black History Month. She also stated that the Jenkins House on Palm Beach Lakes Boulevard was also observing Black History Month. She thanked the Commission for the opportunity to speak about Black History Month.

Intergovernmental Consultant Fausto Gomez

Mr. Gomez explained that he created a document in draft that he would subsequently give Town Manager Davis to distribute to the Commission titled "The Legislative Principles of the Town of Lake Park Moving Forward in this Session". He explained that they were going into "uncharted waters" because of having a new governor, a brand new cabinet, 40 new members of the House and approximately half of the Senators were first time Senate members. He stated that they were facing a 5 billion dollar budget deficit and facing governmental reorganization. He explained that based on that he developed four legislative principles and a legislative agenda from those principles. He stated that the first principle was "State Government should focus on State level issues and allow Cities to operate with minimal State interference". The second principle was "For Florida's economy to prosper, Cities need to succeed". The third principle was "State Government should not be allowed to continue disrupting the relationship between citizens and their City Elected Officials' authority to make decisions impacting the provision of municipal services and the quality of life". The final principle was "State mandates should be funded with state resources and should not tap local tax dollars". He explained each principle and stated that he also developed priorities in draft form as well. He explained that some of the priorities were aspirational and some were very real. The first aspirational priority was for the Town to support a grant and legislative line item funding to address water resource and water supply development. He explained the reasons for this priority. The second priority was that the Town of Lake Park supports continued funding for the Florida Forever Program and the Florida Recreation Development Assistance Program. He stated that he spoke with Grants Writer Virginia Martin and was made aware that the Town had an application in for the part of the 15 million dollars that they were able to secure last year for the Florida Forever Program. He stated that another priority was continued funding of the Town's library. He discussed and reviewed policy in the Town. He reviewed and discussed the sober house issue. He spoke about how the Town of Lake Park was the only community to bring it to the legislation and force the issue. He gave a brief history of the work that he, the Mayor and the Attorney did on the sober house issue. He stated that as a result is that they have crafted language and that language has been signed off by the Department of Children and Families and by the Association that represents drug and alcohol rehabilitation and has been filed as independent legislation by Senator Bogdanoff in the Senate and Representative Garcia in the House. He read the language to the Commission and continued to discuss the sober house issue. He stated that a second issue that he felt was important to the Town was the Burt Harris Property Rights Act. He discussed and explained the act and why it was important to the Town. He reviewed and discussed the "pill mill" issue. He concluded his presentation by discussing and explaining the "Tax Payers Bill of Rights".

Mayor DuBois thanked Mr. Gomez for his presentation.

Mr. Gomez stated that he was honored to represent Lake Park.

PUBLIC AND OTHER COMMENTS:

None

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of December 15, 2011
2. Agreement between Supervisor of Elections and the Town of Lake Park to conduct a Municipal Election
3. Renewal of Fausto Gomez' consulting contract
4. Resolution No. 03-02-11 Submit Grant Application to FCT for Additional Ball Field Land
5. Resolution No. 04-02-11 Poll Workers
6. Resolution No. 05-02-11 Agreement between Simmons & White and the Town of Lake Park
7. Award Bid to Chris Wayne & Associates for Date Palm Drive landscaping

Public Comment Open.

None

Public Comment Closed.

Commissioner Hockman asked for item numbers 3 and 6 to be pulled from the Consent Agenda for discussion.

Commissioner Longtin asked for item numbers 2, 4, and 7 to be pulled from the Consent Agenda for discussion.

Motion: A motion was made by Commissioner Rumsey to approve item numbers 1 and 5 of the Consent Agenda; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner Hockman	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 5-0

Commissioner Longtin asked when the canvassing board would meet after the Town's election.

Attorney Baird explained that the canvassing board would meet when the chairman of the board calls the board after the election and sets a date.

Commissioner Longtin asked if all municipalities would have a canvassing board.

Attorney Baird explained that it would depend on the municipalities' charter but believed that the Supervisor of Elections wanted to uniformly implement a canvassing board for all of the municipalities. He stated that if a municipality did not have their own canvassing board it would default to the County canvassing board.

Commissioner Longtin expressed her concerns and asked if the Town could bring back their own canvassing board in the future if they wanted to.

Attorney Baird stated yes.

Motion: A motion was made by Commissioner Rumsey to approve item #2 of the Consent Agenda; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner Hockman	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 5-0

Commissioner Hockman asked that Schedule B on page 17 of Fausto Gomez' contract be updated with the correct numbers.

Motion: A motion was made by Vice-Mayor Osterman to approve item #3 of the Consent Agenda with corrections; Commissioner Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner Hockman	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor			

DuBois	X		
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Motion passed 5-0

Commissioner Longtin stated that she did not approve of Resolution No. 03-02-11 because she did not agree with taking more land off of the Town's tax rolls. She expressed her concerns and stated that she did not think it was necessary.

Motion: A motion was made by Commissioner Rumsey to approve item #4 of the Consent Agenda; Vice-Mayor Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin		X	
Commissioner Hockman		X	
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 3-2

Commissioner Hockman explained that he pulled item #6 from the Consent Agenda because he needed to abstain from voting because of a conflict of interest.

Motion: A motion was made by Commissioner Rumsey to approve item #6 of the Consent Agenda; Vice-Mayor Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner Hockman			Abstained
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 4-0

Commissioner Longtin stated that she would vote in favor of item #7 but asked that curbing be added to the Date Palm Drive landscaping.

Motion: A motion was made by Commissioner Longtin to approve item #7 of the Consent Agenda; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner Hockman	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 5-0

DISCUSSION & POSSIBLE ACTION

Holiday Parking Meter Revenue

Mayor DuBois explained why patrons who attend a Veteran’s Day Memorial Service should not be charged for parking. She stated that Veteran’s Day was one holiday that she would not compromise on when it came to the parking meters.

Commissioner Rumsey thanked Mayor DuBois for requesting the parking meter discussion. He agreed that the Town should not charge for parking meters on any holidays.

Commissioner Hockman stated that he was also in favor of not charging parking meter fees on holidays.

Motion: A motion was made by Commissioner Rumsey for the Town to not run any and all parking meters and have free parking on all federal holidays; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner Hockman	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor			

DuBois	X		
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Motion passed 5-0

Change to Signage Regulations for Garage Sales

Community Development Director Sullivan stated that he would answer any questions the Commission may have on the issue.

Commissioner Rumsey asked that Community Development Director Sullivan explain what the current Ordinance for signage at garage sales states.

Community Development Director Sullivan explained that the Ordinance allows for a person to have signs announcing their garage sales on their property and on the swales that abuts their property. The Ordinance allows one street sign per swale and a corner lot allows two signs. A property owner can have up to four signs on their property and would be a total of five to six signs per sale. Signs are not allowed off site and are considered off site advertising which has never been allowed.

Mayor DuBois asked for clarification of where the signs were allowed.

Community Development Director Sullivan explained that the signs were only allowed on the property in which the garage sale was being held and on the swale that immediately abuts your property.

Commissioner Rumsey asked if the garage sale signs were only allowed on your property or on your swale. He stated that that was the reason he brought up the issue. He stated that several people have approached him about the issue because it doesn't make sense to have a garage sale unless you know there is a garage sale on a particular street then nobody would know to go there for the garage sale. He asked what the Ordinance allowed before it was revised.

Community Development Director explained that the signage was only allowed on the property and only one sign was allowed and not in the swale. Off site signs were never allowed.

Commissioner Longtin stated that she liked the alternative 1a where it states that there was no limit on signs and the address is required on the signs and if they are not picked up by Monday the person would be fined.

Commissioner Hockman asked if there was a limit on how many garage sales a property owner can have within one year.

Community Development Director Sullivan stated that he thought that it was limited to two but had to look at the Ordinance to be sure.

Commissioner Hockman stated that he was also in favor of alternative 1a.

Commissioner Rumsey stated that he was also in favor of alternative 1a with one stipulation which was if any signage was attached to trees or power poles in the Town, the property owner be fined immediately.

Commissioner Osterman stated that she was okay with that as long as the property is handed the rules when they receive their permit.

Community Development Director Sullivan asked for clarification and wanted to know if the property owner would receive a ticket immediately or be given a chance to take it down.

Discussion ensued between the Commissioners regarding how and when to enforce a fine for breaking the garage sale signage rules.

The Commission came to consensus to choose option 1a for the garage sale signage Ordinance and for a property owner to be ticketed and fined without warning for placing a sign on a tree or FPL pole and for signs to be removed by 8 a.m. on the Monday following the garage sale.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Rumsey stated that he was very excited to know that Ilex Park was being dedicated. He asked that in the future the dedications for parks be done on weekends so that more children could attend.

Commissioner Longtin stated that she thought that the Inspector General for the Commission on Ethics would be funded from 2.25% of vendor payments to a municipality and has been informed that that was not happening.

Town Manager Davis explained that what they were proposing was .25% of the operating budget. She stated that she was very concerned about the broad powers given to the Inspector General. She stated that the current Inspector General had already come in and requested all of the Town's procurement procedures, auditing, and organizational charts. She stated that she was concerned about the Inspector General's job description because it gives them the power to come in to tell a municipality that they are not operating efficiently. She continued to express her concerns regarding the issue.

Commissioner Longtin stated that she felt she was misinformed regarding the funding for the Inspector General. She stated that the Senate would be discussing Senate bill 276 which has to do with allowing the Commission discuss funding with regards to engineering firms.

Vice-Mayor Osterman stated that Community Development Director Sullivan was leaving the Town for a new position. She congratulated him and stated that she knew that his job was hard and has watched him over the years systematically go through the code and improve and was leaving the Town in a far better situation than what it was when he first came to work there. She thanked him for the job he has done.

Commissioner Hockman stated that he attended the League of Cities Meeting when the Inspector General was there. He stated that the Inspector General explained that she would be making recommendations to municipalities and it would be up to them whether or not to make the changes. He stated that he was disheartened with the fact that the Town would have to come up with approximately \$30,000 that they do not have to fund the Inspector General. He stated that he was for improving the ball field but that it could be done without demolishing more homes. He stated that a recreational center could be built there along with plenty of parking and keeping the ball field.

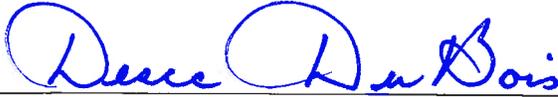
Mayor DuBois stated that she met with the Senate President and Senator Bougandolf on Monday morning and it was a very lively and interesting discussion. She stated that it was heartening to be thanked by other municipalities who see the light at the end of the tunnel with the sober house issue.

Attorney Baird stated that at Jupiter's Council Meeting last evening the Inspector General issue was also a concern and discussion topic. He reviewed and explained the changes that were made to the powers of the Inspector General and the process in how it was done. He encouraged the Commission to speak with the Municipal League Representatives who are involved in the drafting of the Ordinances related to the Inspector General. He encouraged the Town to lead the way in stepping up to voice their concerns and make a difference. He stated that he has had an opportunity to work with several Community Development Director's in his tenure with the Town and Community Director Sullivan was by far the best he has worked with. He wished Community Development Director Sullivan well.

Town Manager Davis stated that the Library Board has one open position and if anyone was interested to apply at Town Hall or contact the Library Director. She announced that tax season was here and AARP would be resuming tax assistance and filing this Saturday at the Library from 9 a.m. to 1 p.m. She also announced the Artist Showcase of the Palm Beaches and Friends of the Lake Park Library. She invited everyone to a contemporary art perspective with a featured exhibit from artist Joe Pierre who was one of the Art Studio Gallery artists. The exhibit would run on Tuesday, February 8th at 6 p.m. She stated that the art would be on sale. She stated that she had mixed emotions about Community Director Sullivan leaving. She stated that he was a Town Manager's dream with his caliber of expertise. She stated that he was highly respected by staff and everyone would miss him. She stated that she would have a difficult time finding someone to fill his shoes.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Vice-Mayor Osterman and seconded by Commissioner Hockman, and by unanimous vote, the meeting adjourned at 8:20 p.m.



Mayor Desca DuBois



Deputy Town Clerk, Jessica Shepherd, CMC



Approved on this 16 of February, 2011