



**Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, March 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, March 2, 2011 at 7:00 p.m. Present were Mayor Desca DuBois, Vice-Mayor Kendall Rumsey, Commissioners Steven Hockman and Jeanine Longtin, Town Manager Maria Davis, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley. Commissioner Patricia Osterman was absent.

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

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

None

Motion: A motion was made by Commissioner Hockman to approve the Agenda; Vice-Mayor Rumsey made the second.

Vote on Motion:

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

Motion passed 4-0

PUBLIC AND OTHER COMMENTS:

Trenesia Rozier 300 10th St., Lake Park – stated that she was from the new program “Bridges at Lake Park”. She stated that she wanted to introduce herself and network to share the program’s calendar of events. She stated that their target age group was three to five years old. She explained the program and its scope in the county. She stated that they wanted to bring in activities and events for the children and teens.

Mayor DuBois stated that the phone number to contact Ms. Rozier was 561-881-5060.

Ms. Rozier stated that that was the general number and her extension was 225.

Sue Duchene 306 Hawthorne Dr. – stated that she was wondering if the Town would consider a moratorium on the parking fees at the Marina for a period of time.

Mayor DuBois asked Ms. Duchene if she was aware that the Town had waived parking fees on Federal holidays.

Ms. Duchene stated that she was aware but was wondering if they would consider waiving fees at Town sponsored events. She asked if a cost study could be done to see if the fees warrant paying a parking meter attendant for two hours during an event.

Commissioner Longtin stated that she would be willing to work with Ms. Duchene to allow an independent study.

Ms. Duchene stated that she would like to see if more people would come to the functions.

Vice-Mayor Rumsey asked Ms. Duchene if she was referring to the Marina Sunset Events.

Ms. Duchene stated that the Marina Sunset Event was one event she had in mind but she wanted a study done on all Town sponsored events.

Vice-Mayor Rumsey asked if the other Town sponsored events were on Federal holidays.

Town Manager Davis stated that she was not aware of any other Town functions.

Vice-Mayor Rumsey stated that at the last Sunset Event he attended, people were complaining about the parking meters and he agrees that the Town should want people to come and not be chased away by having to pay for parking at an event for two hours.

Mayor DuBois stated that she also attended the event and no one had come up to her with complaints about the parking meters. She explained that the Finance Department had the spreadsheets and numbers on the parking meters already available for viewing.

Commissioner Longtin asked Ms. Duchene to clarify how long she wants the study done for.

Ms. Duchene stated that she would like to see a 6 month study done.

Mayor DuBois stated that the spreadsheets and numbers were already available.

Vice-Mayor Rumsey asked what the study was and what it consisted of.

Mayor DuBois again clarified that the paperwork and numbers were already available.

Ms. Duchene stated that she wanted to see how much income is generated at the event compared to how much the parking meter attendant is paid for working the event.

Town Manager Davis explained that the cost analysis could be done but that it needed to be considered that the employee was not sitting at the Marina for two hours but is roving and monitoring other parking meters. She asked for direction on how to provide the information and bring it back to the Commission.

Mayor DuBois asked that the information be brought back in memo form first.

The Commission came to consensus to have Ms. Duchene's request for a cost study on parking meters during Town sponsored events done in memo form.

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of February 16, 2011
2. Response to Commissioner Longtin's Written Statement to the Town Manager's 2010 Evaluation
3. Resolution No. 06-03-11 Community Development Block Grant Agreement for Bert Bostrom Park
4. Sale of Metal Storage Building on 115 U.S. Highway One to NuJak Development Inc. in the Amount of \$2250
5. Resolution No. 07-03-11 New Rental Fee for West Ilex Park Picnic Pavilion

Public Comment Open.

None

Public Comment Closed.

Commissioner Hockman requested that items 3, 4, and 5 of the Consent Agenda be pulled for discussion.

Vice-Mayor Rumsey requested that item 2 of the Consent Agenda be pulled for discussion.

Motion: A motion was made by Commissioner Hockman to approve item number 1 of the Consent Agenda; Vice-Mayor Rumsey made the second.

Vote on Motion:

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

Mayor DuBois	X		
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Motion passed 4-0

Vice-Mayor Rumsey explained the reason for item number 2 on the Consent Agenda. He explained how the Town Manager's Evaluation is done and that one of the Commissioners did not follow the matrix but instead wrote three pages of comments regarding the Town Manager. He explained that the Town Manager requested at the last meeting that she be able to address those items individually since there were over ten comments that were not factual. He stated that the Town Manager's response to those comments were online for viewing so that the public could be aware of the facts.

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

Vote on Motion:

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

Motion passed 4-0

Commissioner Hockman asked if there have been any plans for a restroom or of what the Town was proposing to do at Bert Bostrom Park.

Town Manager Davis asked CRA Project Manager Richard Pittman to answer any questions Commissioner Hockman had.

CRA Project Manager Pittman explained that he had a floor plan prepared that he sent to Browning & Becker and had done a written description to Royal Prefab Concrete to give him an idea if the floor plan would come close to \$53,000. He stated that the one comment he received was that it was close to that figure so his idea was to decrease the floor plan size by 100 square feet. He explained that there would be a separate women's facility and a separate men's facility with at least three stalls in each.

Town Manager Davis explained that they had originally talked about going out for a design build but Commissioner Hockman suggested that they look at prefab concrete structures and they were in the process of investigating that now. She explained that Mr. Pittman was floating a trial balloon first with a few contractors to see if they could build

the project for \$53,000. Browning & Becker stated that it would be “tight” and Royal Prefab was in the process of providing a response.

Mr. Pittman stated that he thought the proposal would be very close to \$53,000.

Commissioner Hockman asked if the restroom would be placed in the same location and if they would be using the existing foundation.

Town Manager Davis stated that they were not using the existing foundation and that they planned to keep it in the same location. If they were to move the restroom it would cost more money to run new plumbing and electricity.

Discussion ensued between Commissioner Hockman and Mr. Pittman regarding the possibility of relocating the restroom and the practicality of having the restroom centrally located.

Recreation Director Greg Dowling explained that he did not think it was safe to centrally locate the restrooms due to the activity that takes place at the playground.

Commissioner Hockman asked if a storage room was considered in the restroom facility.

Mr. Pittman explained that in the floor plan he currently has there would not be any storage.

Commissioner Longtin asked if the current facility was at all usable.

Town Manager Davis stated that the bathrooms could be used but the storage area was in very bad shape.

Commissioner Longtin asked if there was any asbestos in the building.

Mr. Pittman explained that the County did a report that concluded that there was no asbestos or hazardous material in the building.

Commissioner Longtin asked what the cost would be to the Town.

Town Manager Davis stated that it would be the cost of the demolition which would include a 40 yard container and the rental of heavy equipment.

Motion: A motion was made by Commissioner Hockman to approve item number 3 of the Consent Agenda; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner			

Hockman	X		
Vice-Mayor Rumsey	X		
Commissioner Osterman			Absent
Mayor DuBois	X		

Motion passed 4-0

Commissioner Hockman asked if NuJak Development was going to pay the Town \$2,250 for the Metal Storage Building on 115 U.S. Highway One.

Town Manager stated yes that was correct.

Commissioner Hockman asked how much it cost for the Town to put out the RFP.

Mr. Pittman stated that he did not know how much it cost to advertise but a sign was put out on the site at a cost of \$180 plus Public Works labor. He stated that he had approximately 20 hours of his work time involved.

Commissioner Hockman asked if there were any other costs.

Town Clerk Lemley stated that she had the cost of the advertisement but not with her and could provide that to Commissioner Hockman in the morning.

Commissioner Hockman asked if a cost was estimated for the repairs to the asphalt and prep the site.

Town Manager Davis stated that they had not yet estimated costs.

Commissioner Hockman stated that the Town needed to be careful since the Town paid 2.4 million for a property appraised at \$800,000 and expressed his concerns with spending more money in order to get the parking lot done.

Commissioner Longtin stated that at the November 3, 2010 Commission Meeting it was stated on an Agenda Request Form that arrangements had been made to remove the metal storage building down to the concrete slab at no cost to the Town. She asked what happened to that.

Town Manager Davis explained that the deal that South Florida Yachts had made with the Town had fallen through. She stated that she did not recall what happened and she would provide a report to the Commission regarding what happened.

Commissioner Longtin stated that the Commission voted on the item and the item stated that arrangements had been made.

Town Manager Davis stated that she needed time to provide the Commission with the report explaining what happened.

Commissioner Hockman expressed his concerns with the parking lot and did not want the Town to overspend on the project.

Vice-Mayor Rumsey explained that the 2.4 million that was spent on the property was from a grant that was awarded to the Town from Palm Beach County. He wanted to clarify to the public that the funds used to purchase the property did not come out of the Town's funds.

Commissioner Longtin asked how much it would cost to extend the pavement from underneath the metal storage building.

Town Manager Davis stated that they had not done a takeoff and she did not know how much asphalt would need to be installed. She stated that she would be happy to have staff look at it and provide a report.

Motion: A motion was made by Commissioner Hockman to approve item number 4 of the Consent Agenda; Commissioner Longtin made the second.

Vote on Motion:

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

Motion passed 4-0

Commissioner Hockman stated that he wanted to make sure that if a family wanted to come over and use the pavilion for a picnic that they would not be charged \$50.

Recreation Director Greg Dowling explained that the rental fee was to reserve the pavilion exclusively for an event and residents just using it for a picnic would not be chased away or charged.

Vice-Mayor Rumsey stated that he agreed with Commissioner Hockman. He stated that he would like to see the resident fee less than the non-resident fee.

Town Manager Davis explained that it could not be done because the park was built with grant dollars and the grant was very specific in stating that they could not charge anyone more than they would charge a resident.

Commissioner Longtin stated that in her opinion government money was taxpayer money and the taxpayers have already paid for the park and should be able to use it without being charged.

Motion: A motion was made by Vice-Mayor Rumsey to approve item number 5 of the Consent Agenda; Commissioner Hockman made the second.

Vote on Motion:

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

Motion passed 3-1

PUBLIC HEARING:

ORDINANCE ON 2nd READING

ORDINANCE NO. 01-2011 – Garage/Yard Sale Signage

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 70, ARTICLE IV, SECTION 70-103(1), OF THE TOWN CODE ENTITLED “RESIDENTIAL SIGNS”; PROVIDING FOR AMENDMENTS TO THE REGULATIONS PERTAINING TO GARAGE OR YARD SALE SIGNS; PROVIDING FOR ADDITIONAL REGULATIONS PERTAINING TO SIGN REMOVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Vice-Mayor Rumsey to approve Ordinance No. 01-2011 upon 2nd reading; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner			

Hockman	X		
Vice-Mayor Rumsey	X		
Commissioner Osterman			Absent
Mayor DuBois	X		

Motion passed 4-0

Attorney Baird read Ordinance No. 01-2011 by caption-only.

ORDINANCE ON 1ST READING

ORDINANCE NO. 02-2011 Bank Registration

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE III OF THE CODE OF ORDINANCES ENTITLED "HOUSING CODE" TO CREATE A NEW DIVISION 4, TO BE ENTITLED, "ABANDONED REAL PROPERTY;" PROVIDING FOR SECTION 54-101, ENTITLED "INTENT AND PURPOSE"; PROVIDING FOR SECTION 54-102, ENTITLED "DEFINITIONS"; PROVIDING FOR SECTION 54-103, ENTITLED "APPLICABILITY"; PROVIDING FOR SECTION 54-104, ENTITLED "REGISTRATION OF ABANDONED REAL PROPERTY"; PROVIDING FOR SECTION 54-105 ENTITLED "MAINTENANCE REQUIREMENTS"; PROVIDING FOR SECTION 28-106, ENTITLED "SECURITY REQUIREMENTS"; PROVIDING FOR SECTION 54-107, ENTITLED "IMMUNITY OF ENFORCEMENT OFFICER"; PROVIDING FOR SECTION 54-108, ENTITLED "ADDITIONAL AUTHORITY"; PROVIDING FOR SECTION 54-109, ENTITLED "REMOVAL OF ABANDONED PERSON PROPERTY AUTHORIZED"; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open.

Matthew Leger, Realtors Association of the Palm Beaches – explained and gave a history of the foreclosure situation in the Town and in the County. He stated that RAPB understands the foreclosure situation and could be of assistance to the Town should it move forward with the Bank Registration Ordinance. He gave examples of issues that could arise during the foreclosure process that the Town should consider when passing the Ordinance and the procedures followed thereafter.

Public Comment Closed.

Commissioner Hockman discussed his concerns and recommendations for the Ordinance and the procedures that the Town should follow with regards to foreclosed properties. He stated that the fees charged should be reasonable.

Mayor DuBois expressed her concerns with foreclosed properties and asked if the Ordinance was the beginning of a process the Town can take to resolve the issues.

Attorney Baird explained that the biggest foreclosure problem municipalities were experiencing is that banks have stopped the foreclosure process because of problems they were having with proof of participating in the foreclosure process. He explained that there were 22 properties in the Town in foreclosure which continue to be vacant. He stated that the issue was even though the bank has expressed ownership interest, they have halted the foreclosure process before closing on the property. He recommended that the Town follow what other municipalities have done which is adopt the Ordinance which would require the banks take responsibility for maintaining and securing those properties.

Vice-Mayor Rumsey stated that his concern was that there is a property two doors down from his home that has been abandoned for four years. He stated that people have tried to purchase the home and can't get in touch with anyone in order to purchase it. He stated that his fear was that the value of the home would not even be worth the bank maintaining the yard. He asked what would happen if the bank did not maintain the home.

Attorney Baird explained that the bank would be cited for a violation of the Town code and they would then be process like any other code enforcement case. He stated that in his experience as Magistrate in North Palm Beach, the banks respond to the citation by hiring a management company or caretaker to take care of the violations.

Discussion ensued among the Commission and Attorney Baird regarding Ordinance No. 02-2011.

Motion: A motion was made by Vice-Mayor Rumsey to approve Ordinance No. 02-2011 upon 1st reading; Mayor Dubois passed the gavel and seconded the motion.

Vote on Motion:

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

Motion passed 3-1

Attorney Baird read Ordinance No. 02-2011 by caption-only.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Osterman

Absent

Commissioner Longtin stated that the company Deevan who was also working with Alliance Concrete was doing a very respectable job with replacing sewer lines in the Town. She asked the public to put themselves in the place of a police officer or firefighter and see if their house numbers are easily identifiable. She asked that residents make sure their house numbers could be easily seen from the road during the day time and night time as it is a life safety issue.

Vice-Mayor Rumsey asked if the Committee assignments could be reviewed at the next Commission Meeting.

Town Manager Davis stated that she could put the Committee assignments review as an item on the next agenda.

Vice-Mayor Rumsey thanked "Bridges at Lake Park" for introducing themselves at the meeting. He stated that they sounded like a wonderful organization and recommended that they have a booth at the Marina Sunset Parties and at other Town events and festivals. He discussed the possibility of a Community Center for the Town. He asked if it was possible to have a discussion item at an upcoming Commission meeting to discuss where they are in the process and try to move the project forward.

Commissioner Hockman stated that it was great seeing the crowd at the last Marina Sunset Party and seeing all of the artists there. He wanted to thank everyone for coming out to the Boy Scouts Car Show which was a great success. He thanked everyone for their support. He requested copies of the basic RFP's that are done in the Town. He stated that he thought that the Commission would like to know what was going out as RFP's.

Mayor DuBois stated that the Marina Sunset Party was packed and she was surprised to see so many people out. She invited everyone to attend the next party.

Attorney Baird stated that he wanted to alert the Commission that his firm decided to have an open house on March 31st and the invitations would be going out. He stated that the open house begins at 5:30 p.m.

Town Manager Davis asked for clarification on the request for copies of RFP's. She asked if it was the request of the whole Commission.

Mayor DuBois stated that she did not need the copies of every RFP.

Vice-Mayor Rumsey agreed and stated that they would be able to find out the information if they needed to.

Commissioner Longtin stated that she agreed with Commissioner Hockman and thought that the Commission should be informed. She stated that she wanted to get a copy of the RFP's as well.

Town Manager Davis stated that she did not have a problem with providing any information the Commission requests. She stated that she just wanted clarification on what the Commission was requesting.

Mayor DuBois stated that the consensus was that the two of the Commissioners want the copies of the RFP's and the other two, herself and Vice-Mayor Rumsey do not feel that they need that information.

Commissioner Hockman clarified and stated that he just wanted a brief synopsis of all of the RFP's.

Vice-Mayor Rumsey stated that he did not disagree with Commissioner Hockman. He asked Town Manager Davis what the amount an RFP would need to be which requires the Town Manager to inform the Commission.

Town Manager Davis stated that she is required to inform the Commission of any RFP that is \$25,000 and over.

Commissioner Hockman stated that he would like to see RFP's from a couple of thousand and up in case there was something he or another Commissioner may catch as an error and save the Town money.

Town Manager Davis announced Joe Pierre as the featured artist of the month at the Art on Park Studio and Gallery. His opening would be Saturday, March 12th from 6 p.m. to 8 p.m. and the building is at 800 Park Avenue. She announced that the Town's Art Festival would be taking place on March 19th and 20th. She invited everyone to see the new trees and irrigation on Date Palm Drive between 6th and 9th Street thanks to a grant that was awarded from the efforts of Grants Writer Virginia Martin.

