



**Minutes
Town of Lake Park, Florida
Regular Commission Meeting
June 17, 2009 7:53 p.m.**

Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, June 17, 2009 at 7:53 p.m. Present were Mayor DuBois, Vice-Mayor Carey, Commissioners Daly, Rumsey, and Osterman, Attorney Thomas Baird, Town Manager Maria Davis 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

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

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Rumsey	X		
Commissioner Daly	X		
Commissioner Osterman	X		
Vice-Mayor Carey	X		
Mayor DuBois	X		

Motion passed 5-0.

PRESENTATION

Florida Inland Navigation District Check Presentation

Town Manager Maria Davis introduced Commissioner Donn Colee of the Florida Inland Navigation District of Palm Beach County. She gave a description of his work experience and history in Palm Beach County. She stated that he was the only person in recent history that walked the entire 45 mile coastline of Palm Beach County twice. The first time was in 1974 when Mr. Colee's company created a beach walk to gain publicity for a 50 million dollar beach

and park bond issue. The second time was in 1985 when another beach bond issue was on the ballot for 75 million dollars. Through those bond issues the public now has access to miles of beaches and parks. She welcomed Mr. Colee and thanked him for coming.

Mr. Colee thanked Manager Davis for her description and statements. He introduced himself and stated that he lived in Lake Park for five to six years in the early 70's. He gave a history of the Florida Inland Navigation District and a description of its responsibilities. He stated that FIND has provided approximately 2.3 million dollars in grant money largely for Lake Park's Marina and they were currently funding the engineering and permitting of the breakwater at the Marina. He introduced his partner Mark Crossley as the Assistant Executive Director of FIND.

Mr. Colee presented the Town with a check in the amount of \$387,500 for the completion of the seawalls at Lake Shore Park.

Mayor DuBois thanked Mr. Colee and accepted the check.

PROCLAMATIONS

Phil's Auto Body

Mayor DuBois read the Proclamation for Phil's Auto Body.

Representatives of Phil's Auto Body accepted the Proclamation and thanked the Commission.

Deputy William Badala

Mayor DuBois read the Proclamation to Deputy William Badala.

Deputy Badala accepted his Proclamation and thanked the Commission.

Earl Stewart

Mayor DuBois read the Proclamation to Earl Stewart.

Earl Stewart accepted his Proclamation and thanked the Commission. He suggested that Lake Park become a leader in providing plug-in capability for plug-in Hybrid vehicles which will be available in the market for purchase within the next year or two.

CERTIFICATES OF APPRECIATION

Chick-Fil-A

There were no representatives of Chick-Fil-A present to accept their Certificates of Appreciation. The Certificate of Appreciation would be mailed or presented to them at their place of business.

Cici's Pizza

There were no representatives of Cici's Pizza present to accept their Certificates of Appreciation. The Certificate of Appreciation would be mailed or presented to them at their place of business.

PUBLIC and OTHER COMMENT

None

Public Comment Closed.

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of May 20, 2009
2. Regular Commission Meeting Minutes of June 3, 2009
3. Emergency Purchase of a Replacement Fuel Storage Tank at Public Works
4. Marina Overnight Parking Rate
5. Authorization Increased Insurance Payment to the Florida Municipal Insurance Trust
6. Resolution No. 23-06-09 Intent of the Town to Reimburse Certain Expenditures with Proceeds of Tax Exempt Debt
7. Resolution No. 24-06-09 Amending the Town Budget for Fiscal Year 08/09
8. Resolution No. 25-06-09 Tentative Stormwater Rate
9. Resolution No. 26-09-09 Sanitation Rate for TRIM Rate

Motion: A motion was made by Commissioner Daly to approve the Consent Agenda; Vice-Mayor Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Rumsey	X		
Commissioner Daly	X		
Commissioner Osterman	X		
Vice-Mayor Carey	X		
Mayor DuBois	X		

Motion passed 5-0.

DISCUSSION & POSSIBLE ACTION
Zoning in Progress

Attorney Thomas Baird explained the meaning of “Zoning in Progress”. He stated that they were proposing to address impacts that the Town’s constituents were concerned about with regards to sober housing in the Town. He explained that the Commission would need to come to consensus or motion to move forward and at the appropriate time come back with an Ordinance that addresses the issues that have been reported.

Commissioner Osterman asked if the Commission was looking into implementing restrictions on short term rentals in single-family districts.

Attorney Baird explained that the Treasure Island Case and the Delray Ordinances address transient living facilities. Those facilities are located in specific zoning districts. The issue of halfway houses is a much more difficult issue and in reading the Treasure Island Case opinion, they are different and much more fortunate than Lake Park in its ability to regulate because it is a community that has a lot of vacationers, tourists, and snow birds. It is more of a winter home community than Lake Park. He stated that Delray Beach has experienced the same issues as Lake Park. Delray is much larger community and much more diverse in its housing stock as well as hotels and rental facilities. He stated that he has been reviewing their regulations but is not sure that they would be applicable, but he was hoping to borrow from other municipalities with regulations that could work for Lake Park.

Commissioner Daly stated that he supported the “Zoning in Progress” only for the reason that the Town could come up with regulations that would be beneficial to residents.

Mayor DuBois expressed and explained her support of the “Zoning in Progress” designation.

Vice-Mayor Carey asked if the motion made at the last meeting would suffice in moving forward with “Zoning in Progress”.

Attorney Baird explained and stated that one of the important dynamics for the Town is that it has a large number of homes currently in foreclosure. Those properties are being sold in short sale to speculators, and halfway houses produce an income stream for savvy investors. There are other communities experiencing high rates of foreclosures and investors are buying up the properties and using them as transient housing while waiting for the market to turn.

Vice-Mayor Carey asked if there was a time limit on the “Zoning in Progress” designation.

Attorney Baird stated that the courts have not specifically addressed a time limit. He explained that the courts like to use the term “reasonable time” and it is his opinion that a judge would tell the Town not to procrastinate on the matter and bring it forward in a timely manner.

The Commission came to consensus to direct Attorney Thomas Baird and Community Development Director Patrick Sullivan to continue developing regulations for sober housing and/or transient facilities in the Town.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Osterman stated she was very pleased with results from having deputies in the CRA District especially since there has been a high suspicion of drug sales at an apartment complex along 10th St. She read the deputy's report regarding the complex which stated that more children were observed playing outside of the apartment complex and problematic residents have moved out within the last two weeks.

Commissioner Daly congratulated Captain Reece for his work in the Town. He stated that the Fire Department was also doing a great job.

Mayor DuBois

None

Vice-Mayor Carey announced that a fishing tournament would be taking place at the Marina on Saturday, June 20, 2009 and there would be snow cones and a bounce house for the children. He also announced that the Town of Lake Park's Fireworks Festival would take place on June 27, 2009.

Commissioner Rumsey stated that he was constantly amazed at the generosity of the community. He stated that someone had approached him and asked him if there were any children in the Town that needed to attend summer camp but were financially unable. After speaking to Manager Davis, he told the person that there were indeed children in need of financial assistance to attend summer camp. He stated that the kind woman made a donation that would send five children to summer camp.

Commissioner Osterman stated that she was at Lake Shore Park over the weekend and two residents had approached her and asked if "No Smoking" signs could be placed at the park since there were people smoking at the pavilions in the park. The other request they had made was for soda and/or snack vending machines at the park.

Mayor DuBois stated that there could be a problem with vandalism to the vending machines.

Town Manager Maria Davis stated that cages could be placed over the vending machines for protection.

Discussion ensued between the Commissioners regarding vending machines and "No Smoking" signs at Lake Shore Park.

The Commission came to consensus to implement vending machines and "No Smoking" signs around the playground at Lake Shore Park.

Mayor DuBois stated that there will be another “Sail with the Mayor” event in the future.

Town Attorney Thomas Baird stated that Commissioner Rumsey was served for the case that the Town has pending with the Justice Department.

Town Manager Maria Davis announced that the Town’s Firework Festival would take place on June 27, 2009 and will begin at 4:30 p.m. and end at 9:30 p.m. There will be live music, food, children’s rides and the fireworks will begin at 9 p.m. She stated that the Town is still accepting registrations for summer camp. She announced the 18th annual KBW Dolphin Challenge taking place on June 20, 2009 at the Lake Park Marina. The proceeds will go to the Riviera Beach Maritime Academy. The weigh in is from 1 p.m. to 4 p.m. There will be a 50/50 raffle, a silent auction, fashion show, stand-up comedian, a giant video screen with music, food, beer, vendors, bounce house and snow cones which will all be available from 1 p.m. to 7 p.m. Dinner will begin at 5 p.m. and awards will be given beginning at 6 p.m.

She congratulated and thanked Grants Writer Virginia Davis and Occupational License Accountant Dena Davis for their efforts in obtaining the check that was received from FIND. She stated that Ms. Martin will be giving a presentation before FIND for the second phase of construction at the Marina.

Commissioner Daly asked how much it was to send a child to summer camp should someone else want to make a donation.

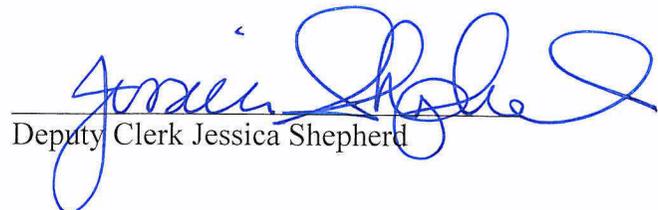
Town Manager Davis stated that registration for summer camp was \$55 for the first child, \$30 for the second child and the total cost is \$455 for an eight week camp. She stated that Recreation Director Greg Dowling has continued to receive comments from parents thanking the Town for reducing the registration rates.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Osterman and seconded by Commissioner Daly, and by unanimous vote, the meeting adjourned at 8:45 p.m.



Mayor DuBois



Deputy Clerk Jessica Shepherd



Town Clerk Vivian Lemley



Approved on this 15 of July, 2009.