



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
August 6, 2008 7:30 p.m.

Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, August 6, 2008 at 7:30 p.m. Present were Mayor DuBois, Vice-Mayor Daly, Commissioners Balius, and Carey, Attorney Thomas Baird, Town Manager Maria Davis and Town Clerk Vivian Mendez Lemley. Commissioner Osterman was absent.

Mayor DuBois led the Invocation.

Mayor DuBois led the Pledge of Allegiance.

Town Clerk Vivian Mendez Lemley performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

Nomination of Town Manager Maria Davis for the League of Cities City Manager of the Year Award was added to the agenda under “Discussion and Possible Action”.

Motion: A motion was made by Commissioner Carey to approve the Agenda as modified; Commissioner Balius made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|-----------------------|--------|-----|-------|
| Commissioner Balius | X | | |
| Commissioner Carey | X | | |
| Commissioner Osterman | Absent | | |
| Vice-Mayor Daly | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

PRESENTATION:

American Cancer Society Relay for Life

Julie Denning, Area Executive Director for Palm Beach County and Kathy Sieve, Community Representative for Riviera Beach and Lake Park introduced themselves and explained the American Cancer Society Relay for Life Fundraising Event.

They requested that the Town join one of the committees, be a driving force behind the event and support them in their efforts to bring the American Cancer Society Relay for Life Fundraising Event to the community.

The Commission came to consensus to authorize the Town to be a part of the American Cancer Society Relay for Life Fundraising Event.

Dr. Arthur Anderson, Supervisor of Elections

Mayor DuBois introduced Dr. Anderson, Supervisor of Elections.

Dr. Anderson gave an overview of the history of voting and discussed its importance. He announced the upcoming elections and their dates.

PUBLIC and OTHER COMMENT

None

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Mayor DuBois stated that she was happy about the addition to the agenda.

Commissioner Balius stated that he was happy about the addition to the agenda.

Commissioner Carey

None

Commissioner Osterman

Absent

Vice-Mayor Daly asked the residents of the Lake Shore Drive condominiums to call 911 when they see damage being done to Lake Shore Park. He expressed his concerns about the damages already done and he recommended that cameras be installed on the buildings facing the park so there would be additional protection.

He stated that he went to the Lake Shore Park and took measurements for the proposed tennis courts. He stated that portions of Lake Shore Park not yet completed in the restoration project would be taken away should the Town decide to install the new tennis courts. He stated that he was against the installation of the new tennis courts.

Mayor DuBois stated that all issues with the proposed tennis courts would need to be taken into consideration.

Vice-Mayor Daly stated that he had read e-mails received by the Town from the Palm Beach County Sheriff's office. He commented and expressed his concerns regarding the e-mails. He stated that if the Sheriff's office did not want the Town's free boat slip then they must take their boat elsewhere.

Commissioner Balius commented that the Town did not rent the office space at the Marina because it was the Town's understanding that the Sheriff's office would rent the space. He stated that he found out one month before the Town was informed that the Sheriff's office would not be renting the space but instead would be moving to Phil Foster Park.

Town Manager Maria Davis stated that when the Sheriff's office moved in an additional three boats, she hired an engineer to help the Sheriff's office to accommodate them and she was doubly disappointed when she received the e-mails from the Sheriff's office.

Town Attorney Thomas Baird stated that he talked with the lead counsel of the Justice Department and they are contacting people within the community as part of their investigation. They are not permitted to contact the Commission because they are represented by counsel. He stated that if any of the Commissioners wanted to speak with them directly to let him know and he would make arrangements. He stated that he was distributing the monthly litigation status report. He stated that there was a settlement on the table for the Mos' Art Center case and it may get resolved for a nominal amount. He stated that there were also foreclosure cases on the report and he gave an overview of those cases.

Town Manager Maria Davis stated that she was touched and humbled by her nomination for the Florida League of Cities City Manager of the Year Award. She wished Commissioner Osterman well since she was home ill and was not able to attend the Commission Meeting. She stated that the Lake Shore Park renovations to the north end of the park were coming to completion and she commended Public Works Director Abu Canady, the Public Works employees and Landscape Architect Jeff Blakely for their efforts on Lake Shore Park. She stated that the work done to the park was beautiful. She stated that due to budget constraints the Town has had to cut back on its written communications to the public and she was greatly troubled by it. She stated that the Town has the ability to send mass e-mails through the Town's website. She stated that the homepage has a link titled "Newsletter" and a person can sign up for the e-mail through the link. She stated that any information that is put out electronically would be received by those who sign up.

CONSENT AGENDA:

1. Resolution No. 41-08-08 Legislative Appropriation Funding Agreement to Fund Lake Shore Drive Stormwater Drainage Project
2. Award Contract for Janitorial Services to Sparkle Team for Cleaning Services at the Library
3. Notification of International Coastal Cleanup on September 20, 2008
4. Job Description for Finance Department Position
5. Proclamation for Florida Water Professional Week August 4-8, 2008
6. Installation of Automatic Gates for the Tennis Entrance of Lake Shore Park
7. Authorize Fee for Bond Counsel

Vice-Mayor Daly asked if there would be a dusk to dawn rule at the tennis entrance for Lake Shore Park once the automatic gates were installed.

Town Manager Maria Davis explained that the gates were not originally budgeted for but the Town came under budget and were able to afford the middle gates for the park. She stated that the cameras also came in under budget and she would be obtaining estimates for the installation of those as well.

Public Comment Open.

None

Public Comment Closed.

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

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|-----------------------|--------|-----|-------|
| Commissioner Balius | X | | |
| Commissioner Carey | X | | |
| Commissioner Osterman | Absent | | |
| Vice-Mayor Daly | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

PUBLIC HEARING(S): ORDINANCES ON 2ND READING

ORDINANCE NO. 09-2008 – Storm Water Utility

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, CREATING A NEW ARTICLE IN CHAPTER 32 OF THE TOWN CODE ENTITLED “UTILITIES” TO PROVIDE FOR STORMWATER MANAGEMENT; PROVIDING FOR AUTHORITY OF THE TOWN TO CREATE A STORMWATER UTILITY SYSTEM; PROVIDING FOR DEFINITIONS; PROVIDING FOR PROCEDURES FOR THE OPERATION OF A STORMWATER SYSTEM; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Maria Davis explained the purpose of Ordinance No. 09-2008.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Vice-Mayor Daly to approve Ordinance No. 09-2008 upon 2nd reading; Commissioner Balius made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|---------------------|-----|-----|-------|
| Commissioner Balius | X | | |
| Commissioner Carey | X | | |
| Commissioner | | | |

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| Osterman | Absent | | |
| Vice-Mayor Daly | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

Town Attorney Thomas Baird read Ordinance No. 09-2008 by caption-only.

ORDINANCE NO. 11-2008 - Signage

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES FOR THE TOWN OF LAKE PARK, FLORIDA BY AMENDING CHAPTER 70 ENTITLED "SIGNS", ARTICLE 1 ENTITLED "IN GENERAL"; BY REPEALING SECTION 70-2 ENTITLED "RELATIONSHIP TO STATE BUILDING CODE"; AMENDING SECTION 70-4 ENTITLED "MAINTENANCE"; AMENDING SECTION 70-6 ENTITLED "DEFINITIONS"; AMENDING ARTICLE II ENTITLED "LICENSE AND PERMIT REQUIREMENTS BY REPEALING SECTION 70-31 ENTITLED "LICENSE REQUIRED"; AND AMENDING SECTION 70-32 ENTITLED "PERMITS"; AMENDING ARTICLE III ENTITLED "CONSTRUCTION"; BY AMENDING SECTION 70-61 ENTITLED "GENERAL PROVISIONS"; AMENDING SECTION 70-64 ENTITLED "REMOVAL, REPAIR OR ALTERATION"; REPEALING SECTION 70-65 ENTITLED "REINSPECTION"; AMENDING SECTION 70-66 ENTITLED "STOP WORK ORDERS"; AMENDING SECTION 70-67 ENTITLED "VIOLATIONS"; AMENDING ARTICLE IV ENTITLED "SIGN REGULATIONS"; AMENDING SECTION 70-101 ENTITLED "EXEMPT SIGNS"; AMENDING SECTION 70-102 ENTITLED "PROHIBITED SIGNS AND RELATED EQUIPMENT"; AMENDING SECTION 70-103 ENTITLED "PERMITTED SIGNS"; AMENDING SECTION 70-104 ENTITLED "LEGAL NONCOMPLYING SIGNS"; AMENDING SECTION 70-105 ENTITLED "COMPUTATION OF SIGN AREA"; AMENDING SECTION 70-107 ENTITLED "EXTERIOR ARCHITECTURAL LIGHTING"; REPEALING SECTION 70-108 ENTITLED "REINSPECTION"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Patrick Sullivan explained the changes he made to Ordinance No. 11-2008 since the first reading.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Vice-Mayor Daly to approve Ordinance No. 11-2008 upon 2nd reading; Commissioner Balius made the second.

Vote on Motion:

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|------------|-----|-----|-------|
| Commission | Aye | Nay | Other |
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| Member | | | |
| Commissioner Balias | X | | |
| Commissioner Carey | X | | |
| Commissioner Osterman | Absent | | |
| Vice-Mayor Daly | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

Attorney Thomas Baird read Ordinance No. 11-2008 by caption-only.

ORDINANCE NO. 12-2008 – Special Events

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 18, ARTICLE IV, OF THE TOWN CODE PERTAINING TO THE ISSUANCE OF SPECIAL EVENTS PERMITS FOR NON-TOWN SPONSORED EVENTS TO CREATE NEW CODE SECTION 18-120 TO BE ENTITLED “PURPOSE”; AMENDING SECTION 18-121 ENTITLED “APPLICATION FOR PERMIT; SPECIFIC USES; CONDITIONS”; AMENDING SECTION 18-122 PRESENTLY ENTITLED “CRITERIA FOR ISSUANCE OF PERMIT”; AMENDING SECTION 18-123 ENTITLED; “CONDITIONS FOR PERMIT APPROVAL”; AMENDING SECTION 18-125 ENTITLED “TRAFFIC CIRCULATION PLAN”; AMENDING SECTION 18-126 ENTITLED “CANCELLATION OF PERMIT”; AMENDING SECTION 18-127 ENTITLED “APPEAL OF CANCELLATION OF PERMIT”; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Patrick Sullivan explained the reason for Ordinance No. 12-2008 since the first reading.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Carey to approve Ordinance No. 12-2008 upon 2nd reading; Commissioner Balias made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|---------------------|-----|-----|-------|
| Commissioner Balias | X | | |
| Commissioner Carey | X | | |

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|-----------------------|--------|--|--|
| Commissioner Osterman | Absent | | |
| Vice-Mayor Daly | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

Attorney Thomas Baird read Ordinance No. 12-2008 by caption-only.

**ORDINANCE NO. 13-2008 – Planned Unit Development – P.U.D.
 AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 78-77 PERTAINING TO PLANNED UNIT DEVELOPMENT REGULATIONS; PROVIDED FOR USES ALLOWED IN PLANNED UNIT DEVELOPMENTS; PROVIDING FOR THE WAIVER OF CERTAIN STANDARD ZONING REGULATIONS FOR PROPERTIES DEVELOPED AS A PLANNED UNIT DEVELOPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

Community Development Director Patrick Sullivan explained the reason for Ordinance No. 13-2008 and the changes that were made.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance 13-2008 upon 2nd reading; Vice-Mayor Daly made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|-----------------------|--------|-----|-------|
| Commissioner Balius | X | | |
| Commissioner Carey | X | | |
| Commissioner Osterman | Absent | | |
| Vice-Mayor Daly | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

Attorney Thomas Baird read Ordinance No. 13-2008 by caption-only.

ORDINANCE ON 1ST READING

ORDINANCE NO. 14-2008 – Sign change in the PADD

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 78-70 OF CHAPTER 78, ARTICLE III, ENTITLED “PARK AVENUE DOWNTOWN DISTRICT” PERTAINING TO PERMITTED SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Patrick Sullivan explained the reason for Ordinance No. 14-2008. He stated that the Ordinance would change the size requirement for awning signs and projecting signs to six square feet.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance 14-2008; Commissioner Carey made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|-----------------------|--------|-----|-------|
| Commissioner Balius | X | | |
| Commissioner Carey | X | | |
| Commissioner Osterman | Absent | | |
| Vice-Mayor Daly | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

Attorney Thomas Baird read Ordinance No. 14-2008 by caption-only.

Discussion and Possible Action:

Town Manager’s Goals and Commission Priorities

Town Manager Maria Davis gave a presentation of her goals and objectives for the year (see Exhibit “A”). She discussed “Revenue Enhancements” and stated that one of her goals was to schedule a meeting with Mr. Ken Small from the Florida League of Cities to review the Town’s budget and operation for revenue enhancement opportunities. She stated that she wanted to implement a stormwater utility and develop a master storm drainage beautification plan for Lake Shore Dr. She stated that she also wanted to enhance communication with residents and she would develop and new resident package with pertinent information and a Town Services booklet. She stated that she wanted to have a map of the Town printed and available for

residents. She would enhance emergency management procedures and complete the Employee Handbook as well as train all employees on federal laws regarding sexual harassment and hostile work environment. She stated that she also wanted to focus on Community Redevelopment Agency economic development.

Commissioner Balius commented on Town Manager Maria Davis' goals and objectives list and stated that they were outstanding. He stated Ms. Davis was the first manager to do something regarding establishing a storm water utility.

Town Manager Maria Davis thanked the Commission for their comments and stated that she really enjoyed working for the Town.

Nomination of Town Manager Maria Davis for the League of Cities City Manager of the Year Award

Mayor DuBois stated that the Town had received a solicitation from the League of Cities to nominate people for certain awards. The Town decided to nominate Town Manager Maria Davis for the City Manager of the Year Award.

Town Manager Maria Davis thanked the Commission for their nomination and stated that she was honored.

Commissioner Balius announced that he had received phone calls from Mr. Sapano but could not obtain his phone number to call him back. He asked Mr. Sapano to call him at his home or try the Town phone number again.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve the nomination of Town Manager Maria Davis for the League of Cities City Manager of the Year Award; Vice-Mayor Daly made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|-----------------------|--------|-----|-------|
| Commissioner Balius | X | | |
| Commissioner Carey | X | | |
| Commissioner Osterman | Absent | | |
| Vice-Mayor Daly | X | | |
| Mayor DuBois | X | | |

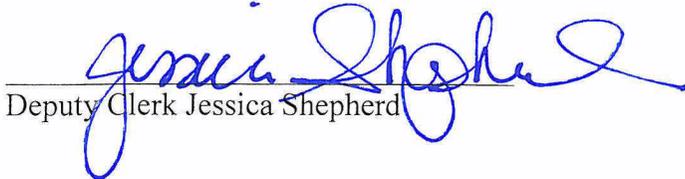
Motion passed 4-0.

ADJOURNMENT

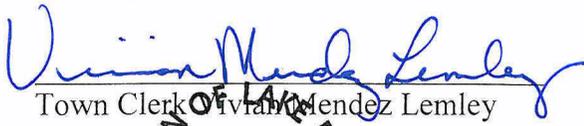
There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balius and seconded by Vice-Mayor Daly, and by unanimous vote, the meeting adjourned at 8:40 p.m.



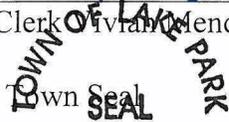
Mayor DuBois



Deputy Clerk Jessica Shepherd



Town Clerk Vivian Mendez Lemley



FLORIDA

Approved on this 3 of Sept., 2008.