



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, October 5, 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, October 5, 2011 at 7:00 p.m. Present were Mayor James 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 Tim Stevens arrived at 7:06 pm.

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 Vice-Mayor Rumsey to approve the 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 Stevens | | | Absent |
| Mayor DuBois | X | | |

Motion passed 4-0-Absent

PUBLIC AND OTHER COMMENTS:

1. *Cynthia Grey, 503 Sabal Palm Dr.* – asked if there have been a set of goals or an objective set for the Town.

Mayor DuBois explained that the Town Manager had her goals mentioned during the budget process.

Ms. Grey expressed her feelings about the Art Gallery and gave suggestions on other uses for the building.

2. *Jim Lloyd, 220 Lake Shore Dr.* – expressed his concerns on “questionable actions” concerning the Town Manager, the Marina Board, Marina Promenade, and other issues during the past year. He stated that he had been told that Town Manager Davis had campaigned for the DuBois-Stevens ticket. He asked the Town Manager to resign.

Mayor DuBois stated that the Town Manager did not campaign for him because he would not allow it, and asked Mr. Lloyd that if he had evidence stating otherwise to please bring it forward to the Supervisor of Elections.

3. *Brent Headberg, 220 Lake Shore Dr.* – expressed his concern on issues of the Marina Village Project and the plans that were submitted to the Town.
4. *Susan Lloyd, 220 Lake Shore Dr.* – questioned the Town Manager for information regarding the CRA budget, the grant for Someplace Restaurant, Art Gallery, landscaping the CRA, and the Marina laser printer. She also asked about the Park Avenue Development District (PADD) and how it relates to the CRA.

CONSENT AGENDA:

1. Budget Workshop Minutes of July 27, 2011
2. Regular Commission Meeting Minutes of August 3, 2011
3. Special Call Attorney-Client Session Minutes of August 17, 2011
4. Regular Commission Meeting Minutes of August 17, 2011
5. Budget Workshop Minutes of August 24, 2011
6. Regular Commission Meeting Minutes of September 7, 2011
7. First Public Hearing on the Tentative Budget Minutes of September 7, 2011
8. Resolution No. 36-10-11 Change to Development Review Fee Schedule

Commissioner Hockman requested to pull them all items and discuss them individually.

Budget Workshop Minutes of July 27, 2011

Commissioner Hockman wanted these pulled because there were three months’ worth of minutes that he wanted more time to go over.

Discussion ensued concerning the amount of minutes and how long the Commission has had to read them.

Motion: A motion was made by Commissioner Stevens to postpone the approval of item number 1 until the October 19, 2011 meeting; Commissioner Longtin made the second.

Mayor DuBois defended why it has taken so long to submit the minutes.

Vote on Motion:

| | | | |
|------------|-----|-----|-------|
| Commission | Aye | Nay | Other |
|------------|-----|-----|-------|

| | | | |
|----------------------|---|---|--|
| Member | | | |
| Commissioner Longtin | X | | |
| Commissioner Hockman | X | | |
| Vice-Mayor Rumsey | | X | |
| Commissioner Stevens | X | | |
| Mayor DuBois | | X | |

Motion passed 3-2.

Regular Commission Meeting Minutes of August 3, 2011

Motion: A motion was made by Commissioner Stevens to postpone the approval of item number 2 until the October 19, 2011 meeting; Commissioner Longtin made the second.

Vote on Motion:

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

Motion passed 3-2.

Special Call Attorney-Client Session Meeting Minutes of August 17, 2011

Motion: A motion was made by Commissioner Longtin to postpone the approval of item number 3 until the October 19, 2011 meeting; Commissioner Stevens made the second.

Mayor DuBois expressed his disbelief that they could not get through the minutes.

Commissioner Longtin asked why it took so long for staff to get the minutes to the Commission. She stated that the Mayor's problem should be with the Town Manager.

Discussion ensued.

Vote on Motion:

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

Motion passed 3-2.

Regular Commission Meeting Minutes of August 17, 2011

Commissioner Longtin stated that on page 23 there was a typing error and asked if it could be corrected.

Motion: A motion was made by Commissioner Longtin to postpone the approval of item number 4 until the October 19, 2011 meeting; Commissioner Hockman made the second.

Mayor DuBois asked Town Manager Davis what the process was for the minutes.

Town Manager Davis explained the process and the reasoning for the prolonged time. She informed the Commission what the new process will be.

Vote on Motion:

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

Motion passed 3-2.

Budget Workshop Minutes of August 24, 2011

Motion: A motion was made by Commissioner Longtin to postpone the approval of item number 5 until the October 19, 2011 meeting; Commissioner Stevens made the second.

Vote on Motion:

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

Motion passed 3-2.

Regular Commission Meeting Minutes of September 7, 2011

Motion: A motion was made by Commissioner Longtin to postpone the approval of item number 6 until the October 19, 2011 meeting; Commissioner Stevens made the second.

Vote on Motion:

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

Motion passed 3-2.

First Public Hearing on the Tentative Budget Minutes of September 7, 2011

Motion: A motion was made by Commissioner Longtin to postpone the approval of item number 7 until the October 19, 2011 meeting; Commissioner Stevens made the second.

Vice-Mayor Rumsey asked if they will be able to approve all these minutes at the next meeting in addition to the next two that will be on the following agenda or should we just stop at these minutes.

By consensus, it was determined that the Commission will be able to approve the additional two sets of meeting minutes as well.

Vote on Motion:

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

Motion passed 3-2.

Resolution No. 36-10-11 Change to Development Review Fee Schedule

Community Development Director Nadia DiTommaso explained the Fee Schedule change.

Motion: A motion was made by Vice-Mayor Rumsey to approve Resolution 36-10-11 Change to Development Review Fee Schedule; Commissioner Stevens made the second.

Commissioner Hockman reminded everyone that he was against this item.

Vote on Motion:

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

Motion passed 3-2.

PUBLIC HEARING OPENED:

Ordinance on Second Reading:

Ordinance No. 06-2011 Comprehensive Plan Capital Improvements Schedule

Staff Report:

Community Development Director Nadia DiTommaso explained the Comprehensive Plan Capital Improvements Schedule Update.

Commissioner Hockman asked if this was all based on us receiving 100 percent grant money.

Town Manager Davis and Community Development Director DiTommaso both stated "yes."

Town Manager Davis explained that on the schedule it is indicated which ones are grants and which ones are not.

Commissioner Hockman asked if the Art in Public Places is for the CRA.

Town Manager Davis responded that this is for the downtown.

Public Comments Open

None

Public Comments Closed

Mayor DuBois expressed that it was a well thought out plan and appreciated the work that went into it.

Commissioner Hockman expressed his concern about going after grants.

Motion: A motion was made by Commissioner Stevens to approve Ordinance 06-2011 Comprehensive Plan Capital Improvements Schedule; 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 Stevens | X | | |
| Mayor DuBois | X | | |

Motion passed 3-2

Attorney Baird read Ordinance 06-2011 by caption only.

PUBLIC HEARING CLOSED

DISCUSSION AND POSSIBLE ACTION:

Volunteer Dinner

Town Manager Davis explained the event and asked the Commission to pick a date.

The Commission decided on November 18, 2011 at 6:30 pm in the Mirror Ballroom.

Commissioner Longtin asked if the Marina Board would be invited to the Volunteer Dinner.

Discussion ensued among the Commission regarding inviting the Marina Board Members.

Motion: A motion was made by Commissioner Longtin to approve inviting the Marina Board to the Volunteer Dinner; Commissioner Hockman made the second.

Vote on Motion:

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

Motion failed 2-3

Commissioner Stevens expressed his feelings on who the Volunteer Dinner was actually honoring.

Commissioner Longtin asked why the Carving Station was chosen.

Town Manager Davis explained the reasoning and told the Commission that staff would go in whatever direction the Commission wanted to go.

Commissioner Longtin stated that she would like to see the Town use another restaurant next year.

Fireworks Festival Budget

Town Manager Davis explained that Vice-Mayor Rumsey had requested a Fireworks Festival budget.

Vice-Mayor Rumsey expressed his appreciation for preparation of the budget and asked the Commission for approval or consensus to go forward with going out to the community for sponsorships.

Town Manager Davis stated that they do already have a sponsorship package but not specifically for the Fireworks Festival, and would appreciate his guidance on modifying it for the Fireworks Festival.

Mayor DuBois asked if we were allowed to receive sponsorship without it being a conflict of interest.

Attorney Tom Baird explained the information was on the Commission on Ethics website and would have to look into it.

There was unanimous consensus to go forward with getting sponsorship for the Fireworks Festival.

Adult Arcades/Internet Cafes

Attorney Baird explained the issue.

Discussion ensued.

There was a consensus to have staff and the Attorney to do the research and bring information back for the next meeting.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Longtin addressed Ms. Grey's concern by indicating that the Town Manager's goals were at the August 17, 2011 meeting and Ms. Grey could look them up on the website.

She reminded the Commission that Commissioner Hockman was the only one with kids and that should be his first priority. She stated that they should be more considerate of that issue.

She suggested having the agenda included at the beginning of the corresponding minutes to be approved.

She asked what the status was on the school zone sign on Park Avenue.

Town Manager Davis explained that she turned it over to the Palm Beach County Sheriff's Office (PBSO) and had not heard back, but will follow up on it.

Commission Longtin stated that she wants the minutes earlier.

She asked Mayor DuBois if he discussed an Environmental Protection Agency (EPA) grant or a Marina grant with Congressman West.

Mayor DuBois stated he thought it was the Marina Grant.

Grant Writing Virginia Martin explained that it was actually the Economic Development Administration (EDA) for the Marina Grant.

Commissioner Longtin asked what the plan was for the Art building and the things inside.

Town Manager Davis explained that those would be brought to the CRA Board for their decision.

Commissioner Longtin asked if One Park Place had a Certificate of Occupancy.

Town Manager Davis stated no and explained the situation.

Commissioner Longtin had questions and expressed concern with the CDC with donations, contracts, and insurance certificates.

Grant Writer Martin explained the situation. She gave her personal email and explained that all questions would be answered.

Commissioner Stevens expressed his appreciation for the detailed minutes and gave his suggestions for future minutes.

He responded to the public comments made earlier.

He expressed his concern of what was going to happen with the Art Gallery and its supplies.

He thanked everyone for their emails and their involvement.

Mayor DuBois asked the Town Manager to check on the criteria for "shovel ready."

Town Manager Davis explained.

He apologized about losing his temper regarding the minutes and expressed his feelings on the whole topic.

Vice-Mayor Rumsey expressed his feelings on decisions that were made by the Commission concerning the minutes.

He informed everyone that the note they had been passing at the dais that evening was concerning Apple's CEO, Steven Jobs, who had just passed away.

He expressed his feelings on how nice people were by bringing items to the Fire Department on September 11, 2011 and thanked them for being so kind.

He expressed how great he thought the Sunset Event was and encouraged everyone to come.

He wanted to have a CRA meeting to discuss the CRA plan, how they are making that plan work, and the CRA budget. He expressed his feelings on the Art Gallery closing.

Town Manager Davis requested that the CRA meeting be deferred to November.

Discussion ensued.

It was determined that the CRA meeting will be scheduled for November 2, 2011 at 6:30 pm.

Commissioner Hockman requested that they bring the Marina Board back. He wants the Board in effect so they can review the operation of the Marina. He wants the Marina Board membership process to be reviewed as well.

Discussion ensued.

Attorney Baird recommended if they wanted this to be done that it be placed as an agenda item.

Discussion further ensued.

Commissioner Hockman informed the Commission about a resident that got "harassed" by a Code Compliance Officer regarding their yard sale signs. He asked the Town Manager to look into that.

He asked the Town Manager when he would receive back the spreadsheet he had provided regarding the Marina.

Town Manager Davis responded.

Mayor DuBois asked for a consensus if the Commission would like a Marina Board Workshop.

Attorney Baird advised against any public discussion on a matter while litigation is pending. He informed the Commission that with not being able to control what the Marina Board may say during the "Comments" portion of the meeting, the lawsuit could be mentioned and that information could come up in a disposition.

Discussion ensued with no consensus made at this time. Further discussion ensued on Marina Board during Town Manager Davis' comments.

Town Manager Davis informed everyone that the Town has a Free Homework Club every Monday from 2:30 – 5:00 pm at the Recreation Center. She stated that snacks will be provided. She thanked Edie McConville for heading up the Club.

She informed everyone that there would be Free Tennis Lessons for ages 4-18 at the Tennis Facility every Wednesday from 5:30 - 6:30 pm and equipment is included.

She informed everyone that there are Yoga classes every Wednesday night from 5:45 – 7:00 pm at the Lake Shore Park pavilion and the cost is \$8.00 per class.

She informed everyone that there are Tai Chi and Karate classes every Tuesday, Thursday and Saturday at the Lake Shore pavilion and the cost is \$10.00 for Karate and \$5.00 for Tai Chi.

She announced that there will be Free Line Dancing every Monday night at the Lake Shore Park pavilion from 5:30 – 9:00 pm.

She explained that we are still accepting registration for the Winter Basketball Leagues for ages 6-18 and the cost is \$35.00. She explained that anyone wishing to participate in any of these activities should call the Recreation Department at 561-881-3338.

She asked for clarification on a few items that were requested by the Commission.

Discussion ensued concerning the consensus of a Marina Board. There was a consensus to not consider bringing back the Marina Board until the lawsuit has been finalized.

Mayor DuBois asked the Clerk to research what meeting that the Marina Board had been previously discussed and a consensus had been made.

Commissioner Hockman asked if we can outsource the management of the Marina.

Attorney Baird responded that it is impossible to answer this question.

Attorney Baird had no comments.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Longtin and seconded by Commissioner Stevens, and by unanimous vote, the meeting adjourned at 9:02 p.m.



Mayor James DuBois



Town Clerk, Vivian Lemley

Deputy Town Clerk, Kelly Avery



Approved on this 2 of November, 2011



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, October 5, 2011, 7:00 p.m.
Lake Park Town Hall
535 Park Avenue

| | | |
|------------------------------|---|----------------------|
| James DuBois | — | Mayor |
| Kendall Rumsey | — | Vice-Mayor |
| Steven Hockman | — | Commissioner |
| Jeanine Longtin | — | Commissioner |
| Tim Stevens | — | Commissioner |
| | | |
| Maria V. Davis | — | Town Manager |
| Thomas J. Baird, Esq. | — | Town Attorney |
| Vivian M. Lemley, CMC | — | Town Clerk |

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE
- D. ROLL CALL
- E. ADDITIONS/DELETIONS - APPROVAL OF AGENDA
- F. PUBLIC COMMENTS
- G. CONSENT AGENDA: All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

Recommended For Approval:

- | | |
|--|-------|
| 1. Budget Workshop Minutes of July 27, 2011 | Tab 1 |
| 2. Regular Commission Meeting Minutes of August 3, 2011 | Tab 2 |
| 3. Special Call Attorney-Client Session Meeting Minutes of August 17, 2011 | Tab 3 |
| 4. Regular Commission Meeting Minutes of August 17, 2011 | Tab 4 |
| 5. Budget Workshop Minutes of August 24, 2011 | Tab 5 |
| 6. Regular Commission Meeting Minutes of September 7, 2011 | Tab 6 |
| 7. First Public Hearing on the Tentative Budget Minutes of September 7, 2011 | Tab 7 |
| 8. Resolution No. 36-10-11 Change to Development Review Fee Schedule | Tab 8 |

H. PUBLIC HEARING:

******* OPEN PUBLIC HEARING*******

- A. Staff Report
- B. Public Comments
- C. Commission Deliberation

ORDINANCE ON SECOND READING

9. Ordinance No. 06-2011 Comprehensive Plan Capital Improvements
Schedule Update

Tab 9

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING AND UPDATING THE CAPITAL IMPROVEMENTS ELEMENT OF ITS COMPREHENSIVE PLAN; PROVIDING FOR AN UPDATED FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE PURSUANT TO SECTION 163.3177(3)(b)1., FLORIDA STATUTES; PROVIDING FOR THE AMENDMENT OF THE TEXT OF THE CAPITAL IMPROVEMENTS ELEMENT SO AS TO BE CONSISTENT WITH THE NEW SCHEDULE ; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Requests: Motion to Approve

******* CLOSE PUBLIC HEARING*******

I. DISCUSSION AND POSSIBLE ACTION:

- | | |
|-----------------------------------|--------|
| 10. Volunteer Dinner | Tab 10 |
| 11. Fireworks Festival Budget | Tab 11 |
| 12. Adult Arcades/ Internet Cafes | Tab 12 |

J. COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:

K. ADJOURNMENT: