



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, June 2, 2010, 7:00 p.m.
Lake Park Town Hall
535 Park Avenue

Desca DuBois	—	Mayor
Patricia Osterman	—	Vice-Mayor
Steven Hockman	—	Commissioner
Jeanine Longtin	—	Commissioner
Kendall Rumsey	—	Commissioner
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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. **PROCLAMATION:**
Captain Douglas Reece of the Palm Beach County Sheriff's Office
- G. **PUBLIC and OTHER COMMENT**
This time is provided for audience members to address items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

- H. **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.

For Approval:

1. Regular Commission Meeting Minutes of April 7, 2010 Tab 1
2. Regular Commission Meeting Minutes of April 21, 2010 Tab 2
3. Regular Commission Meeting Minutes of May 5, 2010 Tab 3
4. Regular Commission Meeting Minutes of May 19, 2010 Tab 4
5. Resolution No. 22-06-10 Recognition of May 25, 2010 as National Missing Children's Day Tab 5
6. Resolution No. 23-06-10 Fee Schedule Changes Tab 6
7. Follow Up Letter to the Army Regarding the Use of Property on Congress Avenue for an Army Reserve Center Tab 7

I. **PUBLIC HEARING:**

ORDINANCES ON SECOND READING:

8. **ORDINANCE NO. 05-2010 Amendment to Town Code of Ordinance Section 2-151 et. Seq. Regarding Rules Governing the Library Board** Tab 8
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 2, ARTICLE IV, DIVISION 2 OF THE TOWN CODE ENTITLED "LIBRARY BOARD"; PROVIDING FOR THE AMENDMENT OF SECTIONS 2-154, 2-158, 2-160 AND 2-161 PERTAINING TO THE LIBRARY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

9. **ORDINANCE NO. 06-2010 Mobile Food Vendors** Tab 9
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 22 OF THE CODE OF ORDINANCES, ENTITLED "SOLICITATION" TO CREATE A NEW ARTICLE III PERTAINING TO MOBILE VENDORS PROVIDING FOR DEFINITIONS; PROVIDING THAT A LICENSE IS REQUIRED; PROVIDING FOR CERTAIN EXEMPTIONS; PROVIDING FOR LIMITATIONS ON CERTAIN ACTIVITIES; PROVIDING FOR A LICENSE APPLICATION AND LICENSE FEE; PROVIDING FOR THE EXPIRATION OF LICENSES; PROVIDING FOR THE REQUIREMENT THAT LICENSES BE DISPLAYED IN PLAIN VIEW; PROVIDING FOR THE TRANSFER OF LICENSES; PROVIDING FOR CERTAIN HEALTH REGULATIONS; PROVIDING FOR MOBILE VENDOR STANDARDS; PROVIDING THAT MOBILE VENDORS SHALL HAVE AND MAINTAIN INSURANCE; PROVIDING FOR THE REVOCATION OF LICENSES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT;

PROVIDING FOR AN EFFECTIVE DATE

J. COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:

K. ADJOURNMENT:

Proclamation

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 2, 2010

Agenda Item No.

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input checked="" type="checkbox"/> Other: Proclamation | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Proclamation in Honor of Captain Douglas C. Reece

RECOMMENDED MOTION/ACTION: Approval of Proclamation

Approved by Town Manager W. Davis
 Date: 5/24/10

Name/Title		Date of Actual Submittal
Originating Department: Town Manager	Costs: \$ -0- Funding Source: Acct.	Attachments: Copy of Proclamation
Department Review: <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone BMT OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background:

**PROCLAMATION
IN HONOR OF CAPTAIN DOUGLAS C. REECE**

WHEREAS; Douglas C. Reece is a law enforcement officer with more than twenty-three years of experience with the Palm Beach County Sheriff's Office; and

WHEREAS; Douglas C. Reece commenced his law enforcement career with the Palm Beach County Sheriff's Office in 1986 assigned to District 5 as a patrol officer; and

WHEREAS; in recognition of his distinguished service and his devotion to duty, Douglas C. Reece was promoted to Sergeant in 1994, to Lieutenant in 2001 and in 2004 he attained the rank of Captain; and

WHEREAS; Douglas C. Reece has served since 2004 as the Commanding Officer overseeing the operations of District 10 Town of Lake Park, Palm Beach County Sheriff's Office; and

WHEREAS; through such service, Douglas C. Reece has sought to improve the quality of life of the Town of Lake Park by demonstrating his commitment to the needs of Lake Park citizens; and

WHEREAS; the Commission of the Town of Lake Park wishes to publicly recognize Douglas C. Reece for his service to this community and honor him for his achievement.

NOW, THEREFORE, on behalf of the Commission of the Town of Lake Park, I, Desca DuBois, Mayor of the Town of Lake Park, do hereby publicly commend Captain Douglas C. Reece and express our gratitude for the services which he has rendered to this community.

IN WITNESS WHEREOF, I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 2nd day of June, 2010.

By:

Mayor Desca Dubois

ATTEST:

Vivian Mendez Lemley, Town Clerk

Consent Agenda

TAB 1

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: **June 2, 2010**

Agenda Item No. **1**

- | | |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: Regular Commission Meeting Minutes of April 7, 2010.

RECOMMENDED MOTION/ACTION: Approve the Regular Commission Meeting Minutes of April 7, 2010.

Approved by Town Manager W. Davis Date: 5/27/10
 Deputy Clerk [Signature] Date of Actual Submittal 5/27/10

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments: Meeting Minutes
Department Review: <input type="checkbox"/> City Attorney <input type="checkbox"/> Community Affairs <input type="checkbox"/> Community Development	<input type="checkbox"/> Finance <input type="checkbox"/> Fire Dept <input type="checkbox"/> Library <input type="checkbox"/> PBSO	<input type="checkbox"/> Personnel <input type="checkbox"/> Public Works <input checked="" type="checkbox"/> Town Clerk <input type="checkbox"/> Town Manager
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <input checked="" type="checkbox"/> _____: Please initial one.

Summary Explanation/Background: At its May 19, 2010 meeting the Town Commission tabled the approval of this item to allow Commission Longtin to further review the accuracy of the minutes.



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, April 7, 2010, 8:03 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, April 7, 2010 at 8:03 p.m. Present were Mayor DuBois, Vice-Mayor Osterman, Commissioners Rumsey, Hockman and Longtin, Town Manger 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

None

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

Vote on Motion:

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

Motion passed 5-0

PUBLIC AND OTHER COMMENTS:

Richard Ahrens, 1461 Kinectic Rd. - "Richard Ahrens, I have two addresses, 803 Park Avenue and 1461 Kinectic Road where our corporate office is. I would like to commend everybody, I'd like to commend Jennifer especially, and Maria, she's got a boss so...if it wasn't for their efforts, we actually took 105 groups through Park Avenue on Saturday and Sunday. I got 15 out of 20 condo units leased. (Applause from the audience) Obviously we have a Mexican restaurant coming in, we have several other facilities that Jennifer has worked extremely hard...and I heard this conversation... I got three minutes, so I have to talk fast, about how much she's getting paid. You're paying her too little, you need to double her salary, seriously. Somebody who raised the issue about how

much she's being paid is crazy because that woman is working her fanny off and has brought Park Avenue back on the map and I can tell you firsthand that of the 105 groups that I took through my building, every single person was not aware of the quality of Park Avenue and the Town of Lake Park. I don't know how many Commissioners talked to people. I talked to 105 of them and on top of that I went in front of Los Burritos and listened to the conversation of people buying food from them and the comments from those people was incredible. So talking about your not paying somebody enough, that's nuts okay and if you want to look at what the economic impact of that event is, you can't put in dollars what this Town got out of that event. I'm telling you there's no way that any study or analysis can put the value of what this Town got on the return of that festival. I was there firsthand and talked to people. Okay. Besides that, we got all these people that had complaining...I own 1/5th of Park Avenue by the way. Mrs. Mosler owns a little more than 1/5th. Where are these people who are complaining? I have no idea because between the two of us we own 50% of Park Avenue. So let's talk about the 50% that's not there. You take out the empty facilities there and you're down to 10 to 15%. So to listen to somebody make a comment that somebody's not doing their job really upsets me, okay, and I own a big chunk of this downtown trust me. Much more money than you guys can ever imagine and to listen to comments that these people are afraid. I've never been afraid and I've gotten my butt beat up here trust me as you all know it and if you're afraid as a business person to speak your peace then you're not a business person, period (Applause from audience). Let's talk about breakdown. Okay, I was there when the first person came to Maria to break down and it was a little after 3 o'clock and he had a friend in Tarpon Springs that was doing an event and it was pouring down rain and had been for an hour and it was projected that that was moving this way. If I was a vendor I'd break down. I wouldn't keep my art in the rain. I don't care. Okay, so, where somebody said that they started breaking down earlier than that... the first person that asked Maria was a little after three o'clock. The Sunday was our slower turn out obviously because of the weather everybody was projecting that we would have tons of rain. Saturday was off the charts and before I forget it, the entertainment was off the charts, okay, the person who performed on Saturday was incredible and the steel band on Sunday was incredible and if you were a Commissioner and you weren't there and you didn't listen to the quality of that music, you missed out. I'm probably out of my three minutes. Let me talk about the policing, the cop's here.

Mayor DuBois asked if Mr. Ahrens would like an extra minute to comment.

Mr. Ahrens requested an additional minute to discuss the policing at the Art Festival.

Mayor DuBois granted Mr. Ahrens an additional minute to comment.

Mr. Ahrens stated "One hundred and five groups went through my building and one hundred and five people commented on the quality of the service of the police department that was present at that event. They had never seen an art festival or a festival with the quality patrol and security that they saw and I commend the Sheriff's Department for that and I commend the people who work for the Town of Lake Park because they were everywhere picking up any and everything that fell on the ground firsthand, I saw it. Other than that, I had to go back to my bank. My bank dropped my interest rate to 2% from 7% because of the turnout that was accomplished at that Art Festival weekend. So,

you know it was a dire situation for me. I'm still in the whole over \$1 million, me personally not counting my two other investors, my sister and my ex-wife. We still talk too by the way, and I talked to the Commissioners. I talked to every Commissioner that was at the festival and I was present and I talked to each and every one of them and I commended each and every one of those Commissioners that was there on the quality of that function. Thank you very much."

Jack Batho, 836 Park Ave - "Good evening. I'm ...west end of the 800 block on the south side and I know all my tenants know Jennifer Spicer and I'll encourage them to go and see her. Saigon Market... I know she knows Jennifer Spicer. Jennifer has encouraged her to paint the front of her building and helping her out that way. One of my tenants that was helped by her, for a loan, by filling out the forms for and getting the loan for Confusion Records, she was able to get a photographer into an empty space where Park Avenue Tailors was and that's an asset because it's an art because that's the type of business that we want. She's been bringing people by for the corner with the awning across the post office, she's brought so many people by to look at the place, I've lost count, and I now have a prospective tenant for that place. She's brought so much enthusiasm to the street. In the last 20 years this is the most input that's ever happened here. She says there's going to be an arts and crafts festival in November and I think that's something that the tenants on the street can participate more in so I'm encouraged by that. We have an Art VanGogh as a kid's art studio and she would like to do something along those lines and the photographer would and other people. I know Lake Park is a spec of a town off the grid and a lot of people don't even know the Town's here and now that it's in such a beautiful state, I'm encouraged now."

Brian McCann, 415 Greenbriar Dr. - "Brian McCann partner at Brown Baggin' It sandwich shop at 304 Park Avenue. I just wanted to thank the Commission and Maria Davis, the Town Manager and Jennifer Spicer for what a wonderful job everybody did with the Art Festival. We got a lot of people even though we were on the western end of it, we had quite a few people go by and with the parking behind the fire station, menus went out, everybody spoke and we talked to everybody that walked by. We had plenty of return customers after those days, not even counting Saturday and Sunday that came back through the beginning of the week and I just want to thank you all for doing that and like I said, it might have been slow the second day with the rain. Next year it's going to be off the wall. I would like to ask one thing maybe also, if we could maybe set up a meeting or a workshop that would actually define how the CRA works, how the money is distributed throughout the CRA District and how the business owners and homeowners outside of the CRA District would not be affected by the money that goes into the CRA and if everybody knew how that worked, I think a lot of problems would be dismissed right there and last but not least, if I think if the Town wants to succeed and prosper we need to lose the negativity, and concentrate more about the positive things in this Town and for all of the Commissioners, lose the negativity and if one Commissioner is speaking, please let's not have other commissioners sitting up there shaking their heads, shaking their heads. Let that Commissioner speak and then we can discuss things after that. Thank you for your time."

Gary Jackson, 1210 Gateway Rd. - "Gary Jackson, 1210 Gateway Rd. my business location. I didn't have the opportunity to attend the functions over the weekend with the

Art Festival, I wanted to but I had other pressing issues that I couldn't deal with. My big concern right this moment is in reference to one, Jeanine, welcome back. Mr. Hockman, I tried to approach you and discuss your abilities two weeks before the election. You pretty much dissed me in front of other people that's all well and done. You didn't want to answer any of the questions. You didn't want to come up with any resolve to anything that I approached you with including asking the name of your business, etc. Obviously after your election, you chose to identify that you were knee deep into a situation with a lawsuit with this Town and some contractor that you're involved with. I respectfully request that you step down or at least step out of all parts of the Marina conversation in reference to that lawsuit, not just your vote. I don't want you even in the room. If you would do that for us. I think the people would appreciate it seeing how you didn't give us the whole truth going in. Thank you."

Jason Wallace, 123 E. Jasmine Dr. – "Hi my name is Jason Wallace. I live on 124 E. Jasmine. I'm really glad you went first. First I'd like to say that the Art Festival was awesome. I had a great time. I was there both days. I saw a lot of you there. Had a great time, met a lot of artists. They were really happy with what happened and how it turned out. Yah, we didn't have a lot of people but it was the first year so it was cool to see how we were moving forward as a town. I'm pretty psyched to be a member of this community. Glad I'm starting my home and my family here and it's really weird, I can talk to all of you outside of this room without being nervous, but I get up here and I'm like..but I am really excited to be part of this town but sadly I am bothered by recent actions of our new Commissioner, Mr. Hockman and his campaign and the election. Personally I believe he ran a deceitful campaign in his bid for Commissioner. He rallied citizens for change in this council because he thought we were wasting time and resources on what he calls a frivolous lawsuit. He didn't disclose any information during his campaign to the citizens or prospective voters that he was working side by side with the company that is in litigation with the Town, and in a quote from the Palm Beach Post, he didn't know if he would get elected if he would've given that information, and I have to ask why you didn't give that information because that's something we all need to know, and like he said, even worse, right after you were sworn in, you decided to tell us. I know personally that you went to friends and family members' homes of mine and got them all psyched up and they voted for you and they're not really happy with you right now, and you know also during your campaign you touted yourself as a Scout Master and I got to ask man, I was a Scout once and they teach honesty and integrity and so far, I don't see either one those things. All I see is deception and unethical behavior both of which I believe to be components of a dirty politician. In a Palm Beach Post article concerning the issue of the Marina you said quote "I don't want anyone from the Town to sit there and scream foul play if it doesn't go their way." Well, Mr. Hockman, I believe the entire Town should scream foul play based on your actions. I don't believe you deserve the respect of the Town's people and shouldn't be given the chance to earn it back either."

Leila Kidd, 415 Greenbriar Dr. - "I live at 415 Greenbriar. I am also one of the owners of Brown Baggin' It Sandwich Shop which is located in the CRA District in Downtown Park Avenue. First I'd like to comment on the Art Show. I think it was a great success. We actually had a lot of business. I actually wish that when we went to the soft opening of the Co-op which is beautiful, congratulations on that, that I would have seen the two

new Commissioners there but that's something I hope would happen in the future. Tonight, Commissioner Hockman, I wish when you were campaigning you would have stopped by my home or my business and explained to me what your goal as Commissioner and what your intentions for our Town were going to be. After I watched your first Commission meeting and read the article in the Palm Beach Post the next day, I don't think your first impression was a positive one, not only for you but for the Town of Lake Park. I don't believe and I'll quote "I didn't know if I would be elected or not when I ran." It's not a good enough reason for the residents, business owners, and the people that elected you as you've heard tonight. I tend to give people the benefit of the doubt, but I've seen you numerous times stand where I am today and be very aggressive and rude, and now you're sitting in that spot and I hope you're prepared for that, and I hope that you can show me that your intentions are good and that you go around and talk to the people. If not, then I think you should step down. Thank you."

Mary Gerber, 845 Foresteria Dr. #8 – "Good evening, I'm a resident at 845 Foresteria, Apt #8. I was lucky enough to be able to get down to the Art Festival and we had a really good time. We enjoyed the food, we enjoyed the art. It was just really nice to see some positive things going on in our Town especially being where I am in Lake Park, I've definitely seen some negative things with crime so it seems like we're going in a much more positive direction now, but what I really wanted to talk to you about tonight was Commissioner Hockman. It came to my attention recently that as soon as you got in to office you wasted no time telling us that you couldn't vote on any issues regarding the lawsuit with the Marina. Obviously that was a key issue and you knew that when you were running. The residents of Lake Park definitely count on our elected officials to do the job that we basically hire them to do with our votes. To run for office knowing that you're going to be unable to vote on a key issue and to hide that information from the residents until after you are elected is nothing but deceitful and it's reprehensible, and again I would like to bring up the quote from the Palm Beach Post article where you said "I didn't know if I would be elected or not when I ran." That seems like a really flimsy excuse for not being forthcoming with your potential constituents. Any candidate running for any office has to know that they could possibly end up in office and you have to run an open and honest campaign based on that assumption. To make matters worse, I happen to also know that you are a Scout Leader with the Scouts as am I in the same district.

As leaders we ask our boys to follow the Scout motto which for those of you who don't know "is to do your best". Another thing is that part of the Boy Scout Law... it states that a Scout is trustworthy. Scout leaders are supposed to lead by example and I do not believe that you did your best to make your connection with Bridge Design Associates known during your campaign and you certainly did not prove yourself to be trustworthy to the residents of Lake Park. I have to wonder that if you were willing to withhold information like that during your campaign from the residents whose votes you were counting on to get yourself into that seat that you're in right now, what are you capable of now that you're in office? You really might want to consider stepping down and letting somebody who can actually do the job fully take your place. Thank you."

Joy Humphries, 414 Greenbriar Dr. – "Good evening, Joy Humphries 414 Greenbriar Dr. First of all I'd like to also congratulate the CRA and the Town on a job well done on

the Art Festival. I've been in the Special Event industry for over 25 years in non-profit, quasi-government and government agencies and I thought for a first year event it was fabulous. I'm also here tonight to voice my concerns about issues regarding our new Commissioner Hockman. Commissioner Hockman, months ago you criticized our Town Commission for not responding to our community and for not keeping the citizens updated on Town issues. Months ago you criticized the Town law suit with Lake Park Marina saying and I quote you "It can be fixed with a bucket of sand." Now we find out that you worked with the company the Town is in a lawsuit against. Where you hiding this information for a particular reason? Did Bridge Construction contribute to your campaign? In the Palm Beach Post you stated and I quote once again "I don't want anyone from the Town to sit and scream foul play if it doesn't go their way. I didn't know if I would be elected or not when I ran." Did you not think it was important to be honest with the citizens of the Town of Lake Park when you ran for office? Mr. Hockman for the integrity and the good of this Town you should do the right thing and resign immediately."

Karl Osterman, 919 W. Jasmine Dr. – "Karl Osterman 919 West Jasmine. Before I begin I would like to say that for over four years since Vice-Mayor Osterman was elected, I have not approached this podium so as not to put forth the appearance that I was speaking for her or she was speaking through me in any way. Please be assured that the opinions I express this evening are solely my own. I cannot remain silent on this issue. This is simply too great the effects of which impacts every citizen of this Town. Mr. Hockman I would like to know if you received any monies directly or indirectly from Bridge Design, the litigant the Town is suing over deficiencies at the Marina, when you would come to this podium and berate the Commission and the Town Manager about decisions being made or the validity of said legal action. I would like to know if you did not disclose your business relationship with Bridge during the campaign because in your own words, you did not know if you would be elected so that if you had not been elected you could continue to misrepresent yourself from this podium. I would like to believe that when a resident approaches this podium there is a covenant between that individual and the members of this community. A covenant that the individual is speaking on behalf of the betterment of the whole and not to put forth the agenda of a private client. Mr. Hockman, your deception falls into question the entirety of your professional and personal integrity and your ethical standards. I ask you, are these the values you teach the children you mentor? Mr. Hockman, you're a liar. A lie of omission is no less a lie. Your own admission in the Palm Beach Post confirms this deception. Madame Mayor, my sincere regrets go out to you, the Commission and to every single resident and business owner in this Town. Mr. Hockman, you have brought the specter of corruption upon us all. A perception which I believe will have a ripple effect to dissuade new businesses and patrons from coming here and in effect, an act that has damaging ramifications for everyone. In closing, Mr. Hockman, I would suggest that you resign for the benefit of your own professional reputation and to bring integrity back to this Commission. I would like to thank you very much for letting me express my opinions and concerns."

Joseph Lorelli, 910 2nd St. – "Joseph Lorelli, 910 2nd Street. As well as everybody else my concerns lay with Mr. Hockman. No, Mr. Hockman, I didn't vote for you but those people that did can't take their vote back. I ran against you. I've been down here for ten years participating. Never in my life in ten years I've been coming down here have I

seen anything of this nature. There's a multi-million dollar lawsuit with the Marina in this Town. The last thing anybody wants to see here is you sitting there and have to deliberate and discuss what's going on and where's the information going? Is it here, is it in confidence? Is it where it's supposed to be? Where's your loyalty? Or is it going back to Bridge Construction? I think everybody else put it out there just as well and I feel just the same way. You should resign. Thank you."

Beth Drew, 527 Palmetto Rd. – "Good evening, Beth Drew, 527 Palmetto. I've been a resident of this Town for 17 years. I want to congratulate the Commission and our Town Manager for an excellent art show that we had. It was wonderful, it was beautiful and I've also wanted to congratulate the Commission in the last few years for the wonderful progress that we have made in this Town in beautifying our Town really getting its act together. We have made wonderful progress. Mr. Hockman, I am sorry but we have a Marina that is extremely important to us and we need our entire Commission working for it and working for our Town, and it doesn't look like you will be able to do that. What my fellow residents here of the Town have said and spoken is exactly what I was thinking and feeling and wanted to say myself. You need to step down sir. Let someone who can fully participate in this job do the job that we need to have done and continue the wonderful progress that we've been making. Thank you."

Diane Munroe, Hawthorne Dr. – "Good evening everyone, nice to see you. Hawthorne Drive, Lake Park. What makes it very difficult for me to stand up here is I believe your son is in the audience, so maybe you can make it a special night with him to explain to him what is going on. Mr. Hockman, your behavior during the campaign and now here today is very disturbing to say the least. You most certainly do not have the best interests of Lake Park in mind. You had an obligation to disclose your conflict of interest and you did not. You chose to keep the truth a secret. This is fraudulent, Mr. Hockman. A deliberate deception practiced so as to secure unfair and unlawful gain. Trickery - one who pretends to be what he or she is not. Your non-disclosure shows that you were dishonest, sneaky and not to be trusted. You ran for the Commission seat for your own personal gain. You have insulted the residents and the business people of Lake Park by your lack of understanding. You have no credibility. Mr. Hockman, how can you represent the Town of Lake Park when you don't even have enough courage to tell the truth about yourself. We do not need someone who is dishonest, someone who cannot make decisions and someone who cannot vote on particular issues. We do not need you Mr. Hockman. You would and already have done more damage than good. You're a snake and you should now resign immediately. If anyone else in the room feels the same way which obviously they do; I have some State of Florida Commission on Ethics Complaint Forms with me and I would be happy to hand them out to you. Thank you for listening."

Chuck Balius, 148 Date Palm Dr. – "Chuck Balius, 148 Date Palm. First I'd like to say it was a nice Art Festival. By the way the parking problem was already taken care of just take the fence down and pave it. This would've probably been better if Mr. Hockman would of released a little news thing about why he did this or why he didn't do it to try and protect himself. I drafted a letter tonight, it took me five minutes, you can ask my wife, based on the comments that I've received from other residents within Lake Park. They're very upset, and some of them voted for you. Some would like to burn your

house down. Basically, that's what they would like to do. One person told me that you breached the trust of the residents of Lake Park. That's the first words out of his mouth. You know that's terrible to say about a Commissioner. I spent twelve years of my life sitting up there. You embarrass me. Anyway, I'm going to read this because I wrote this down just as they gave it to me. Mr. Hockman, you have breached the trust of the residents of Lake Park but most of all you've misled the voters of Lake Park. We've had a major problem here about voting in the last two years, I guess it's been. You admitted this conflict, if you had admitted this conflict, you would have not been allowed to participate in the election. In other words, you knew in advance that you would not be able to perform the full range of duties as a Commissioner and I'm sure that if you had been truthful with the voters of Lake Park you would not be sitting at that dais tonight. You're presently being paid for a job you can't do. We're not a big Town, we don't have much money. That little over \$9,000 they give you a year is a lot of money out of this Town, and it also appears that you have ulterior motives and they were not in the best interests of this Town when you criticized the Town about the lawsuit. Mr. Hockman, people thought that you were a marine engineer because you made comments that you were an engineer. Are you a marine engineer? I build bulkheads. You don't know nothing about a bulkhead, Mr. Hockman. You misled the residents when you stated that you could fix the problems at the Marina with a couple of wheelbarrows of sand. First of all you don't use sand in a bulkhead. You misled them, you lied to them. That's what it was. You know that wheelbarrow you talked about? I wish you'd take that and leave town."

Mayor DuBois asked if Mr. Spilos would like her to read his letter.

Mr. Spilos asked Mayor DuBois to read the letter.

Mayor DuBois read the letter (see Exhibit "A"). She stated that Commissioner Hockman may have the floor to answer to the public's comments.

Public Comment Closed.

Commissioner Hockman stated that he would like to address the comments made by the public. He stated "I guess to start off, I'm sorry the people feel that I've misled them. I did not intentionally try to mislead anybody, okay. First of all, I did not know prior to getting on the Commission that Bridge Design was involved in a law suit. Ms. Davis informed me the first couple of days she called me up to try to get me up to speed and tell me what was going on. That's when I said wait a minute, I need to talk to the attorney as soon as the name started coming out just because of conflicts. I do not want to cause problems. If I would've known that they were one of the people in the law suit and somebody asked me, yes, but you know as much as I, maybe you know more. I've been coming to these meetings, and nowhere in these has the Commission sat here and listed everybody that they're suing. I don't know who they're suing, everybody, I know some of them now, yes and that's when I put the stop on it. Unfortunately, in the interest of the Town, Bridge Design has not paid me anything. I have no ties to Bridge Design. If anything, I guess I could jeopardize anything that I may work on with them in the future. It goes both ways. Bridge Design has never in the years that I have dealt with them, and I don't know how long this lawsuit's been going on, I guess a couple of years from what I

understand. They've never said anything to me, it's never come up. It's something that you know different consultant companies don't go around saying who they're being sued by or who they're suing. That's not something. You may not believe me but that is the god honest truth. I did not know Bridge Design was being sued. I did not know everyone that's worked on the Marina. I didn't go down to the Marina to do research, to see who is, you know involved in or has been involved in it. That's not what I was about, okay. What I had problems with was some of the expenditures not the law suit. I never once criticized this Town for the lawsuit, never once, never intended, never tried, never have. I have not criticized, okay, now in the literature that I passed out. The only comment, I guess if you want to take it negatively was about the overspending in what's going on in the Marina. That, if you want to call that criticizing, than you criticize, but I never criticized this Town for it. Now I am truth and honest, I will tell people the truth. That's what I'm about. If people ask me, if people came up to ask me what I thought about it, I would've told them. I talked to many people in this Town. Did anybody who came up here sit there and say well are you going to vote for the Town or are you going to do this about the lawsuit? No. There's probably going to be a lot of things you know coming up. I remember when the Mayor ran. Now I understand you stand down on a lot of things about the co-op because of your background."

Mayor DuBois stated "Mr. Hockman, the only thing that I do under the Florida State Statutes. Any person in office is not to receive if they think they may receive any benefit from a situation. The co-op is the only thing because I am one of the paid artists part of that. That is one small thing. There are not many things that I do not vote on. Don't confuse this with me. I just want that clear, thank you."

Commissioner Hockman continued "But basically, and there may be more things that any one of these Commissioners including myself may have to sustain from, but we don't run a campaign, I've never seen a Commissioner or any politician as we call them run for office... Oh I can't do this or I can't do that on things that may come up. I still believe in being credible as far as accountable for the money. Things that I've stated at that podium I still believe true to my heart. I still believe that and I still stand for that. I'm sorry that people feel the way they did. I'll be honest, I've spoke to a lot of people around Town okay. People that I know at the art show, I talked to a lot of people that came up. They understood what I was about. Unfortunately, it was one issue. I mean I'm sorry it went that way. If Ms. Davis didn't tell me at the beginning, I did not want to take and put the Town into spending a lot of money, and bring me up to speed on this issue. The sad part is that the reason I did what I did because there was a lot of stuff that was going on behind the scene and I figured I should just bring out it now than wait two years down the road then have everybody yell at me for the same thing. I'm up front, right from the get go I was open with you about that. Nobody out there in the audience that I know of asked me about the lawsuit, okay. That wasn't my platform, was not the lawsuit. Never was, never has been and never intended to be my platform. My platform was for the credibility as far as the expenditures. We've been way out there on the expenditures for this Town."

Mayor DuBois asked if that was his answer.

Commissioner Hockman stated that "Yes, that was his answer."

Commissioner Longtin asked "Mr. Hockman, could you please explain your relationship with Bridge Design. Do you work for them? What is your relationship?"

Commissioner Hockman replied "My relationship with Bridge Design is I am nothing more than a sub to a sub to a sub multiple down. Some projects out there... the subs that I may work for through subs may get paid from them. I have nothing to do with it, I'm a sub, I have nothing to do with what that is. That sub doesn't have to hire me to do anything. I have no ties, I have no contracts, I receive no money whatsoever, none whatsoever from Bridge Design. I have no say in any contracts they give out. I have no say in any projects that come along. However, I do work with different projects with them. In other words, they're paid by the city. I'm paid through subs through subs working for the city."

Mayor DuBois stated that she realized emotions were high and she asked the audience to please try to keep it down.

Commissioner Longtin stated "As I understand it, Mr. Hockman has met with our attorney and they have decided that it isn't a conflict of interest..Oh you're scrunching your eyes now."

Attorney Baird stated "Because that is not accurate."

Commissioner Longtin "You said he would be able to, okay. I'm sorry you're right, you said he would be able to attend the meetings, on a legal standpoint, he would be able to attend the meetings, he would just on many issues..."

Attorney Baird stated "Let me explain Florida law to you."

Commissioner Longtin "I would love that."

Attorney Baird explained "Florida law permits a Commissioner who has a conflict and who states the conflict that they will abstain from voting. Florida law permits that Commissioner to participate in a discussion of the Commission on the item in which that Commissioner has a conflict. The Commissioner with the conflict is not permitted to advocate on behalf of his client, a position, but he may participate. At the time of the vote, the Commissioner must abstain from voting. That's Florida law."

Commissioner Rumsey stated "Since I was elected to this office, I've never seen an issue that's been as volatile in our community as this one is. Parking meters, lawsuit at the Marina, repairs at the Marina, the lighting issue; I have not gotten as many phone calls, e-mails, people knocking on my door, people stopping me in Publix, people stopping me at the Art Show. For the last two weeks, well now three weeks, this is the only issue I have been approached about with any resident in this community and it has been overwhelming the number of people that have stopped me to talk about this issue. Mr. Hockman, you mentioned that you were a sub to a sub to a sub; however, in the Palm Beach Post article it says that you work side by side with a firm the Town is suing over its problem wrought 8 million dollar Marina. Is that that a sub to a sub to a sub or side by

side? So, I look at this and I find it difficult to understand the relationship there. Also where in the article you are quoted as saying it's a fine line because I don't directly work for Bridge Design however it doesn't say you don't work with Bridge Design. So I think that we're walking some tight rope there on this issue. One other question I do want to approach the Mayor with and I hope that you will come back and answer this. I would like to know was the co-op on the radar of the Town when you ran for office and you can come back and answer that later if you would like, because I think if an issue comes up after we are in office it's quite different than running on that issue. Mr. Hockman, for myself and this community, I think that I would feel much more secure and I think our community would feel much more secure, if tonight you made a commitment to this community that you would not be active in any attorney/client sessions on the Marina, you would not attend any attorney/client sessions on the Marina, you will not receive any e-mails regarding the lawsuit at the Marina and you would not speak or vote on any issues revolving around the lawsuit at the Marina. For myself, if you would make that commitment to the community this evening and to the rest of the Commission, I would feel much better."

Commissioner Osterman stated "I asked for clarification about the relationship at the last meeting. I was not given that information. I spoke with our attorney the next morning and I was not told it was a sub of a sub of a sub. I was told that it was a sub relationship, and that seems to have changed now so I'm confused about that. I also called the attorney back the following day and said Commissioner Hockman said that he doesn't have a direct relationship with Bridge and that is why it was not listed on his financial interest statement and let me just take a moment and clarify that for everyone in the audience. Everyone who runs for office must make a statement of financial interest so that there is a record of any connections that we might have with any properties or businesses or anything like that. We have to update that every year that we're in office and it's to keep us on the straight and narrow. I called the attorney back and I said even if it's a sub-relationship there are no clients listed, and Florida law requires that clients meeting a threshold be listed. I asked the attorney to ask Commissioner Hockman to file an amendment so that it would be clear to everyone and it would become a matter of public interest what companies he does work for. It is three weeks past that and that amendment has not been filed as of the last time I asked the Clerk. Mayor could you ask the Clerk if that amendment has been filed?"

Mayor DuBois stated "Madame Clerk has that been filed with you?"

Town Clerk Vivian Lemley stated "No."

Commissioner Osterman stated "I would like to say that there was one quote in the paper that troubled me more greatly than anything, and I understand that I am an English professor and that language matters a lot more to me than perhaps the average person but the quote about the lawsuit was "If it doesn't go their way". It wasn't "If it doesn't go our way." It was "If it doesn't go their way." That makes me extremely uncomfortable about which side of the issue you're on Mr. Hockman, and like Commissioner Rumsey, I am very uncomfortable although legally it might be acceptable for you to be present in meetings. I'm sorry, your position is suspect because of your behavior. We will be discussing strategy sessions and while you might not be able to vote, I want complete

confidence, complete confidence that everyone in that room is going to keep that information within that party. Finally, Madame Manager, I am very, very sorry to put you in this situation and yet I feel it is my responsibility to do so. Earlier tonight we were discussing in regards to the CRA the number of people on Park Avenue. Immediately following the meeting, Mr. Hockman, Commissioner Hockman, Board Member Hockman disclosed one name and then in a follow up e-mail was uncomfortable disclosing any. Again, I see that as suspect. Tonight, he has stated that in his initial meeting with you, you gave the names of the litigants. I find that to be highly suspect. I cannot imagine an initial conversation about deficiencies in the Marina where you would give the names of litigants. So I'm very sorry to ask you this directly and yet I feel that I must. Would you please address this issue if the Mayor would allow you to do so.

Mayor DuBois stated "I will allow the Manager to answer that question if she would.

Town Manager Davis stated "My conversation with Commissioner Hockman was to advise him that I thought that it would be in his best interest if we sat down and went through the forensic evidence that we collected to date because of comments that have been made for the past year regarding the Marina and certain actions we were taking there and Mr. Hockman's response to me was that before we get together he needed to speak with the attorney. I do not recall going through names of litigants. Mr. Hockman stated that when I pushed the issue and asked him why he needed to talk to the attorney just to be educated, I was told that Bridge Design is one of his largest clients."

Commissioner Osterman stated "So to clarify, you did not give the name, he did?"

Town Manager Davis stated "My recollection is what I just stated."

Commissioner Osterman stated "Thank you and I apologize for putting you in a situation where you have to disclose that against one of your bosses, but this is critical to our Town and I'm embarrassed by the situation."

Mayor DuBois stated "First and foremost when I ran for Mayor there was not even a whiff of that there was going to be an art co-op in the CRA so I certainly didn't abstain myself from voting on it until it became something that I felt that I did not wish to vote on. Another thing I'd like to say here and Attorney Baird if you will help me. One of the things I'm trying to clarify is the timing before the swearing in of Mr. Hockman, is it not true that I had a conversation with you letting you know that I was aware of this conflict and that if Mr. Hockman had not revealed it when he ran that when he was sworn in he needed to reveal that there was a conflict and if he did not, I would give him the chance to go first in Commissioner comments and the opportunity to do so, and did I not tell you that if he did not, that I would do so myself?"

Attorney Baird stated "Yes."

Commissioner Osterman requested a five minute recess.

Mayor DuBois adjourned the meeting at 9:05 p.m. for a five minute recess.

The meeting reconvened at 9:13 p.m.

Consent Agenda:

1. Regular Commission Meeting Minutes of March 17, 2010
2. Resolution No. 14-04-10 Bank Signatures
3. Resolution No. 15-04-10 Memorandum Of Understanding of Support for Treasure Coast & South Florida Regional Planning Council's Joint Application for the Federal Sustainable Communities Initiative (SCI) Funding
4. Resolution No. 16-04-10 Florida Department of Environmental Protection Parks and Recreation Division Land & Water Conservation Grant Submission for Ball Field Storage & Playground
5. Board Membership Listings
6. Arbor Day Proclamation
7. Letter of Support for Community Outreach Center

Public Comment Open.

None

Public Comment Closed.

Commissioner Rumsey asked that item #2 of the Consent Agenda be pulled for discussion.

Commissioner Longtin asked that items #3 and #5 of the Consent Agenda be pulled for discussion.

Motion: A motion was made by Commissioner Rumsey to approve item numbers 1,4,6, and 7 of the Consent Agenda; Vice-Mayor Osterman made the second.

Vote on Motion:

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

Motion passed 5-0

Commissioner Rumsey stated that he wanted to clarify that the bank signatories listed on the Resolution were the Mayor, the Vice-Mayor and himself. He asked that Town Manager Davis explain why he was listed as a signatory.

Town Manager Davis stated that he was a senior Commissioner and that the three senior Commissioners were listed as the signatory.

Mayor DuBois asked Finance Director Anne Costello to explain.

Finance Director Anne Costello stated that typically it is the Finance Director, the Mayor, Vice-Mayor and an additional Commissioner. She stated that she chose the incumbent Commissioner as the fourth signatory as that has been the practice since she has worked for the Town. She stated that the Town's Ordinance required two signatories but they have added a third signatory as an extra precaution.

Commissioner Rumsey asked if the Town has ever had to have the third signatory sign any paperwork in her tenure.

Finance Director Costello stated that she did not believe so and it would probably be more likely in the event of a wire transfer for possibly a sale of a property but that had not happened since her tenure with the Town.

Mayor DuBois asked if Commissioner Longtin wanted to debate the issue or who she wanted as a third signatory.

Commissioner Longtin stated she understood why the Mayor and Vice-Mayor were chosen as the two signatories but was disappointed that there was no discussion regarding the third signatory.

Vice-Mayor Osterman stated that she was very open to discussion and would love to hear Commissioner Longtin's idea.

Commissioner Longtin stated that her problem was that there was no discussion on the item.

Mayor DuBois explained that the signatories were chosen after every election the same way and asked Commissioner Longtin if she would like to propose another way and have the Commissioners vote on it.

Motion: A motion was made by Commissioner Longtin to approve herself as the third signatory for the Town's Bank Signatures according to Resolution No. 14-04-10; Vice-Mayor Osterman made the second for discussion of the item.

Vice-Mayor Osterman asked Attorney Baird if she could second the motion for discussion only.

Attorney Baird stated that she could discuss the item once the second on the motion was made.

Vice-Mayor Osterman asked for the rationale behind Commissioner Longtin's motion and they could move forward.

Commissioner Longtin stated that the three incumbents had already been chosen and it did not make a difference since a third signature is not usually needed if they were going to choose by seniority she has been a Commissioner in the past and entering into her fourth year on the Commission.

Mayor DuBois stated that it was a waste of time to nitpick the bank signatory item. She stated that she found it insulting that Commissioner Longtin would indicate anything about her or the other two people who were elected the same as she was.

Commissioner Longtin withdrew her motion.

Commissioner Longtin stated that she just wanted to prove to someone how important this was to “you girls.”

Vice-Mayor Osterman withdrew her motion.

Commissioner Rumsey asked Commissioner Longtin who she was referring to in her statement about proving something to “you girls.”

Commissioner Longtin explained that she was speaking to someone outside and it was not even a girl, it was a guy.

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

Vote on Motion:

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

Motion passed 4-1.

Commissioner Longtin asked for item #3, Resolution No. 15-04-10 to be explained.

Town Manager Davis asked Community Development Director Patrick Sullivan to come to the podium to explain.

Community Development Director Patrick Sullivan explained that he was approached by a Treasure Coast Commissioner at a meeting recently that was held to discuss the Sustainable Communities Initiative which was a funding mechanism for regional

planning. The area from the Treasure Coast down through Broward County and Miami Dade have agreed to create a regional entity that would apply for grants for transportation, environmental and housing issues. The Memorandum of Understanding supports the Treasure Coast and the Palm Beach County area initiative to work with other communities and counties to put money together a package to get this money at some future date. The particular projects have not been identified at that point. It was simply municipalities and counties coming together to say that they want to create an entity that would be eligible for grants from the federal government. Once it is put together it would become the fifth largest metropolitan in the country and would position them very well for grants from Washington with obtaining increase transportation funding. He recommended supporting the Treasure Coast initiative and moving forward with it.

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

Vote on Motion:

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

Motion passed 5-0.

Commissioner Longtin wanted to know why the Marina Board was currently inactive.

Town Manager Davis explained that the Commission adopted a Resolution or Ordinance that determined that there was no need at this point in time for the Marina Board to meet.

Commissioner Longtin stated that the Marina Board had been very active in scheduling tournaments and other activities at the Marina. She asked if there was currently a Marina Board and if she should contact the members of the Board to see if they want the board reactivated.

Town Manager Davis stated that there was a still a Marina Board but it was currently inactive.

Commissioner Longtin asked if she contacted the members and they wanted to begin meeting again if the Board could be reactivated.

Town Manager Davis stated that it was not up to her but should be voted on by the Commission.

Mayor DuBois stated that Commissioner Longtin could speak to the members of the Marina Board and see if they were interested in meeting again. She requested that Attorney Baird retrieve the history on the vote to make the Marina Board inactive and the Commission could review it and discuss the possibility of reactivating the Board.

Commissioner Longtin stated that she would contact the Marina Board and ask them if they wanted to come speak to the Commission.

Attorney Baird stated that it would be proper protocol for the Mayor to direct the Town Manager to direct the Town Clerk to pull the documents related to the vote on the Marina Board.

Mayor DuBois directed Town Manager Davis to direct Town Clerk Lemley to pull the documents.

Motion: A motion was made by Commissioner Longtin to approve item numbers 5 of the Consent Agenda; Vice-Mayor Osterman made the second.

Vote on Motion:

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

Motion passed 5-0.

BOARD APPOINTMENTS:

Applicants for the Planning & Zoning Board

Town Manager Davis stated that the three applicants, Mason Brown, Judith Thomas, and Mary Gambino were present to speak but had to leave.

Commissioner Osterman requested that item #15 be moved to the beginning of the Discussion and Possible Action due to the fact that the meeting had run longer than usual and there had been a resident present and waiting to speak on the item.

Motion: A motion was made by Vice-Mayor Osterman to re-order the Agenda to move item #15 to follow item #8; Commissioner Rumsey made the second.

Vote on Motion:

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

Motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION

Placement of Four Way Stop Sign on the Corner of Jasmine Drive and Palmetto Drive

Public Comment Open.

Cassandra Bowens, 650 Palmetto Dr. – stated that she lived on the corner of Palmetto Drive and that she had written a letter to the City when she first moved there. She was told to send the letter to the office on Old Dixie Highway. The letter stated that she observed many cars running the stop sign and that she had witnessed a bad accident in which the vehicle ended up in her driveway. She had requested the stop sign for the safety of the children who play at the corner. She stated that she also witnessed a high speed chase where the officer had run the stop sign. She stated that she would rather prevent a tragedy by requesting the four way stop sign at the corner of Jasmine Drive and Palmetto Drive.

Public Comment Closed.

Motion: A motion was made by Vice-Mayor Osterman to approve placement of a Four Way Stop Sign on the Corner of Jasmine Drive and Palmetto Drive; Commissioner Hockman made the second.

Vote on Motion:

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

DuBois	X		
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Motion passed 4-1.

ORDINANCE ON 1ST READING

ORDINANCE NO. 04-2010 – Amendment to the Reasonable Accommodations Ordinance Clarifying the Definition of “Qualifying Entity” and Process for Proof of Disability

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING SECTION 78-6(1) OF THE LAKE PARK TOWN CODE ENTITLED “REASONABLE ACCOMMODATION PROCEDURES”; PROVIDING FOR AN AMENDMENT TO THE DEFINITION OF THE TERM “QUALIFYING ENTITY”; PROVIDING FOR THE REQUIREMENT THAT THOSE SEEKING A REASONABLE ACCOMMODATION SUBMIT THEIR LEGAL NAMES AND PROOF OF THEIR DISABILITY OR HANDICAP; PROVIDING FOR THE AMENDMENT OF SECTION 78-6(1) TO REQUIRE QUALIFYING ENTITIES TO SUBMIT PROOF THAT THEY ARE LICENSED SERVICE PROVIDERS AS DEFINED IN SECTION 397.311(18), FLORIDA STATUTES; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Attorney Baird explained the reason for Ordinance No. 04-2010.

Motion: A motion was made by Commissioner Rumsey to approve Ordinance No. 04-2010 upon 1st reading; Vice-Chair Osterman made the second.

Vote on Motion:

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

Motion passed 5-0.

Attorney Baird read Ordinance No. 04-2010 by caption-only.

GENERAL APPROVAL OF ITEM

Recommendation of Appointment of Commissioner Rumsey as an Alternate Member to the Bioscience Land Protection Advisory Board

Motion: A motion was made by Vice-Chair Osterman to approve Commissioner Rumsey as an Alternate Member to the Bioscience Land Protection Advisory Board; Commissioner Longtin made the second for discussion.

Commissioner Longtin asked why Commissioner Rumsey was chosen and who chose him.

Town Manager Davis stated that Mayor DuBois chose Commissioner Rumsey.

Mayor DuBois explained her reasons for choosing Commissioner Rumsey. She stated that he had the experience and the time to fulfill the position.

Commissioner Longtin stated her concerns that the item was not discussed.

Commissioner Rumsey stated that he would remove himself from the nomination so as to have the item discussed and an nomination be made if it would make Commissioner Longtin more comfortable.

Commissioner Osterman withdrew her motion.

Commissioner Longtin withdrew her second on the motion for discussion.

Motion: A motion was made by Commissioner Longtin to approve Commissioner Rumsey as an Alternate Member to the Bioscience Land Protection Advisory Board; Commissioner Osterman made the second.

Vote on Motion:

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

Motion passed 5-0.

Replacement of Northlake Boulevard Task Force Representative

Mayor DuBois asked if the Commission had a nomination for the position.
 Commissioner Osterman asked when the Northlake Boulevard Task Force meets.

Town Clerk Lemley explained that the Task Force did not have a regular meeting schedule but only met when necessary. The next meeting was scheduled for Tuesday, April 20, 2010 at 7 p.m. She stated that the meetings were scheduled way in advance with plenty of time for notice.

Commissioner Rumsey stated that he was interested in becoming the Town's representative on the Northlake Boulevard Task Force.

Motion: A motion was made by Commissioner Osterman to appoint Commissioner Rumsey as Replacement for the Northlake Boulevard Task Force Representative; Commissioner Longtin made the second.

Vote on Motion:

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

Motion passed 5-0.

Appointment of Planning and Zoning Board Commission Liaison

Motion: A motion was made by Commissioner Rumsey to appoint Commissioner Longtin as the Planning and Zoning Board Commission Liaison; Commissioner Osterman made the second.

Commissioner Longtin stated that she was unable to be the Planning and Zoning Board Commission Liaison as she did not want to take on additional duties her first year in office.

The Motion was withdrawn.

Motion: A motion was made by Commissioner Rumsey to appoint Commissioner Hockman as the Planning and Zoning Board Commission Liaison; Commissioner Osterman made the second for discussion.

Commissioner Osterman expressed concerns regarding conflict of interest with Commissioner Hockman as Planning and Zoning Board Commissioner Liaison.

Commissioner Rumsey withdrew his motion.

Motion: A motion was made by Commissioner Longtin to appoint Vice-Mayor Osterman as the Planning and Zoning Board Commission Liaison; Commissioner Rumsey made the second.

Vote on Motion:

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

Motion passed 5-0.

Appointment of Library Board Commission Liaison

Motion: A motion was made by Commissioner Rumsey to appoint Commissioner Hockman as the Library Board Commission Liaison; Commissioner Longtin made the second.

Vote on Motion:

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

Motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION:

Traffic along Flagler Boulevard

Commissioner Hockman explained and expressed his concerns regarding the traffic along Flagler Boulevard. He stated that there were children getting on and off the bus at the

corner and the speeding and traffic posed a safety hazard. He stated that people still run stop signs and he asked that the possibility and cost of speed bumps be looked into.

Commissioner Rumsey stated that he was not opposed to stop signs, but had concerns regarding speed bumps. He asked if there was a logical place on Flagler to place a four way stop sign.

Commissioner Osterman stated that she had grown up on Flagler Boulevard and the street did have a lot of traffic. She recommended that a break for a four way stop sign would be approximately at Jasmine Drive and Kalmia Drive.

Commissioner Hockman stated that the bend of Jasmine Drive and Kalmia Drive would be the ideal spot for the four way stop sign.

Mayor DuBois stated that she drove Flagler Boulevard frequently and stated that a four way stop sign could be placed at Jasmine Drive and Kalmia Drive which was the best place for it.

Commissioner Rumsey stated that a Sherriff's report stated that a four way stop sign on Flagler Boulevard was not necessary as they did not see a problematic speeding issue on Flagler Boulevard. He stated that he did not entirely agree that there was not a speeding issue there. He stated that he wanted clarification as to whether they were recommending a two way or a four way stop sign.

Commissioner Longtin stated that she's lived on Flagler Boulevard for over 20 years and the speeding was not constant but was not good when it did happen. She stated that she assumed that the Commission was speaking of placing the four way stop sign at West Kalmia Drive because East Kalmia Drive also hits Flagler Dr. She stated that she had not seen the Sheriff's report that was done on the four way stop at Jasmine Drive and Palmetto Rd. She stated that she would ask to see the report at a later time. She expressed her concerns with the speeding on Palmetto Rd. She stated that she didn't think stop signs would work on that road. She recommended a speed bump instead of a four way stop sign.

Motion: A motion was made by Vice-Mayor Osterman to install a four way stop sign at the intersection of West Kalmia Drive and Flagler Drive; Commissioner Hockman made the second.

Vote on Motion:

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

Osterman	X		
Mayor DuBois	X		

Motion passed 5-0.

Commissioner Osterman stated that there could be discussion at a future meeting regarding the installation of another stop sign or a speed bump which would be a solution in the long run at Jasmine Drive and Palmetto Rd.

Parking Meter Cash Key

Town Manager Davis explained a parking meter cash key program would cost \$1426.85. She explained that it would be a parking meter discount for Lake Park residents.

Commissioner Rumsey explained that he had brought up the issue of the parking meter cash key program. He stated that the program would only work for headed meters and not the stands. He stated that he wanted it to be a program that could be utilized for all the parking meters. He requested that staff find an option that would work for all of the parking meters.

Town Manager Davis stated that staff would look into alternatives.

Vice-Mayor Osterman stated that she spoke with residents and particularly fishermen who were very interested in the parking meter cash key program. She stated that she could support the program at certain hours but she was very hesitant to take a hit in revenue at the Tennis Center and the Marina since the Town is in need of that revenue.

Commissioner Rumsey stated that he was recommending the discount for residents only.

Commissioner Hockman stated that he did not want there to be an issue giving the discount to residents if grant money was used for the parking meters.

Commissioner Rumsey explained that the parking meters were not purchased with grant money.

Commissioner Hockman stated that the parking lot at the Marina was installed using grant money. He stated that he did not want the Town to run into any issues with giving discounts to residents for parking.

Town Manager Davis stated that she would research and look into the matter.

BOARD APPOINTMENTS:

Applicants for the Planning & Zoning Board

The following members were appointed to the Planning & Zoning Board:

- Judith Thomas – Regular Member
- Mason Brown – 1st Alternate Member

Robin Maibach – Regular Member
Anthony Bontrager – 2nd Alternate Member

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Hockman stated that he mostly said all he needed to say. He stated that he never remembered anyone calling him during his campaign to talk to him about their issues. He welcomed anyone to call him and he would be glad to talk to them.

Vice-Mayor Osterman requested that Mr. Hockman file the Amended Financial Disclosure Form. She thanked staff for all their work on the Art Festival and she looked forward to many more events.

Commissioner Longtin announced that the Town would be celebrating Arbor Day at the Lottie Mae Miller Park on April 30th. She thanked Chris Wayne and Associates for donating a tree for the event.

Commissioner Rumsey thanked Marina Director Mike Pisano for hosting a wonderful Sunset Party. He thanked him for also recruiting new business to the Town at the Boat Shows every year. He congratulated Recreation Director Greg Dowling for a wonderful Easter Egg Hunt. He asked Town Manager Davis to bring back information on the Town's insurance program. He stated that he would like to see if the Commissioners would be able to purchase insurance at 50% since they were currently purchasing at 100%. He requested a budget analysis in order to see if it was possible. He stated that Palm Beach County had just developed an Ethics Commission. He recommended asking a representative come to talk to the Commission regarding the Commission's responsibilities on ethics.

He addressed Commission Hockman and asked him to go on record and state that he would not attend any attorney-client sessions and abstain from having any information regarding the Lake Park Marina lawsuit sent to him via e-mail.

Commissioner Hockman stated on the record that he had no problem sustaining from attorney/client sessions or receiving any information related to the Town's Marina lawsuit.

Mayor DuBois thanked businesses that donated money to put on the Art Festival. She thanked the residents of Lake Park for trusting the Commission and staff to serve them and for their interest in the things that go on in the community.

Town Attorney Baird distributed a status report and list of foreclosure cases in the Town. He explained that in most cases the Town would not recover any money from the foreclosure cases as the bank gets whatever monies are left over once the foreclosure process was complete. He gave a status update on the activities of the Town's Legislative Representative Fausto Gomez. He and Mr. Gomez would be participating in a meeting with Department of Children and Family staff regarding the legislation that they drafted and proposed to the legislative delegation. Mr. Gomez believes he had a

sponsor for the bill. Meeting with DCF would be the last item in the process to ensure sponsorship of the bill. He explained the bill and its function.

He gave an update on the outcome of the last Reasonable Accommodations Hearing. He stated that the Town was making progress in limiting the adverse affects of the sober housing issue in the Town.

Commissioner Osterman stated that it was the best news in the world to know that the Town was making progress with the sober housing issue. She thanked Town Manager Davis for making the recommendation of having a lobbyist for the Town.

Town Manager Davis thanked the sponsors who sponsored the Town's Art Festival. Their names were posted on Channel 18 and the Town's website. She stated that Chris Wayne and Associates came in and put in thousands of dollars of labor and plant material to enhance the downtown area at no cost as well as donated a tree for the Arbor Day Event. She stated that Mr. Wayne has done nothing but give back to the community and hold it up as a beacon of light.

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 Rumsey, and by unanimous vote, the meeting adjourned at 10:17 p.m.

Mayor Desca DuBois

Deputy Town Clerk, Jessica Shepherd, CMC

Town Seal

Approved on this _____ of _____, 2010

TAB 2

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: **June 2, 2010**

Agenda Item No. **2**

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Regular Commission Meeting Minutes of April 21, 2010.

RECOMMENDED MOTION/ACTION: Approve the Regular Commission Meeting Minutes of April 21, 2010.

Approved by Town Manager *H. Davis* Date: 5/27/10

Jessie Shuler Deputy Clerk Date of Actual Submittal 5/27/10

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments: Meeting Minutes
Department Review: <input type="checkbox"/> City Attorney <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input checked="" type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <input checked="" type="checkbox"/> _____: Please initial one.

Summary Explanation/Background: The attached April 21, 2010 Meeting Minutes are transcribed partially verbatim. The verbatim portions of the minutes include all discussion under "Public Comment" and all discussion pertaining to "Select Date

for Town Commission Workshop on Street Closures” agenda item under Discussion and Possible Action.



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, April 21, 2010, 7:00 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, April 21, 2010 at 7:00 p.m. Present were Mayor DuBois, Vice-Mayor Osterman, Commissioners Hockman, Longtin, and Rumsey, 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

Commissioner Rumsey requested moving Item #9 – Select Date for Town Commission Workshop on Street Closure to after the Consent Agenda.

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

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Steve Hockman	X		
Commissioner Jeanine Longtin	X		
Commissioner Kendall Rumsey	X		
Vice-Mayor Patricia Osterman	X		
Mayor Desca DuBois	X		

Motion passed 5-0

Mayor DuBois explained that several public comment cards were not filled out therefore she would do her best to proceed with the comments.

Public Comment:

1. *Alex Cuillo, 545 W. Jasmine Drive* stated “Good evening, please help us.”

Mayor DuBois asked Naptalie Jerome to explain Alex Cuillo’s plea for help.

2. *Naptalie Jerome, 810 Lake Shore Drive* explained that she is one of the founders of an organization for the after school center program which serves all the community called

“Let Us Stand United”, which is having difficulty finding a place to accommodate all the children at a low cost. She provided her phone number 561-228-1270.

3. *Cyndia Smith*, asked for the daycare to stay open and stated that parents were depending on it.

4. *Giovonta Perrone, 545 W. Jasmine Drive*, “Good evening, please help us.”

5. *Stephanie Perrone, 545 W. Jasmine Drive*, stated that her son has been attending the daycare for the past two years. She stated that her son has learned so much since starting Mrs. Jerome’s program including respect for himself and others. She gave examples of things her son has learned from the program and how well he is doing in school. She asked for support to keep the after school program “Let Us Stand United” opened.

6. *Gary Jackson, Gateway Blvd.*, “Mr. Hockman why are you still sitting in that chair? You stated on the record that at the last meeting, that your only concern was the massive amounts of money being wasted, of the tax payers money. To recall you it was going to cost us between \$20,000 and \$30,000, save us the money and resign. This Town is getting angrier by the hour with you. Mr. Hockman if you don’t understand why, get a copy of the last meeting and listen to your own words, understand that convolution of ten minutes worth of lies isn’t buying the people. Convolution of lies. Should you not be able to afford it, Town Clerk, I’ll be happy to pay for it, get a copy of it, listen to your own words. You have accomplished something since you’ve come here, you got a stop sign put up on Flagler and Kalmia, be happy with that and get out of our Town. Recall petitions as I’ve heard have surpassed the votes casted in the election that you were elected. It takes less than that to call for a recall for you. We would like to dispatch you as soon as possible. Second point of interest, its in reference to an article on 4-18-2010 in the Palm Beach Post. I have no recollection of anything except future discussion of the Commission in reference to stop signs, not closing roads in Town. What happened and why? Thank you”.

7. *Jason Wallace, 123 E. Jasmine Drive*, “Hi, How are you doing? My name is Jason Wallace, at least I wasn’t second this time, but I did follow him last time, which I find funny. Oh, can I talk about something that is on the agenda?”

Mayor DuBois explained that she would call him back when the item was addressed on the agenda.

“Ok, well then I’ll get to the next part of this, Oh, Steve, I gotta agree with him, why are you still here? I mean clearly there are some people that are ticked off with you, and thank God you didn’t bring your kid with you this time. I do have just a couple questions and they are really out of curiosity. Someone told me that you did finally file the updated Financial Disclosure, which is good to know, curious to know why it took so long when everybody else got theirs in. And also, I was reading over some of your campaign materials and you were talking again about the Town wasting money on something. You brought up the Street Light mock up and the money the Town was going to waste on that because they didn’t put out for bid, which means they are not looking for bids from various companies. I’m curious do you want them to put it out to bid because you might

be hired as sub of a sub of a sub from one of the electrical companies that might do the street light work in the Town of Lake Park; I mean it's a reasonable question based on what we have heard from you in the past. I would also like to ask or rather comment. I know that you have talked to a few people in the Town, people that I know and they asked you about the Sober House issue in our Town and you had basically told them that you didn't know a lot about it but that you would look into it. Which, my God, I find it really hard to believe that you didn't know a lot about it since you claim in all of your materials that you have been to a lot of Commission Meetings. But if you don't know a lot about it how is it that you sat here and watched your son be comforted by Randi Aberns, and she's been the biggest adversary in our battle against non-licensed, un-registered, sober houses in this Town. And honestly, if you don't know who she is, were you comfortable that your kid was sitting next to someone that you didn't know. If you're not comfortable with that, your paying some attention to him and not spending a lot of time and attention to the meeting. So, you know, it seems pretty clear that you don't have the best intentions at heart here. I didn't say it last time but I will say it this time, Dude, you gotta man up and resign, you gotta get out of Lake Park."

8. *Joy Humphries, 414 Greenbrier Drive*, "Good evening, Joy Humphries, 414 Greenbrier Drive. Tonight again I am speaking to Mr. Hockman and asking that you resign your position as Commissioner. Mr. Hockman, over the last few weeks the public has spoken clearly. We expect honesty from our leaders and you have not been honest. At the last Commission meeting you stated that you did not mention the Lake Park marina lawsuit in your campaign material, not the truth. At the last meeting you said that you did not know that Bridge Construction was a member of the marina lawsuit until after the election. But our Town Manager Ms. Davis stated that you told her in your first conversation as Commissioner that you needed to speak with the Town Attorney regarding this conflict of interest. Again you did not tell the truth. You stated that your relationship with Bridge Construction was that of a sub to a sub to a sub. But in the Palm Beach Post you said that you worked side-by-side with Bridge, again you didn't tell the truth. Mr. Hockman, this Town deserves better. There are serious issues that need to be addressed and your refusal to be honest with the citizens give you no credibility. At the February 3rd Commission Meeting you stood at this podium criticizing the sitting Commission on their process for a new street lighting program for our Town. At that meeting you stated CR Donn, Sports Lighter, and ES Electrical would have done the job for \$24,000. You lobbied for these firms. Mr. Hockman what is your relationship with CR Donn, Sports Lighter and ES Electrical? Do you work with them? Are they clients? Do you work side-by-side with them? Are you a sub to a sub to a sub? Either way, now that you have lobbied for these firms it appears that you have to announce yet another conflict of interest. Mr. Hockman we need leaders who can do their jobs, not leaders who are dishonest. Not leaders who take care of their clients to get work, and not leaders who have to constantly excuse themselves from voting because of conflict of interest. Mr. Hockman this Town needs you to resign, thank you."

9. *Leila Kidd, 415 Greenbrier Drive*, "Good evening, I believe the plan has been set into motion, lets call it Team Geppetto if you'd like. Ed Daly decided not to run for Commissioner, so lets get Hockman and Longtin as new Commissioners, so that Ed Daly can run for Mayor next year and the first thing that will be on their agenda is to get rid of Maria Davis, and Jen Spicer. I'm surprised that both of you weren't more coached on the

regards to the CRA and how it benefits the entire Town of Lake Park and how the money for example grants are distributed. Jen Spicer has nothing to do with businesses getting a grant. Her friends aren't receiving grants. You vote for that, just letting you know that, obviously you were not told that. I'd also like to ask Commissioner Longtin if you knew that Commissioner Hockman lied on his application, that he lied on his amended financial report, that he was going to decide not to vote on certain Marina issues, and that he broke the law representing himself as an electrical engineer. I was going to read some of the things that you actually went and distributed and put on your paid advertisement, but I think you know what the lies are on that. I just want to know if you two feel the strings being pulled tighter? Thank you."

10. *Ken Dover, 1400 Flagler Blvd.*, "Good evening, Ken Dover 1400 Flagler Blvd, before I get started with what I have written on here I'd like to turn around and say something to the gentleman that was up here before I was, to have something again Mr. Hockman man to man is one thing, but to bringing his kid into it is low. Very low."

Mayor struck the gavel several times. Mayor DuBois stated that she would not allow back and forth from the audience. She addressed Mr. Dover and told him to that if he wished to speak to continue to do so.

Mr. Dover continued "I'd like to thank the Commission for placing the stop sign on Flagler Blvd. its a long time overdo. Our family has lived on Flagler for over 39 years and this is the first thing that has been done to slow traffic on Flagler, I hope the speed bumps are next. I would like to congratulate Commissioner Hockman on winning Commissioner seat and hope you continue to ask where is the money going and who's going to pay for it, and how are we going to pay for it. I hope you ignore Commissioner Rumsey's request that you have nothing to do with the Marina lawsuit. Being in the construction trade all my life I understand how it is to be a sub of a sub of a sub, with no personal gain. You may not be able to vote on the final outcome, but you can voice your opinion on how the monies are spent. \$80,000 on plywood and carpet is ridiculous. I have over 30 years experience in the brick paver business. I am one of three original brick installers in South Florida. I have installed millions of square feet in Palm Beach County, Clematis Street, Palm Beach County Courthouse, the Fairgrounds, Park Avenue, and Kelsey Park, just to name a few. On some of these jobs I was the sub of a sub of a sub. Commissioner Hockman is right when he says pavers can be fixed with a few buckets of sand. Commissioner Rumsey before you ask me what's my definition of a few buckets, I'll tell you if I was doing the repair I'd would dump a truck load of sand on the job and use what I needed and remove the remainder. When you install pavers next to a sea wall, pool, a driveway, a roadway, pavers are going to sink. Industry standards are to pull the pavers up put some sand and reinstall the pavers. This is one of the selling points of the pavers, you don't have to buy the product again. If you had concrete and it cracked, you'd be jack hammering, forming, pouring, finishing and its going to crack again. I understand the Commission saw where the seawall was not engineered or installed right which is the basis of the lawsuit. I say lets cover up the seawall quit using them until the lawsuit is settled. Spend \$80,000 on repairing the pavers so we can enjoy the beauty of the pavers and not the seawall."

Mayor DuBois lightly struck the gavel and indicted to Mr. Dover that his three minutes were up and it was time to let someone else to speak.

Mr. Dover asked if he could ask one last question. Mayor DuBois apologized and said that particularly tonight she was holding to the rules as much as possibly can.

Commissioner Longtin "as opposed to last time."

Mayor DuBois "as opposed to every time Commissioner Longtin"

Commissioner Longtin "last time you allowed them to go over the three minutes."

Mayor DuBois "I'm not going to argue with you on this."

Vice-Mayor Osterman "Point of Order!"

Mayor DuBois "Thank You!"

11. *Karl Osterman, 919 W. Jasmine Drive*, "let me first begin by saying that the opinions I express tonight are solely my own. Mr. Hockman I acquired a copy of your campaign materials and there are some issues that I would like to ask about if I may just read a few excerpts. On the cover of your campaign materials there is a cut out of a Weekday article where you are represented as, the article is about your son nominating you as father of the year. His dad Steve is an electrical engineer and owns his own business Cadco Design Consultants. Now I understand that those aren't your words, those are the words of the Weekday, but you put this article on your campaign materials, on the front of your campaign materials. I would like to ask that if you are an engineer that you please produce your licenses for public review or if it is not true, I'd like you to explain what you are putting this on your campaign materials. This is another excerpt from your materials, the Commission does a wonderful job of telling the Town citizens what they want to hear and avoiding the real truth behind the scene, well the truth will always come out sooner or later. You see the previous Commission does a wonderful job of telling people what they want to hear and avoiding the truth. Well what is the real truth behind the scenes of your financial statement. On your original statement you list only one source of income for all of 2009 Cadco Design, which is your own company. Cadco was dissolved as a corporation on September 25, 2009, did you have any income for the remaining three months of the year? You're amended financial statement, which may I might add, was not submitted for more than a month after the election, you list only one client Smith Engineering. What is Smith's relationship to Bridge Design? And I find it difficult if not impossible to believe that Smith was your only client that crossed the dollar amount threshold. I would like to ask if you would provide Cadco's invoices for 2009 so that that can be verified. You said in your materials the truth would always come out sooner or later. Again let me read from your materials many told me that the Commission wouldn't care what I had to say. You say many told you the Commission wouldn't care what you had to say. Are these the same people who wish to remain anonymous? Or is this another fabrication and exaggeration. Do you care what the people at this podium have been saying tonight and at the last meeting? Again let me continue from your materials, actually let me go back for just a moment."

Mayor DuBois apologized that the three minute buzzer had rung.

Mr. Osterman "I'll be back at the next meeting to finish my list."

12. *Leigh Kendall, 318 Hawthorne Drive*, "Good evening, Leigh Kendall, I've been a resident of Lake Park since 2002, I love the Town of Lake Park. I've never seen the Town accomplish what its accomplished in the last couple of years. I've been thrilled with the way the Town looks, everything is going well and I'm extremely disappointed in the way things are going right now. I've been following all this, I was unable to make it to the last meeting, but I've watched it on television and I've been watching Mr. Hockman's issue carefully. Mr. Hockman you have no creditability left. You have misled this community about your intentions and connections with Bridge Construction. I'm afraid to find out what else you have conveniently left out. For the past year you have stepped to this podium at evening meeting and I sit and watch you criticize everything this Commission does, everything staff does and you are ruthless in your comments. Mr. Hockman now we find out that your comments were not made in the best interest of this Town, but in your own best interest and the best interest of your professional colleagues. Ninety-five people elected you, however the silence from your supporters has been deafening. I would guess mostly they regret their vote, or they might have something to gain as well. For months you ridiculed the Commission for not answering your questions as a citizen. Well now we the citizens ask you, will you resign in the best interest of this Town? We will await your answer. You underestimated this Town, you thought we wouldn't care, you thought we would sit back and we will not. This is our Town. Thank you."

13. *Diane Munroe, Hawthorne Drive*, "Its really hot out there, maybe you can turn the air conditioning up. Diane Munroe, Hawthorne Drive.

Commissioner Rumsey "Ms. Munroe, it's hot up here too. It's hotter up here."

Diane Munroe "I'm sure. This is to Mr. Hockman, I'm sorry Hockman in your campaign material you state and I quote, it is really hard for me to read it because your, anyway, I quote "If we are ever to settle the so called lawsuit the Town will end up paying all that money to them and we the homeowners will still have to pay for the repairs", end of quote. The last two Town meetings you stated you had no knowledge of any lawsuit, which is it? You did not? Or you did know of the lawsuit? This is a very clear and simple question and we the citizens of Lake Park deserve an answer. I believe its perjury, a deliberate, willful, giving of incomplete misleading of false testimony under oath. I also read the article in the Weekday where your son named you Father of the Year. It says that the relationship between you and your son is worth more than all the money in the world. It also says your son and you can talk about anything, how did you feel two weeks ago when person after person came to the podium and questioned your unethical behavior. What did you tell your son? Did you console him? Or tell him the truth? Or did you continue to talk in circles about your lies? If your relationship is worth more than money I say resign now and the Town pays you zero because you are worth zero. And you'll get to spend quality time at home with family plus you can shield yourself from further embarrassment and several possible ethical complaints. Lastly, Hockman I quote you

from your campaign material well the truth will always come out sooner or later, and guess what it did. Resign.”

14. *Kevin Bandy, 831 Northern Drive*, Mayor DuBois read an email into the record from Kevin Bandy. “ Dear Commissioner I am writing to express my concern over Steve Hockman remaining on the Town Commission. I believe Mr. Hockman’s decision to remain vague about a financial issue that had significant implications within current Town legal issues is unethical and grossly self serving. Mr. Hockman I believe you should resign from your post as Commissioner. I believe that your decision to be less than honest about your financial relationships relative to the legal issues with the firm that you had a subcontract relationship with is becoming a Town issue. When in reality it is a personal issue. I was at the last Commission Meeting and watched as you gave answers that were vague at best relative to what a subcontractor relationship meant and how that might apply to you. We in Lake Park are already dealing with businesses attempting to displace R1 residents within the divisive issues of Sober Houses. I am not interested in another Town employee that is comfortable with changing definitions of there business dealings to fit the situation, that is dishonest. Please resign Mr. Hockman and if you chose to run again please be transparent about your business dealings as it relates to the Town.”

Public Comment Closed.

The Commission took a five minute recess.

Consent Agenda:

1. Emergency Debris Removal Services, All Florida Tree & Landscape, Inc.
2. Emergency Debris Removal Services, RKC Land Development, Inc.
3. Resolution No. 17-04-10 Revise the Town of Lake Park Uniform Classification System to Amend the Job Description for the Position of Librarian I
4. Modify the Operating Hours of the Library
5. Letter of Support for Children’s Home Society of Florida HUB Application
6. Proclamation for Sexual Assault Awareness Month

Public Comment Open

None

Public Comment Closed

Commissioner Longtin asked to pull items 1,2 and 4 from the Consent Agenda.

Motion: A motion was made by Commissioner Rumsey to approve Consent Agenda items 3, 5 and 6; Commissioner Longtin made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
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Commissioner Steve Hockman	X		
Commissioner Jeanine Longtin	X		
Commissioner Kendall Rumsey	X		
Vice-Mayor Patricia Osterman	X		
Mayor Desca DuBois	X		

Motion passed 5-0

Commissioner Longtin asked for clarification on if the Town had gone out for Bid/RFP for these two contracts. Commissioner Longtin stated that All Florida Tree is keeping their quote from June, 2007 and RKC is keeping their quote from 2006. Commissioner Longtin stated that in today's economy companies are hurting for work and maybe the Town could get a lower price. Commissioner Longtin expressed concern that All Florida Tree was a Broward County firm and would prefer that the Town seek firms in Palm Beach County.

Commissioner Rumsey asked the Clerk to provide an approximate cost of advertising a bid in the Palm Beach Post.

Town Clerk, Vivian Lemley stated that the cost of advertising depends on how large the bid specifications are. They run upwards of \$200.

Commissioner Rumsey asked for the timeframe of a Bid/RFP advertising process.

Town Clerk, Vivian Lemley indicated that it takes 21 days.

Commissioner Rumsey asked Town Manager Maria Davis for the last time the Town used these companies' services.

Town Manager Maria Davis stated that the last time these companies were used was the 2005 Hurricane season. She explained that the contract with All Florida Landscape was competitively bid by another city and the Town was piggybacking off of that bid. Town Manager Davis stated that if it was the pleasure of the Commission she would go through the bid process. She explained that these companies serviced the Town well in the past.

Commissioner Hockman asked if any other companies were contacted for pricing. Town Manager Davis stated that the Town did not. She explained that in the event of a natural disaster the Town requires companies to augment the Town's in-house forces. She stated that both of those companies were for emergency debris removal.

Mayor DuBois stated that there was nothing anyone could purchase now that cost the same as it did in 2005. She stated that these companies had been reliable to the Town in the past and did not see a problem with approving the piggyback contract for both services.

Vice-Mayor Osterman wanted to know if it was feasible to make phone calls as opposed to doing an RFP. She asked if the Town did not approve the contracts tonight would the companies still honor those prices.

Town Manager Davis explained that the Town could call and get hourly rates or per ton cost from the companies, and references over the phone. She stated that she could only assume that they would maintain their pricing, but was not sure. If the Commission's pleasure was for staff to go out for bid then she would direct staff to do so. Town Manager Davis reminded the Commission that the Town gets reimbursed for debris removal from Federal Emergency Management Agency (FEMA) of 87.5%

Vice-Mayor Osterman stated that the Town was cleaned up rather quickly during the 2005 Hurricane season as a result of having those companies on board.

Town Manager Davis indicated that the Village of Pinecrest competitively bid All Florida Landscape and they were pleased with their performance.

Commissioner Rumsey verified that if the Town does not use the services throughout the year, then the Town does not pay for anything.

Town Manager Davis stated that it does not cost the Town anything.

Motion: A motion was made by Commissioner Rumsey to approve Consent Agenda items 1 and 2; Vice-Mayor Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Steve Hockman	X		
Commissioner Jeanine Longtin		X	
Commissioner Kendall Rumsey	X		
Vice-Mayor Patricia Osterman	X		
Mayor Desca DuBois	X		

Motion passed 4-1

Commissioner Longtin expressed concern about the new hours at the Library because it proposed to close the Library at 1:00 p.m. She asked how it correlated with school hours.

Town Manager Davis introduced the new Library Director, Karen Mahnk, who explained that they found a great demand to have the Library open on Saturdays, which is when most children come in to work on major projects. She explained that on Friday, children most of the time do not have homework.

Vice-Mayor Osterman thanked Karen Mahnk for reevaluating the hours of operation at the Library because she was concerned when the Library closed on Saturdays.

Library Director Mahnk stated that it was not only the children that wanted the Library opened on Saturday, but it was all people who visit the Library that wanted it open on Saturdays.

Town Manager Davis stated that she received many complaints, especially right after the Library began closing on Saturdays. She explained that it was tested for six months and it didn't work, now that there is a new director, Karen Mahnk believes its best for the community to be open on Saturdays.

Commissioner Rumsey asked when the new schedule would take effect.

Town Manager Davis stated that it would begin May 1st.

Library Director Karen Mahnk stated that with the book sale the weekend of April 24th the next possible Saturday to start the new hours would be May 1st.

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

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Steve Hockman	X		
Commissioner Jeanine Longtin	X		
Commissioner Kendall Rumsey	X		
Vice-Mayor Patricia Osterman	X		
Mayor Desca DuBois	X		

Motion passed 5-0

Discussion and Possible Action:

Select Date for Town Commission Workshop on Street Closures

Mayor DuBois indicated that she had received several cards of those that wanted to speak to this issue.

Public Comment Open:

Bryan Cain, 314 Bayberry Drive, "How are you doing, I've been a resident for 22 years here. My curiosity is where will the Town get the assets to cover such an expenditure as the street closure all the way from Silver Beach to Northlake and then from my street, 4th

Street all the way to 10th Street, that's a pretty big burden on the Town's treasury, isn't it? I mean, that's really all I have to say other than, I mean, do any of you guys weigh the benefits versus the cost and what it's going to do long term to the value you provided citizens. I mean capital is supposed to come from saving and production. Where does this little Town get the production means to even raise enough money from tax revenues. Do you see what I'm saying. I mean, that's going to probably drive down your values, home values here and I've been talking to friends about this and people, you know, there saying that, you know, there probably going to leave the Town and I don't want to see that happen because I have friends here. You know, I mean, I live on Bayberry and I'm going to have to go all the way to Park Avenue just to get out of Town. I'll leave it at that, but I, I will come back. Thank you."

Mayor DuBois said that she appreciates the comments. She stated that she wanted people to be aware that what they were doing was setting the dates to have hearings and have the input. There have not been decisions to write anything in stone. So please do come again.

Jason Wallace, 123 E. Jasmine Drive, "Is that on? Can I use this? I'm here about the street closures. I have a little bit of the same concerns as it does seem like a lot of the streets in Lake Park are going to be closed off and that does seem like it is going to cost a fair amount of money. But I do think it's a good idea to some degree. Some of the streets"

Mayor DuBois had to ask the audience members to keep their voices down.

Jason Wallace "I believe some of the streets could be closed off, I don't agree with all the streets that were marked off on the map in the newspaper article. I live on Jasmine and 2nd Street or just east of 2nd right off of US1, and on 2nd Street we don't have any four-way intersections, they are all divided between the blocks. So if somebody came to the stop sign they just roll right through it to make a quick S turn to go to the next street. I didn't think much of this until Monday when I was going to work and almost got t-boned from a guy who wasn't paying attention going through one of these S turn stop sign situations, only to find out that all he did was go up one more block and come out on Park Avenue to go to the school. He didn't need to be coming up Ilex, Hawthorne or Jasmine or any of those streets for that matter. He could have just gone up Park Avenue and gone to the school. So, I'm glad to see that you guys are doing something about setting up a workshop for it, I don't agree with closing down all the streets. I personally would like to see my street blocked off just because of all the heavy traffic I see through there, but we will go from there. I hear laughter in the back, clearly people don't agree with me so. Thank you."

Marymargaret Goldsmith, 528 Date Palm Drive, "First of all I'm Marymargaret Goldsmith and I live on Date Palm, and have for the last 30 years. My first thing is to thank the Mayor and Commissioner Rumsey, I sent an email over my concerns about street closure to ya'll, all of you, they were the only two that answered and I appreciate that. One of the things that Commissioner Rumsey stated was he hadn't seen the map until it was printed in the paper. I don't think that is very kosher. It says here the source of this map was the Town of Lake Park. The first people that should have seen this map should have been you guys, second the people that live here, then the press, not that we

learn what's going on through the press. My letter said that my husband and I are totally against it. Trying to turn us into another Singer Island with one road in and one road out? What happens if there is an evacuation need? Park Avenue will be so jammed with traffic that it will be terrible to commute let alone cross on a daily basis, and God forbid there is an emergency. And if crime is so bad how come we never hear about it? Nothing in the newsletter that we receive, the neighborhood post or in the emails that we get, but there is plenty about Mos' Art Theatre. If there is so much crime, why don't we see more police presence. It's been days since I've seen a cruiser on our street. And when they do go by its so fast windows up, they see nothing and hear nothing. The only crime I see are the gaggle of teens roaming the streets day and night, shame we don't have any sidewalks, being loud, obnoxious and just being teenagers. Furthermore in this economy the additional burden will be placed on those of us with limited funds for gas, not to mention having to go out of our way for church, grocery shopping, doctors, etc. These barriers are going to cost additional tax dollars on top of the lights you want, which I don't agree with, but. Unemployment is up, cost of living is up, social security doesn't make ends meet, our home values have dropped, our assessments have dropped, our taxes have gone up, and just look at the empty houses in Lake Park. Who would you want to come and live in the ghetto you will be creating. Before anybody gets mad the term ghetto means people secluding themselves, such as a suburban millionaires ghetto, we can be the urban poor mans ghetto. Before long this beautiful Town we lived in will be a ghost town. And last but not least, God forbid there should be a need for assistance from our neighboring communities. Lake Park is cut up enough, we have Old Dixie, we have the railroads, we have US1, please, you know, don't cut us up anymore. And, like I said thank you for your responses, and I think that's about it, I hope I kept it within my three minutes. Oh yeah one more thing, Silver Beach is part of Lake Park, God forbid you need help and a cop is stuck behind a barrier.

Public Comment Closed:

Mayor DuBois explained that what they were doing was discussing days to schedule a workshop.

Commissioner Rumsey asked if before setting a date for the workshop if he could make a few comments on the presses' accounts of what is going on and what is not going on. Commissioner Rumsey explained that the idea of street closures is one idea of many ideas this Town is looking at as far as fighting crime. Commissioner Rumsey stated the Town is looking at new street lighting, the alleyways have already been done, the Town is looking at different options that may be available for the Town to deter crime. Commissioner Rumsey read from a prepared statement "The media has been irresponsible in the reporting on something that is not even being considered. This is an agenda item to set a date for a community workshop only. This has nothing to do with street closures, nothing has been decided, this is a day where we are setting a date for a workshop. The first day I ever saw this map was in the Palm Beach Post. Mr. DiPaolo did a public records request from our Town asking for a copy of this map. This map was stated that this was for a traffic study of the streets of Lake Park. Unfortunately the media reported that this map was for road closures in the Town of Lake Park. That is not true. This issue is not racially motivated and anyone who tries to paint this in the light of a racial issue instead of an issue of public safety is being irresponsible and doing nothing

but trying to recite radical discourse. Its not fair to the people of Lake Park what is being said about this Town. This Town is as racially diverse as any community you will find in the State of Florida. We live together peacefully, we live in harmony, we all live together, we all play together and for this to have been made into a racial issue by the media is unfair. Quite simply, this is a public safety issue and anyone who values the law is always welcome in Lake Park. But we will not tolerate criminal behavior in our Town and we will use any method available to us to keep the streets of Lake Park safe. The voters of Lake Park will determine if we have street closures in this Town. It is not an issue the Commission will decide, but one that will be decided in a referendum vote after the public comes together to discuss options that are available to our community. That is what tonight is about. Tonight is not about a map that has been created, that has been misrepresented the Town of Lake Park. Tonight is to set a date for this community to come together like we always do to work out solutions that will move our Town forward. Thank you Mayor.”

Commissioner Longtin stated that “this was the first that she had seen of this. I was told there was discussion at prior meetings. I had missed those meetings. I understand there are other possibilities. I haven’t seen them. My concern on this would be life safety issues, Fire Rescue and Police access and evacuation concerns also, that’s a good one. I don’t know what additional plans or possibilities there are, but I’d like to see those as well. I do agree with the Vice-Mayor that this should be a referendum issue if the voters want to pay for it, they should have the vote. I’d like to see different companies come to a workshop when we come to that point give there ideas, let the voters, or those who are concerned come and give their opinion. I, myself, I’ve never wanted to live in a gated community that’s not my way. But I do see the value and maybe perhaps closing down some streets. I don’t understand how we are going to be able to afford this when we can’t afford to fix the sprinklers in Town, we can’t afford to light the basketball courts at night, and we can’t even afford a \$200 bid process. I’m not in favor of any temporary barriers until the voters have spoken. But again I don’t know where this money is going to come from. I really hope the citizens are involved in this workshop or these workshops and that’s my comments.”

Vice-Mayor Osterman stated that “Thank you Mayor, I would also like to echo what Commissioner Rumsey said, the first time that I learned that this was now on the agenda was from the Palm Beach Post reporter. The agenda was not even released, it was in draft form and not released so it’s quite curious as to how the Post reporter had the agenda before it was released. This issue was brought up, I don’t have the exact date, but a couple months ago, January, February, and I’m the one that brought this forward because there were so many concerns from so many residents about safety. Commissioner Rumsey had brought forward the issue of Street Lighting because that was the number one concern he had heard when he was campaigning the year prior. I heard a lot of concerns about children being out on the streets and cars coming through, running stop signs and swerving and parents being afraid for their children playing outside. I live in the CRA District and in the month of December there were three shootings or guns held to peoples’ head within three blocks of my house, so the neighbors were talking about it quite a lot. There was a lot of discussion about how the police would be able to best apprehend people. There’s a lot of issues that have to be ironed out. What I brought forward and what the Commission agreed on in February was simply to explore the topic

with residents, to come up with a plan to put forward to referendum. What we said is, I believe, when the other streets were closed the Commission just did it and what we said was that's not the way we want things done. It should be the residents and voters of Lake Park who make the decision. So, like Commissioner Rumsey, I feel that the media was incredibly irresponsible in this issue and incited racism for the purpose of ratings. Unfortunately we all know that readership is down in newspapers and television viewing because people are going to "YouTube" and private communication. But to take a community that is rich in diversity and try to incite strife is not only irresponsible it's simply wrong and I know that our community is better than that. I know that everyone in this community wants their property to be safe, they want their children to be safe, they want to be safe walking the streets or riding their bicycles, everyone, it's not about the color of skin, its about basic human needs and values. And when we come together as a community and we discuss these issues and we share ideas, we will be able to come up with a plan that we can put forward to residents in a vote so that residents make those decisions. This Commission never intended to do anything except for begin a traffic study so that we can begin the conversation with residents from a point of knowledge. We have had conversation already with the, preliminary conversations, with the Sheriff and also with Fire and Rescue to ensure that there was no problem with closing off of streets. Closing off streets, adding additional stop signs are not a problem. Speed bumps are a problem for emergency services. There are a lot of things that can be considered, one way streets, roundabouts, different communities have done different things. But all of the evidence that I have read from various communities both in Palm Beach County and elsewhere who have used traffic calming measures and traffic direction measures is that safety has increased, crime has decreased, property values have increased and general quality of life has been improved greatly. So I believe in our community. I believe in our diversity and I believe that together we will find a way. And if the voters of Lake Park want to do this, they will make that choice in a referendum. It will not be a Commission that I serve on, my vote will never be, and I know from the decisions we had in February that the sitting Commission, at that time never intended, in any way to push something through, only to open the discussion so that residents have the opportunity to make decisions about safety and well being in our Town. Thank you."

Mayor DuBois asked if there were any other comments. Mayor DuBois asked for the suggested dates of the workshop. Town Manager Davis indicated that the dates were, April 28th, May 26, and June 9th.

Discussion ensued among the Commission on when to hold the first Street Closure Workshop.

Motion: A motion was made by Commissioner Hockman to hold the first Street Closure Workshop on Wednesday, May 26, 2010; Commissioner Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
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Commissioner Steve Hockman	X		
Commissioner Jeanine Longtin	X		
Commissioner Kendall Rumsey	X		
Vice-Mayor Patricia Osterman	X		
Mayor Desca DuBois	X		

Motion passed 5-0

Mayor DuBois announced that the first public workshop for the Street Closure will take place on Wednesday, May 26, 2010 at 7:00 p.m.

The meeting adjourned for a five minute recess.

The meeting reconvened.

PUBLIC HEARING:

ORDINANCE ON SECOND READING:

ORDINANCE NO. 04-2010 – Amendment to the Reasonable Accommodations Ordinance Clarifying the Definition of Qualifying Entity and Process for Proof of Disability

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING SECTION 78-6(1) OF THE LAKE PARK TOWN CODE ENTITLED “REASONABLE ACCOMMODATION PROCEDURES”; PROVIDING FOR AN AMENDMENT TO THE DEFINITION OF THE TERM “QUALIFYING ENTITY”; PROVIDING FOR THE REQUIREMENT THAT THOSE SEEKING A REASONABLE ACCOMMODATION SUBMIT THEIR LEGAL NAMES AND PROOF OF THEIR DISABILITY OR HANDICAP; PROVIDING FOR THE AMENDMENT OF SECTION 78-6(1) TO REQUIRE QUALIFYING ENTITIES TO SUBMIT PROOF THAT THEY ARE LICENSED SERVICE PROVIDERS AS DEFINED IN SECTION 397.311(18), FLORIDA STATUTES; PROVIDING FOR 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 Osterman to approve Ordinance 04-2010; Commissioner Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
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Commissioner Steve Hockman	X		
Commissioner Jeanine Longtin	X		
Commissioner Kendall Rumsey	X		
Vice-Mayor Patricia Osterman	X		
Mayor Desca DuBois	X		

Motion passed 5-0

Attorney Baird read Ordinance No. 04-2010 by caption-only.

RESOLUTION:

RESOLUTION NO. 18-04-10 Selection of an Audit Committee to Evaluate Proposals For Independent Audit Services

A RESOLUTION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING THE TOWN MANAGER TO IDENTIFY AND ENGAGE AN AUDIT COMMITTEE FOR THE PURPOSE OF SELECTING AN AUDITING FIRM AS REQUIRED BY FLORIDA STATUTE; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice-Mayor Osterman recommended Commissioner Longtin for the position since she had accounting experience.

Commissioner Longtin stated that she was unavailable to be on the committee.

Town Manager Davis clarified what would be expected of the committee members. She stated that the committee would meet once to review the proposals submitted by the audit firms and the meeting would take place during the day.

Commissioner Hockman agreed to be on the audit committee.

Motion: A motion was made by Commissioner Longtin to approve Resolution 18-04-10 and have Commissioner Hockman on the Audit Committee; Commissioner Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Steve Hockman	X		
Commissioner Jeanine Longtin	X		
Commissioner Kendall Rumsey	X		
Vice-Mayor			

Patricia Osterman	X		
Mayor Desca DuBois	X		

Motion passed 5-0

DISCUSSION AND POSSIBLE ACTION:

Defer Street Lighting Referendum Question to the March 2011 Election

Mayor DuBois agreed with deferring the referendum question to the March, 2011 election.

Commissioner Longtin wanted to know the process. She asked if workshops would be scheduled to discuss the item with residents, and if the Town had gone out for bid.

Town Manager Davis stated that the Town had gone out to bid and that a committee would be formed to evaluate the RFP's by the end of June. She explained that the firm chosen would do the cost benefit analysis of extending FPL lighting versus Town owned lighting, and would look at LED or induction lighting. Town Manager Davis stated that the committee would be looking at all types of lighting and would be providing the Commission a plan and a cost associated with each plan.

Vice-Mayor Osterman asked if different types of poles would be included in the analysis.

Town Manager Davis stated that if the Commission wanted different types of poles included in the plan that she could add that to the specs.

Commissioner Rumsey asked that the firms provide different options at the workshop.

Commissioner Longtin suggested that anyone that was interested in bidding the project come to the workshop and provided their plan.

Town Manager Davis explained the bid RFP was to choose a lighting design company, not a company that sells lights. She explained that the Commission could direct the firm as to the desired design for Town street lighting.

Commissioner Longtin asked if the Town could bypass the consultant and hire a company to install lighting.

Town Attorney Tom Baird offered additional explanation on what the RFP specified and what the process involved entailed.

Commissioner Hockman suggested choosing the type of lighting, fixtures and poles and then have an RFP for the firm to design. He stated that certain areas of 45th Street in West Palm Beach had FPL sample lighting. Anyone can drive through that area and view the type of lighting and get a sense. He stated that many years ago he was involved in a lighting project where lighting representatives provided a demonstration and three or four of the reps were chosen to provide a package, then the RFP was created.

Commissioner Rumsey asked Commissioner Hockman to explain that he was hired as the consultant for a project to find the lighting representatives. Commissioner Hockman explained that he had seen it done different ways.

Town Manager Davis suggested that the Consultant Engineer, John Downs of Calvin Giordano & Associates explain.

John Downs explained the he had received the RFP and it basically asked to evaluate the existing lighting and take a look at the opportunities of other types of lighting for the Town. He explained that Calvin Giordano & Associates is going to provide the Town with different cost benefit ratio to be considered. John Downs stated that the Commission and residents could then review and decide on a design. He stated that he expects that it would lead to another RFP for a design system or design build.

Commissioner Rumsey expressed concern with inviting lighting manufacturers to come in and provide the Commission with information when the Commission were not experts and they wouldn't know what the manufacturers would be selling the Town. Commissioner Rumsey suggested hiring a consultant first that could assist the Commission.

Commissioner Longtin stated that after hearing what John Downs said she was at ease and she wanted to make sure that the people of the Town had as much input as possible since they will be paying for this service.

Motion: A motion was made by Commissioner Rumsey to defer the Street Lighting Referendum Question to the March 2011 Election; Commissioner Longtin made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Steve Hockman	X		
Commissioner Jeanine Longtin	X		
Commissioner Kendall Rumsey	X		
Vice-Mayor Patricia Osterman	X		
Mayor Desca DuBois	X		

Motion passed 5-0

Harbor Marina Advisory Board

Mayor DuBois stated that she had been approached by residents who asked that the Code Compliance Board be reactivated because they were unable to take time off from work to attend the Special Magistrate Hearings. Another request she had received by residents was to have an Ad Hoc Committee formed for the Marina to assist with special events. She indicated that she had not received any positive feedback on bringing back the Marina Board.

Vice-Mayor Osterman indicated that she was surprised to see this item on the agenda when her recollection was that Commissioner Longtin was going to contact the former members of the board and see if they were interested in starting to meet again.

Commissioner Longtin stated that she was surprised that the item was on the agenda. She indicated that she contacted the members of the Marina Board, but had not been able to get in touch with all of them.

Town Manager Davis stated that it was her misunderstanding that this item was brought for Commission discussion.

Selection of Volunteer Dinner Date

The Commission chose June 4th as the date for the Volunteer Dinner.

Motion: A motion was made by Commissioner Rumsey to approve June 4th as the date for the Volunteer Dinner; Vice-Mayor Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Steve Hockman	X		
Commissioner Jeanine Longtin	X		
Commissioner Kendall Rumsey	X		
Vice-Mayor Patricia Osterman	X		
Mayor Desca DuBois	X		

Motion passed 5-0

Commissioner Longtin indicated that she would not be available to attend the event, but wanted to thank the volunteers.

Commission Insurance Coverage

Town Manager Davis explained that at the last Commission Meeting, Commissioner Rumsey had asked for information on health insurance coverage for the Commission at a rate of 50% and a spreadsheet was provided with those premium costs.

Commissioner Longtin expressed concern with the cost to the Town to include medical insurance for Commissioners. Commissioner Longtin stated that as a positive incentive maybe more people would run for office if medical insurance was included. She stated that she could not vote in favor of this issue.

Commissioner Rumsey explained that the 50% he was referring to would be for the Commissioners not for their family members. Commissioner Rumsey explained that if a Commissioner decided to take this plan that the Commissioner would be responsible for paying 100% for their spouse and child. He stated that other municipalities do offer this type of plan for their elected officials.

Commissioner Hockman stated that he agreed with Commissioner Longtin that the Town in under budget constraints and he would not want to put the Town or Town people in more constraints. He stated the he would agree to this if the Commissioner wanted to pay 100% of the cost of medical insurance.

Vice-Mayor Osterman stated that she was shocked when she attended the League of Cities meeting and heard what other municipalities offer their elected officials. She expressed concern about how this would affect the budget.

Commissioner Longtin explained what it would cost to cover each Commissioner that would be interested in this plan. She stated that she would not be able to vote in favor of this item at this time.

Commissioner Rumsey clarified his request by stating that if a Commissioner paid half of their insurance, if their spouse or child were then added to the plan then they would be expected to pay the full amount for the spouse and child. He stated that the only deduction would be for the employee not for the spouse and child.

Mayor DuBois recapped for the Commission and stated that none of the Commissioners would be in favor of this plan.

Town Manager Maria Davis stated that she would provide revised figures for the Commission.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Mayor DuBois stated that she would like signs on US1 pointing out that the Town has a business district and have it point to downtown Park Avenue.

Town Manager Davis stated that this has been a long topic of discussion and it was decided that when more businesses open in the downtown area, signs would be placed on US 1 that point to the business district.

Thanked everyone for coming to the meeting and encouraged residents to keep coming to meetings.

Commissioner Rumsey explained that legislation passed regarding the Sober Housing issue, the State House voted in favor last week restricting the homes from being within 1000 feet of each other. He stated that the bill went before the State Senate and the amendment was not approved. It will now have to wait until next year. He thanked those who called. He explained that Town Manager Davis got the PBSO to lower their yearly percentage without sacrificing services, which totaled \$142,000. He stated that an email was sent expressing concern about the flag at the Public Works Sprint cell tower.

Town Manager Davis stated that the flag was untangled, but Sprint would not change the size of the flag and it remains too small for the cell tower.

Commissioner Rumsey asked if there were any options to assist Mrs. Neptalie Jerome with her daycare. He wanted to know how the Town could help.

Town Manager Davis stated that they would look into how the Town could help. She explained what the daycare program has done for the community and what Mrs. Jerome has done for the children and their families.

Commissioner Rumsey stated that the community will stand together during this difficult time in the media and he appreciated everyone coming out to the meetings.

Commissioner Longtin wanted to know what Sprint did with the flag.

Town Manager Davis explained that the flag was untangled.

Commissioner Longtin asked if there was something else that could be done to get a bigger flag.

Discussion ensued on what options there might be to fly the correct size flag off of the Sprint Cell Tower.

Town Manager Davis stated that she would provide the contact information for Sprint to Commissioner Longtin.

Commissioner Longtin stated that residents in her area would like to have a four-way stop sign installed on the corner of Flagler Blvd and 4th Street or speed bumps. She stated that she understood there was an expense with putting in speed bumps.

Town Manager Davis stated she just needed direction from the Commission on what they wanted done. It was determined that she would bring back the four-way stop signs as an agenda item.

Commissioner Longtin stated that for those that came to the meeting to voice their concerns with Commissioner Hockman they should file the Ethics Complaints and end the side shows, they should get involved so that the situation could get resolved.

Vice-Mayor Osterman thanked everyone for attending the meeting. She stated that those sitting on the Dias needed to stop the sarcastic remarks and that they should be

addressing one another by their titles and be respectful. She stated that she did not want to be called girl and the men should not be called boys, it is disrespectful.

Commissioner Hockman thanked those who voted for him and those that stood by him these past few weeks with all the has been said about him. He read from a prepared statement as follows. " It makes me feel good to know that people in this Town who believed in what I stood for when I ran for Commission as well as they still stand and believe in me today. However, it does upset me to have people question the fellow citizens who did voted for me. Just because you don't like me or what I stand for it no reason to question the people that voted for me and put me in this position. Should we question all the people that voted for all the other Commissioners? Lets drop who likes who and get back to Town business. This has been what I call child's play. I understand not everybody is going to like me, that's understandable. It's a shame that there are Commissioners are trying to tear the Town apart by feeding things to Town residents. When all I want to do is get on to Town business done the best way possible to work as a team, I've said that from the beginning and I still stand by that today. As one of the Commissioners have said to me in the past months stop trying to tear the Town apart with nonsense. Why don't they follow there own laws. Stop sending out emails using their personal account as it is said they do get around and everybody sees them. I had a Commissioner call me yesterday, and for the record it was not Commissioner Longtin, they said if I publically apologized and tell everyone that I made some big mistakes that they would call the people off as well as the other Commissioners from the witch hunt against me. This saddens me that people push issues like this. They went on to make the comment that I was in cahoots with Commissioner Longtin because I was seen walking towards her house last Thursday. For the record, if these people would have actually watched where I went last Thursday, they would have seen that I walked to Publix, not Commissioner Longtin's house. Again, this is how the rumors get started, its hearsay, mixed emotions. As I walked passed Commissioner Longtin's house I didn't even think about stopping and saying hi. I had an agenda to get to the store and back. Just like the rumors in the paper, they were one person's feelings that changed from person to person, as we all know those stories very well. Let's get the facts before we make statements. I was also told that they know that I'm out to get employees fired. Well the fact is that as long as employees are doing their job I have no problem with any employee. Furthermore its not my job to try and get them fired. It's the Town Managers job to oversee them, and as long as they are doing their job I don't see the problem. Let's stop the gossip. Comments have been made of how mean I was to have my son sit there in the last meeting and listen to people call me all those names. Well, my son is smart enough to realize that adults are as mean as kids and can even be meaner. Also my son was not the only child in the audience there was other children. Those people should take a minute and look at what is happening around us. The girl in Deerfield Beach that was almost beaten to death, the boy that was burned by his fellow students, another that killed themselves because of peers calling them names and they were unable to handle it. Just look at what is happening around us locally, and this was just a few. As adults we should know better what type of example are we trying to set for the kids, the kids watching TV, your grandchildren, the children of this Town, and calling people names and so forth, as went on in the last meeting. That does not set a good example for this Town. Anyway, I have had several people ask me about my working background and what all the fuss is about with this lawsuit. I am currently self employed as an NEP Design Consultant. I

have been a design consultant for the last 30 years. This is my way of making my living to support my family. I want to try and make it as clear as possible as to my connection to the firm Bridge Design, which the Town is suing over the Marina. I am a sub consultant who is hired to complete the engineering drawings for the project management for such projects. Each team is made up of several consultants, such as the firm Bridge Design for the structure. My client is hired as the engineering consultant for the electrical mechanical. There are architects, landscape, civil consultant, interior designers, and so forth. We work only as a team to complete the project, which can be for a city, county or even the state. I do not work for Bridge Design, nor have I ever worked for Bridge Design, other than as a team member. I was not ever involved in any part of the Marina, as well as drawing the design. Again I have never worked for Bridge Design, ever, only as part of the team, that's it. Second at the last Commission meeting I was asked multiple times by some of the Commissioners to remove myself from meetings, emails, discussions, etc., in regard to the marina lawsuit. And I did so agree to it at that time. However, these past two weeks I've had the pleasure to talk a lot of Town residents and have repeatedly been told that they want me to be involved, and I should be involved because when the truth comes out they want to know the whole truth, not just parts of it. So with that said, I am publically retracting the statement made at the last meeting and I will publically announce that will participate in all meetings, emails, decisions, etc. and to be brought up to date on the lawsuit so I may perform my duties as Commissioner as people have voted for me, and by which the law allows me to be involved as per the Town's Attorney previous statement that I am allowed participate by the law. As far as voting on my lawsuit any issues that may arise with the lawsuit. I have sent a letter to the Attorney Generals Office asking for clarification if there is a conflict of interest or not do to my work and the team connection with Bridge Design. Based on that I will follow the Town's Attorney and the Attorney General response to the letter of the law. And only sustain from voting when required by such law. I am not the first Commissioner nor will I be the last Commissioner to have conflict of interest with any items that may come before us since we are typically Commissioners with day time jobs. And last, I would like everybody to put all your differences about me to rest and lets get on with Town business and stop wasting the Town's people just because you don't like me. I want to keep moving this Town forward, that is my intention, I have no other hidden agenda and I thank everybody for coming out and voicing their comments.

Town Attorney

None

Town Manager Davis announced that on April 30th the Town will be celebrating Arbor Day at 10:30 a.m. at Lottie Mae Miller Park, at Date Palm Drive and 2nd Street. About 90 children have been invited from neighboring schools. On April 30th from 5:00 to 7:00 p.m., is the Sunset Party at the Marina. At our Library there will be a book sale on April 24th from 9:00 a.m. to Noon on the Library front lawn sponsored by the Friends of the Library. Hardcover books are \$1.00 and children's books are 25 cents. The Library has changed it hours and will be open on Saturday, May 1st from 9:00 a.m. to 1:00 p.m. Recreation Summer Camp starts June 14th through August 6th. The registration fee is \$60.00 per child, \$30.00 for the second child, and a weekly fee of \$55.00. Extended child care is \$20.00 per week, \$10.00 for a second child. Call Recreation at 881-3338.

Town Manager Davis introduced David Hunt as the new Public Works Director.

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 Rumsey, and by unanimous vote, the meeting adjourned at 9:27 p.m.

Mayor Desca DuBois

Deputy Town Clerk, Jessica Shepherd, CMC

Town Clerk, Vivian M. Lemley, CMC

Town Seal

Approved on this _____ of _____, 2010

TAB 3

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: **June 2, 2010**

Agenda Item No. **3**

- | | |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: Regular Commission Meeting Minutes of May 5, 2010.

RECOMMENDED MOTION/ACTION: Approve the Regular Commission Meeting Minutes of May 5, 2010.

Approved by Town Manager *W. Davis* Date: *5/27/10*
 Deputy Clerk *[Signature]* *5/19/10*
 Date of Actual Submittal

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments: Meeting Minutes
Department Review: <input type="checkbox"/> City Attorney <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input checked="" type="checkbox"/> Town Clerk <u><i>VML</i></u> <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <u><i>x</i></u> _____: Please initial one.

Summary Explanation/Background:



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, May 5, 2010, 7:00 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, May 5, 2010 at 7:00 p.m. Present were Mayor DuBois, Vice-Mayor Osterman, Commissioners Rumsey, Hockman and 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

None

Motion: A motion was made by Commissioner Rumsey to approve the Agenda; Commissioner Longtin 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

PROCLAMATIONS

National Public Works Week May 16-22, 2010

Mayor DuBois read the Proclamation to the Public Works employees.

Town Manager Davis introduced the Public Works Leadership and explained their job descriptions.

PRESENTATION

Comprehensive Annual Financial Report for Fiscal Year 2009

Mr. Ed Holt gave an overview of the financial statements, issues, and policies of the Comprehensive Annual Financial Report and discussed how the Town was doing financially.

He reviewed and discussed the "Independent Auditors Report" on page 1 (see Exhibit "A"). He discussed and explained "Government Wide Statements" on page 13 (see Exhibit "A"). He stated that the page included all of the Town's assets. He reviewed the "Balance Sheet on Governmental Funds" on page 16 of the report (see Exhibit "A"). He discussed and explained the different columns and figures in the report. He explained and discussed the "Statement of Revenues, Expenditures" on page 18. He directed the Commission to page 108 (see Exhibit "A") to discuss "Internal Control and Compliance."

He thanked staff for all of their help in putting the report together. He stated that whenever there was a request of Town staff he would get a timely response and whenever there was an issue, they felt comfortable in knowing that they would get good information.

Commissioner Rumsey asked how long Mr. Holt had been doing the audit for the Town.

Mr. Holt stated that they had been doing the auditing for the Town for the last three years.

Commissioner Rumsey asked how the Town was doing now compared to three years ago.

Mr. Holt explained that when they began three years ago, there had been significant accounting and auditing issues with regards to the "General Fixed Assets" which had not been reconciled for a number of years. There were also internal control issues that could have developed into something significant, but have since been resolved.

Commissioner Rumsey asked how the Town stacked up compared to other communities.

Mr. Holt stated that his firm audits between 16 to 17 municipalities and other districts such as Sea Coast Utilities. He stated that the Town's quality of staff was very high.

Commissioner Rumsey stated that Mr. Holt had recommended that the Finance Department have a "Policies and Procedures Manual" put into place. He asked if Mr. Holt recommended that the manual be done in house or contracted to an outside party.

Mr. Holt stated that if the Town had the technical resources in house and if the Town was patient, a manual could be produced in approximately 18 months.

Commissioner Rumsey stated that if it was not possible to get the manual done in the next 18 months, how much would it hurt the Town to not have the manual in place.

Mr. Holt stated that it would not hurt the Town but having the manual would be very beneficial.

Commissioner Rumsey stated that the Town had to take approximately one quarter million dollars per year and pay back the Community Redevelopment Agency for back payments that had not been done from years 2000 to 2007. He asked how that would affect the Town's bottom line.

Mr. Holt explained how the Town would have to play catch up in the General Fund but the funds were still there for the Town in total.

Commissioner Rumsey asked if there was a state statute that required the Town to place money into the CRA.

Town Attorney Baird explained that the CRA was a separate legal entity that would have to have the same accounting for revenues.

Commissioner Rumsey asked how the Town went seven years without putting money into the CRA Fund.

Town Manager Davis explained that when she first reviewed the CRA Budget she immediately noticed there was a problem because there was virtually no funding. When she asked the Finance Director at that time, it was made clear to her that that Finance Director was not familiar with tax increment financing or familiar with the contributions the Town was supposed to be making to the CRA as part of its contribution of the TIFF. She stated that staff at the time did not know what a CRA was or what the purpose of the funding was about. She gave a history and explanation of the CRA.

Finance Director Anne Costello explained that 1999 was the base year for the establishment of the CRA and the year 2000 should have been the first year a payment was made.

Commissioner Rumsey asked how many years it would take for the Town to be caught up with paying back the CRA Fund.

Finance Director Anne Costello explained that it would take approximately 7 to 8 years to be caught up.

Commissioner Rumsey stated that it baffled him that the discrepancy went unnoticed for seven years. He expressed his concerns regarding the error.

Mr. Holt explained that one of the benefits of having the policies and procedures manual would be that it would explain at the beginning of each fund its purpose and what it's supposed to collect and pay.

Town Manager Davis stated that there were comments made about having a "Policies and Procedures Manual" in the Finance Department beginning in 2001 and the comments would roll over every year thereafter.

Commissioner Rumsey asked if a motion needed to be made to have staff begin preparation for a "Policies and Procedures Handbook" in the Finance Department.

Commissioner Longtin stated that she did not think it needed consent from the Commission and she believed that Finance Director Costello was already working on one. She asked Mr. Holt of all the municipalities he audits how many actually have such a manual.

Mr. Holt stated that the smaller communities did not generally have one but the larger ones have had a manual for years. He stated that a lot of municipalities use a GFOA standard policy manual but he did not recommend that because it would be a lot more voluminous than if staff developed one on their own.

Commissioner Longtin stated that she did not think consensus was needed as the Finance Director already knew that a manual was needed.

Mayor DuBois asked Attorney Baird for direction.

Attorney Baird stated that consensus was not needed and staff already had their direction.

PUBLIC AND OTHER COMMENTS:

Neptalie Jerome – stated that the Haitian community had a question for the Town and Commission and she was there on their behalf. She referred to an incident that took place a couple of days earlier. She stated that the children and families were hysterical and she had to explain to them that there was no discrimination happening in the Town of Lake Park and she explained to them at the start of the program that Town Manager Davis has opened her arms to the Haitian community of Lake Park and helped them in getting the place where she has her program for the kids. She stated that they wanted to know if the children who wanted to participate in the Community Garden had to speak English in order to do so. She explained how the Haitian children were taught not to forget where they came from or their culture. She explained how Creole was spoken in the home and English was used when necessary and that she practiced this in her own personal life. She stated that she explained to the children that there was no discrimination in Lake Park and she wanted the Mayor and Commission to also explain the same. She stated that everyone could be united in one community and could move forward to great achievement.

Mayor DuBois stated that it was not a requirement to speak English to participate in the Community Garden. She stated that she was very upset about the incident that took place at the Community Garden. She read a letter that she wrote regarding the incident (see Exhibit "B").

Neptalie Jerome interpreted Mayor DuBois' letter to the Haitian community

Commissioner Rumsey stated that he was mortified when he heard about the incident. He stated that he thought something like that did not happen in 2010 in Lake Park. He stated that Lake Park was not the community that they live in where comments like that are made to its citizens and especially when those citizens are the children of the community. He stated that he wanted to apologize to the Town's Haitian Community

and the entire Town of Lake Park that something like that happened. He stated that the Town was a better community than that and it disturbed him that the Community Garden which was created to bring the community together and was supposed to be a beautiful thing now had a stain on it. He stated that the Town wanted everybody to be a part of the Community Garden. He asked that they please forgive the incident and he asked that the community not let the ignorance of one person tarnish the Town Lake Park.

Neptalie Jerome interpreted Commissioner Rumsey's comments to the Haitian Community.

Vice-Mayor Osterman stated that she also wished to apologize to the community as a Commissioner and as a member of the Community Development Corporation, the non-profit entity that was sponsoring the garden. She stated that the garden was meant to be a place of hope and was called the Seeds of Hope Garden and its intention was to bring everyone together as a community to share their knowledge and diversity. She stated that it was her hope that the Haitian community accepted the Town's apology and that the children would celebrate their heritage from Haiti as well as the heritage they were creating here.

Neptalie Jerome interpreted Commissioner Osterman's comments to the Haitian Community.

Commissioner Longtin stated that she was not aware of what happened or who made a comment. She asked if it was an employee of the Town who made the comment.

Neptalie Jerome interpreted Commissioner Longtin's comments to the Haitian community.

Mayor DuBois stated that they would not name names and that it was a volunteer of the Town. She stated that the person who made the comment should apologize. She apologized on behalf of the person who made the comment and stated that the Town did not feel the same as that person.

Commissioner Hockman stated that he was sorry to hear of what happened. He stated that it should not have happened since all residents were made up of different cultures and backgrounds and he apologized on behalf of the Town.

Neptalie Jerome interpreted Commissioner Hockman's comments to the Haitian community.

Neptalie Jerome stated that a woman present in the audience explained to her what happened and that her child was extremely distraught when coming to her to tell her about the incident. She explained why it would be hard for the children to return to the garden. She thanked the Commission for listening.

Vice-Mayor Osterman asked Ms. Jerome if it would be helpful if the Commission spoke to the children with her translating for them.

Ms. Jerome stated that she would ask the Mayor to come and speak to the children so as to present a different image to the children.

Commissioner Longtin asked if the “mean lady” was banished from the garden.

Town Manager Davis stated that the person responsible was asked to resign.

Diane Munroe – stated that she lived two streets north of the Park Avenue Downtown District. She stated that over the last several months particularly on Greenbriar Drive she has seen an increase in large trucks frequenting the street. She stated that the signs on Park Avenue do not redirect those trucks and she has been asked by the truckers how to get out of Lake Park since there is confusion as to where they should go after making a delivery.

Town Manager Davis stated that she would look into the matter.

Sue Duchene, 306 Hawthorne Dr. – expressed her concerns regarding the resignation of the volunteer that was involved in the incident at the Community Garden. She stated that she hoped everyone could work it out and work together to resolve the situation. She stated that she felt that the incident was overdramatized and should not have been brought out into the public. She hoped that the Town would reconsider allowing the volunteer back since they have made such a large contribution to the Town.

Public Comment Closed.

Consent Agenda:

1. Resolution No. 19-05-10 Waste Management Agreement Extension
2. Approval to Pre-Qualify Roofing Companies
3. Proclamation for Water Reuse Week May 16-22, 2010

Public Comment Open.

None

Public Comment Closed.

Commissioner Longtin requested that item number 2 of the Consent Agenda be pulled for discussion.

Motion: A motion was made by Commissioner Longtin to approve item numbers 1 and 3 of the Consent Agenda; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner			

Longtin	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 5-0

Public Comment Open.

None

Public Comment Closed.

Commissioner Longtin stated that she did not believe the prequalifying of roofing companies was necessary and that it would not be financially responsible. She stated that approvals could be done when the RFP's were drawn up.

Commissioner Hockman stated that it was a good idea in some cases. He recommended having the insurance liability and references as a requirement of the package when the RFP is done. He expressed his concern with the cost.

Mayor DuBois discussed her concerns regarding not having a pre-qualification for roofing companies in place.

Vice-Mayor Osterman asked for clarification of the item.

Town Manager Davis explained that she generally does not go with prequalification of contractors on small projects but the project in question was the Police Department building's roof and because the rainy season was about to begin. There was concern about the quality of contractors who were bidding on work right now especially in the rainy season. She stated that the Town's Engineer and Public Works Director recommended going with the pre-qualification process so that the Town could weed out those contractors who do not have the qualifications to install a safe and reliable roof.

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

Vice-Mayor Osterman asked if the building that needed a new roof was also the building that was currently the Town's document storage facility.

Town Manager Davis stated that the building was also being utilized as the Town's document storage facility.

Commissioner Longtin stated that she did not see a need to have the pre-qualification process for a re-roofing job and that she would much rather see the money go to fixing the sprinkler system in the Town.

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

Vote on Motion:

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

Motion passed 3-2.

Public Comment Open.

None

Public Comment Closed.

QUASI-JUDICIAL HEARING:

RESOLUTION NO. 20-05-10 Earl Stewart Toyota Site Plan for Temporary Parking

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING AN APPLICATION FOR A DEMOLITION PERMIT SUBMITTED BY EARL STEWART TOYOTA TO DEMOLISH ALL BUILDINGS FOR THE PROERTY FORMERLLY KNOWN AS THE JOURNEY'S INN AND APPROVING A SITE PLAN AUTHORIZING THE DEVELOPMENT OF A TEMPORARY PARKING LOT THEREON.

Ex-Parte Communication was declared as follows:

Mayor DuBois – stated that she had spoken to the applicant approximately one year ago.

Vice-Mayor Osterman – None

Commissioner Hockman – None

Commissioner Longtin - None

Commissioner Rumsey – stated that he spoke to the applicant approximately three months ago.

Town Clerk Vivian Lemley swore in all witnesses.

Community Development Director Patrick Sullivan explained that Resolution No. 20-05-10 was for an application for Earl Stewart Toyota to demolish the Journeys Inn and the El Colonial Restaurant in order to use the land for storage and display as part of their dealership. He explained and discussed the history of the application and all the

requirements that they needed to provide in order to move forward. He gave a status update of the project. He stated that staff recommended that the Commission agree upon a permanent expiration date of two years at which point if they were not ready to proceed forward they can return and ask to have the permit extended.

Mayor DuBois passed the gavel to Vice-Mayor Osterman.

Motion: A motion was made by Mayor DuBois to approve Resolution No. 20-05-10 with a two year expiration date; Commissioner Rumsey made the second.

Vice-Mayor Osterman expressed her concerns regarding the project. She did not want to see an unlimited amount of extensions on the project. She stated that she wanted to see a certain date set for the project and no opportunity for an extension.

Commissioner Longtin stated that she agreed with Vice-Mayor Osterman. She stated that she would like to see the project completed before two years without extensions. She stated that she wanted to see a presentation of the landscaping plan.

Commissioner Rumsey asked Community Development Director Sullivan if the landscape plan was provided to the Commission on the Friday before the meeting.

Community Development Director Sullivan stated that the landscape plan was provided to the Commission on the Friday before the meeting.

Commissioner Rumsey asked Commissioner Longtin if she would like to see the copy of his landscape site plan documents.

Commissioner Longtin stated that she did not want to see Commissioner Rumsey's copy of the landscaping site plan. She stated that there were people in the audience who should see the landscaping plan. She asked for a verbal explanation of the landscape plan.

Community Development Director Sullivan stated that the landscape plan was simply to plant eighteen trees around the perimeter of the property.

Commissioner Rumsey asked if the landscaping site plan was what the Commission had approved back in September 2009.

Community Development Director Sullivan explained that the plan was approved by the Commission in September 2009 and the plan was done in accordance with that approval.

Commissioner Longtin asked what type of trees would be planted around the perimeter of the property.

Jamie Gentile of Gentile, Holloway, and O' Mahoney stated that the trees were green Buttonwood trees. He stated that the plan was done in accordance to the direction they received at the September 2009 Commission Meeting. He explained that the applicant/client did not oppose or object to the time frame or time limit and would move forward once the landscaping plan was approved.

Commissioner Longtin asked what the maturity level of the trees were and if they would be irrigated.

Mr. Gentile explained that the trees would be irrigated by the current irrigation system that was already on the property. He stated that the trees were brand new and were a minimum of twelve feet.

Commissioner Longtin asked if the site plan was supposed to go to the Planning and Zoning Board.

Community Development Director Sullivan stated that the plan bypassed the Planning and Zoning Board and went directly to the Commission.

Commissioner Longtin asked why the plan did not go to the Planning and Zoning Board.

Attorney Baird stated that the plan did not go to the Planning and Zoning Board because it was part of a demolition permit.

Mayor DuBois expressed her concerns with the Journey's Inn property and why she felt that the project should be expedited.

Vice-Mayor Osterman stated that she did not remember accepting the landscape plan in September 2009 and thought that it was directed for the applicant to come back with a landscape plan.

Mayor DuBois stated that her recollection was different and that there was a concern regarding the water runoff and that was the major issue that had been satisfied.

Vice-Mayor Osterman stated that she expected to see drawings of the landscape plan. She stated that she would also like to see a date made certain with no extensions. She asked that the original motions be withdrawn and a certain date of 18 months be considered.

Commissioner Rumsey stated that he wanted to correct the record that it was made clear at the September 2009 meeting that the Commission expected minimal landscaping and was pushed heavily at that time by Vice-Mayor Carey. He asked if Mr. Stewart could come forward so that he can ask him questions. He asked Mr. Stewart what would happen to the property if the site plan was not approved that evening.

Mr. Stewart stated that the employees' cars would continue to be parked at the property and the Journey's Inn building would remain until they were in a position financially to knock it down and put up their proposed parking garage.

Commissioner Rumsey asked how long Earl Stewart Toyota owned the Journey's Inn building.

Mr. Stewart stated that Earl Stewart Toyota owned the Journey's Inn property for approximately eight or nine years.

Commissioner Rumsey stated that the option for the Commission would be to have the Journey's Inn and El Colonial Restaurant torn down and remove the eyesore off of U.S. Highway One for eighteen trees or they could continue to give the company a hard time and not approve the plan by requiring twenty-four trees. He asked the Commission to "get real."

Commissioner Hockman asked that if in two years the company was not able to build the garage what would be the Town's position on the property. He stated that because of the economy the company may not be able to build the garage. He asked if Mr. Stewart would be willing to plant more trees at that time to enhance the landscaping on the property.

Mr. Gentile stated that their client/applicant was committed to the improvement of the property. He stated that if they were not able to build the garage at the two year mark they would be willing to enhance the landscaping.

Commissioner Rumsey asked if the Mayor would entertain Mr. Gentile's comment as part of the motion.

Commissioner Longtin stated that there was no way that she was voting against the permit or site plan. She stated that she wanted the buildings torn down. She asked that they clarify what the two year time limit was for.

Community Development Director Sullivan explained that the two years was in order to have time to secure financing and the economy to turn around so that they could move forward with the parking garage plans. He stated that the demolition would be done immediately.

Commissioner Longtin stated that she had misunderstood and did not want to vote against the site plan.

Vice-Mayor Osterman stated that she wanted to be clear on what was being voted on. She asked that the motion be restated.

Attorney Baird restated the motion as saying that the motion was to approve the Resolution authorizing the demolition and authorizing temporary parking for a two year period with the eighteen trees shown on the site plan, upon the expiration of the two years, if they still have not constructed the facility they will be required to landscape the site in accordance with the Town code.

Commissioner Rumsey clarified that they would need to begin construction of the facility by the end of the two year expiration period.

Motion: A motion was made by Mayor DuBois to approve Resolution No. 20-05-10 with a two year expiration date and upon the expiration of the two years, if the applicant has not begun construction of the facility they will be required to landscape the site in accordance with the Town code; Commissioner Rumsey made

the second.

Vote on Motion:

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

Motion passed 5-0.

Commissioner Rumsey asked Mayor DuBois if the Commission could have a five minute recess.

Public Comment Open.

Diane Munroe – asked if those who lived near the Earl Stewart property had been notified of the proposed building and landscape site plan.

Community Development Director Sullivan stated that everyone who lived within 300 feet of the site was informed of the meeting that took place that night.

Ms. Munroe thanked Commissioner Longtin and Vice-Mayor Osterman for questioning the eighteen trees. She stated that eighteen trees was not enough and “it better not be an eyesore.”

Public Comment Closed.

The meeting adjourned for a five minute recess.

The meeting reconvened.

DISCUSSION AND POSSIBLE ACTION

Town Manager Goals 2010-2011

Town Manager Davis gave an explanation of the reason for establishing and presenting “Town Manager Goals.”

She gave a PowerPoint presentation titled “Town Manager Goals February 1, 2010 through January 30, 2010” where she reviewed and explained each goal (see Exhibit “C”).

Mayor DuBois recommended that the street lighting issue and street closure issue be addressed at the same time.

Commissioner Rumsey agreed and stated that the referendum question for the street lighting issue should be moved to the March election in order to save money.

The Commission came to consensus to move the street lighting referendum question to the March 2011 election.

Commissioner Rumsey stated that he would like to see the proposed Community Center be a green center. He also recommended removing the expansion of the CRA from Town Manager Davis' goals because professionals have advised waiting because the tax base that would be received this year would not be as good as in future years. He recommended placing the expansion on hold.

The Commission came to consensus to place the expansion of the CRA District on hold for a future date.

Vice-Mayor Osterman stated that if grant money could be obtained to expand the CRA it should be considered.

Commissioner Hockman expressed concern with expansion of the CRA because of the increase in tax base and the money that may have to come from the General Fund to put into the CRA since taxes would need to be increased when revenue were down.

Mayor DuBois expressed the same concern.

Commissioner Longtin stated that she did not agree with the expansion of the ball field since buying that side of the 600 block of Date Palm Drive would take away tax money from the Town. She asked what the Commission felt about the proposed ball field expansion.

Commissioner Hockman stated that he felt the same way and did not agree with taking up property and reducing the tax base for expansion. He stated that other options could be researched.

Vice-Mayor Osterman stated that the Community Center would be a valuable resource and also wanted to see it done green. She stated that she did not want to do away with the ball field in order to have the Community Center. She stated that there would need to be a location for the Community Center or do away with the ball field and have the center on the ball field. She stated that she was in favor of buying the property on the west side of the ball field. She discussed the different options for locations for the Community Center. She stated that the community needs both a Community Center and a ball field but they cannot be done at the same location. She recommended also looking into using grant money for the Community Center.

Mayor DuBois stated that it was her recollection that grant money would be available to purchase the property on the west side. She agreed with Vice-Mayor Osterman that the community needed a Community Center and a ball field. She stated that she would like to continue to consider the option of purchasing the property on the west side of the ball field.

Commissioner Longtin asked for clarification of what area they were referring to with respect to the west side of the ball field.

Town Manager Davis explained that there was a block on the west side of the ball field that was a very blighted area and was the primary area that they were proposing to expand. She stated if money was received to build the Community Center and there was no expansion of the ball field the Community Center would need to be built on the ball field and there would be no ball field because there would be a need for parking. She stated that it was discussed that the south side of the ball field could also be considered for expansion. She stated that the Florida Communities Trust had reviewed the Town's situation in the past and determined that the Town was eligible for funds and that is why the project was considered.

Commissioner Rumsey stated that he was not interested in obtaining the north properties but the west properties. He stated that getting rid of the blighted properties would raise the property values of the homes surrounding the area. He stated that if there was an opportunity to obtain grant money for the Community Center it would be a win win situation.

Vice-Mayor Osterman gave a brief history of parks that have since been repurposed. She stated that she would like to see more parks in the community.

Commissioner Longtin expressed her concerns about purchasing property when the Town already purchased land for a Community Garden in which it would not receive tax money.

She stated that Town Manager Davis extended time to her and Commissioner Hockman to discuss and explain the CRA. She recommended a workshop regarding the CRA instead so that the residents and citizens could also be educated and informed.

Mayor DuBois and Commissioner Rumsey stated that it had already been agreed upon to do a CRA Workshop but a date and time had not yet been set.

Town Manager Davis stated that she would bring back dates and times for a CRA Workshop.

Vice-Mayor Osterman asked Town Manager Davis to take into consideration that there will be Budget Workshops and a Street Closure Workshop in the near future when picking dates and times.

Calendar for July Commission Meetings and Budget

Town Manager Davis recommended that the Regular Commission Meetings scheduled for July 7th and July 21st be combined for July 14th as a Special Call Meeting and to have a Budget Workshop on July 28th beginning at 6 p.m.

Commissioner Longtin stated that 6 p.m. would be difficult for her.

Town Manager Davis asked if 6:30 p.m. would be better.

Commissioner Longtin stated that she could attend the meeting at 6:30 p.m.

The Commission came to consensus to combine the two regular Commission Meetings scheduled on July 7, 2010 and July 21, 2010 into one meeting on July 14, 2010 and to have a Budget Workshop on July 28, 2010 beginning at 6:30 p.m.

Lease Agreement for Crown Castle Cell Tower at Town Hall

Community Development Director Patrick Sullivan explained the history of the lease agreement and its purpose. He explained that Crown Castle owned the cell tower and leases it out to their providers. The lease will expire in nine years and the company has been in contact with the Town so that they can renew the lease for another 30 years. He asked the Commission for their input and how to proceed. He stated that they were willing to increase their rent for the cell tower. The current lease payment was \$14,000 per year and would increase to approximately \$22,000 with annual increases of 4% and give a one-time capital contribution of \$20,000 and they would also agree if they had additional co-locaters on the tower they would pay an additional \$9,000 per co-locater. He asked the Commission for direction on how to proceed.

Commissioner Rumsey stated that he did not like the appearance of the cell tower. He asked if the tower was a stealth tower; would it be able to have the same number of co-locaters.

Community Development Director Patrick Sullivan stated that it was possible to have the same number of co-locaters on the tower if it was a stealth tower.

Commissioner Rumsey recommended requesting that the company change the tower to a stealth tower within the next year and the Town would then consider renewing the 30 year lease.

Mayor DuBois stated that she did not like the appearance of the cell tower either but would like to see something worked out between Crown Castle and the Town since the Town would not want to lose the money generated from the lease agreement for the tower.

Vice-Mayor Osterman stated that she did not want the Town to own a cell tower.

Commissioner Hockman recommended waiting another couple of years and having the option to renew the lease at that point. He stated that there were other types of towers that could be researched and considered.

Commissioner Rumsey asked Commissioner Hockman if he agreed with his recommendation of telling Crown Castle that if they convert the cell tower to a stealth tower within the next year the Town would go ahead and give the lease option but if it is not done within the next year all negotiation stops and Crown Castle would have to come back in a couple of years to renegotiate the lease.

Commissioner Hockman stated that yes he agreed with Commissioner Rumsey's recommendation.

The Commission came to consensus to inform Crown Castle that if they convert the cell tower to a stealth tower within the next year the Town would go ahead and give them the lease option but if it was not done within the next year all negotiation stops and Crown Castle would have to come back in a couple of years to renegotiate the lease.

Four Way Stop Sign at 4th Street and Flagler Boulevard

Vice-Mayor Osterman stated that she was in favor of installing a four way stop sign at 4th Street and Flagler Boulevard.

Mayor DuBois asked if there was any feedback regarding the proposed four way stop sign.

Town Manager Davis asked Mayor DuBois to clarify the question.

Mayor DuBois stated that there was a reaction from surrounding residents where the last four way stop sign was installed. She asked if there was any feedback from Captain Reece or just a request from the residents.

Town Manager Davis explained that residents were upset that they were not notified regarding the installation of the last four way stop sign. She stated that it would be a difficult situation to deal with and she did not know who or how many residents would need to be notified. She stated that the Sheriff Department's research showed that there was not a problem and no need for a stop sign.

Mayor DuBois recommended consideration of lowering speed limits on certain streets throughout the Town.

Commissioner Longtin commended Town Manager Davis for her work and tenacity on the four way stop sign issue. She stated that she polled residents on her block of Flagler Boulevard and everyone she spoke to agreed that there was a speeding problem. Everyone with children stated that they wanted speed bumps but would settle for stop signs. She recommended some type of notification like a machine that displays a

warning or countdown message that the stop sign will be installed so that residents are forewarned since the last stop sign has gone up overnight without warning.

Commissioner Rumsey asked Commissioner Longtin if she would be willing for the Town to spend the money to rent a machine that would warn residents about the stop sign.

Commissioner Longtin stated that she did not know of other options to forewarn the residents. The machine was something that she saw that the county uses.

Commissioner Rumsey stated that it was a no win situation since the Town Manager would have gotten heat if the stop sign had not gone up as quickly as it did. He applauded staff for getting the stop sign up as quickly as they did. He stated that he has brought forward discussion regarding the same intersection last year and he was not opposed to the installation of a stop sign there. He stated that his concern was that the Town needed to set some kind of guideline as to when a stop sign is warranted.

Vice-Mayor Osterman discussed the installation of speed bumps and the pros and cons of such.

Commissioner Rumsey asked Commissioner Longtin if there was a specific date as to when she wanted to stop sign installed.

Commissioner Longtin stated that it was up to the Commission to decide.

Commissioner Rumsey asked Commissioner Hockman about the feedback he has received since the installation of the stop sign on his block.

Commissioner Hockman stated that all of the people he spoke to were joyful that the stop sign was installed. He stated that on the second day of installation he was outside speaking with residents he witnessed approximately 25 people blow through the stop sign.

The Commission came to consensus to install a four-way stop sign at 4th Street and Flagler Boulevard.

Northlake Boulevard Task Force Membership

Commissioner Rumsey stated there was an opportunity to add two additional representatives of the Town to the board as alternates. The majority of the other municipalities represented at the membership have their Public Works Directors and one of their Planners as additional members of the board. He recommended appointing Public Works Director David Hunt and Planner Nadia DiTomasso as alternate members of the Northlake Boulevard Task Force.

Motion: A motion was made by Commissioner Hockman to reconsider the action to appoint Commissioner Rumsey as an alternate member of the Northlake Boulevard Task Force; Commissioner Longtin made the second.

Vote on Motion:

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

Motion passed 5-0.

Motion: A motion was made by Commissioner Hockman to appoint Commissioner Rumsey as a regular member of the Northlake Boulevard Task Force and to appoint Public Works Director David Hunt and Planner Nadia DiTomaso as alternate members; Commissioner Longtin made the second.

Vote on Motion:

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

Motion passed 5-0.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Mayor DuBois thanked Public Works for their work on the Arbor Day Celebration. She gave a brief description of the event. She showed a piece of artwork that was done by a child from Bright Futures. She stated that she was going to place it in the front window of the Art Co-op. She thanked Marina Director Michael Pisano for an enjoyable Sunset Party.

Commissioner Hockman stated that he also enjoyed the Arbor Day Celebration. He recommended finding a place to hang the pictures that were received from the children. He stated that he also enjoyed the Sunset Party at the Marina. He recommended keeping the Sunset Party going through the summer and starting at a later time.

Vice-Mayor Osterman stated that she was encouraged by the participation in the U.S. Census. She explained how important it was for government in order to obtain funding and grants. She encouraged residents to participate.

Commissioner Longtin requested that the Commission Meeting Minutes be brought up to date as she had not seen the minutes for the last three meetings. She wished everyone a Happy Cinco de Mayo.

Commissioner Rumsey congratulated staff on their work for a successful Arbor Day Event and also congratulated Marina Director Michael Pisano for a successful Sunset Party. He recommended having the party year round and adding artists and artwork at the party. He congratulated Library Director Karen Mahnk for a successful Book Sale Event. He gave an explanation of a bill passed in the Legislature regarding red light cameras where they have set fines. He directed staff to research the cost and projected revenue for adding red light cameras to the Town and what percentage of the money collected would go to the State. He also recommended speaking with the Village of North Palm Beach about the possibility of partnering with them on the red light cameras since the Town and North Palm Beach share a major portion of Northlake Boulevard.

Commissioner Longtin stated that she was against having red light cameras in the Town and did not want to direct staff to prepare and spend time working on a large amount of research.

Commissioner Rumsey asked if he should request consensus.

Mayor DuBois stated that she had brought up the possibility of red light cameras in the past and wanted to review the information that staff could provide.

The Commission came to consensus to direct staff to provide information regarding the installation of red light cameras in the Town.

Mayor DuBois directed Town Clerk Lemley to announce the new Tree Board and Library Board appointees.

BOARD APPOINTMENTS:
Applicants for Tree Board

The following applicants were appointed to the Tree Board:

Brenden Beard – Regular Member
Malynda Downing - Regular Member

Applicant for Reappointment to the Library Board

Antony Lewis was re-appointed as a regular member to the Library Board

Attorney Tom Baird gave a status update of the Reasonable Accommodations Hearings that recently took place. He stated that Mr. Frank Sevino who had applied for Reasonable Accommodations for two homes located at 718 Magnolia Dr. and 754 Laurel Dr. was granted the Accommodations by the Special Magistrate. He requested nine individuals in each home and the Special Magistrate granted four individuals in each home. Mr. Sevino has since appealed the decision to the Circuit Court. He stated that if the Circuit Court affirms the Special Magistrate's Order a precedent would be established in terms of minimizing the number of unrelated individuals could reside together under a Reasonable Accommodations.

Commissioner Rumsey asked if the number of four people included the house manager.

Attorney Baird stated that the four people did not include the house manager and that a total of five people could reside in the home.

Town Manager Davis introduced the Town's new Art Studio and Gallery Manager Krista Ide. She asked Captain Reece to come up and introduce Lieutenant Pete Palenzuela. She stated that Captain Reece would be leaving the Town of Lake Park.

Captain Douglas Reece explained that he was transferring. He stated that he enjoyed the last 5 ½ years with the Town and that it had been challenging as well as rewarding and that he had made many personal and professional friendships. He stated that he would still have assignments in the Town and would be helping Lieutenant Palenzuela transition into his new position. He introduced Lieutenant Palenzuela.

Lieutenant Pete Palenzuela introduced himself and gave a description of his credentials and history as a police officer.

The Commission welcomed Lieutenant Pete Palenzuela.

Town Manager Davis reminded everyone that the Library was open until 8 p.m. on Mondays and Tuesdays and closing at 1 p.m. on Fridays and Saturdays. She announced the Lake Park 8 week Summer Camp Program which begins on June 14th and runs until August 6th. She announced the pricing information for the camp and stated that more information could be obtained by calling (561)881-3338. She announced the American Cancer Society Relay for Life which would be taking place on May 14th and May 15th at John D. McArthur State Park and would commence at 6 p.m. on Friday, May 14th and end at 11 a.m. on Saturday, May 15th with a sunrise breakfast. Town residents are encouraged to participate by joining the Lake Park team and can call (561) 881-3300 for more information.

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 10:05 p.m.

Mayor Desca DuBois

Deputy Town Clerk, Jessica Shepherd, CMC

Town Seal

Approved on this _____ of _____, 2010

TAB 4

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: **June 2, 2010**

Agenda Item No. **4**

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Regular Commission Meeting Minutes of May 19, 2010.

RECOMMENDED MOTION/ACTION: Approve the Regular Commission Meeting Minutes of May 19, 2010.

Approved by Town Manager

He. Davis

Date:

5/27/10

Deputy Clerk

[Signature]

5/26/10

Date of Actual Submittal

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments: Meeting Minutes
Department Review: <input type="checkbox"/> City Attorney <input type="checkbox"/> Community Affairs <input type="checkbox"/> Community Development	<input type="checkbox"/> Finance <input type="checkbox"/> Fire Dept <input type="checkbox"/> Library <input type="checkbox"/> PBSO	<input type="checkbox"/> Personnel <input type="checkbox"/> Public Works <input checked="" type="checkbox"/> Town Clerk <input type="checkbox"/> Town Manager
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <input checked="" type="checkbox"/> _____: Please initial one.

Summary Explanation/Background:



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, May 19, 2010, 7:00 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, May 19, 2010 at 7:00 p.m. Present were Vice-Mayor Osterman, Commissioners Rumsey, Hockman and Longtin, Town Manager Maria Davis, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley. Mayor DuBois was absent.

Vice-Mayor Osterman 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 Rumsey to approve the Agenda; Commissioner Longtin 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			Absent

Motion passed 4-0

PROCLAMATIONS

Lake Park Lions Police Athletic League (PAL) Basketball Team for Winning the County Championship

Vice-Mayor Osterman read the Proclamation to Lake Park Lions Police Athletic League (PAL) Basketball.

A coach of the Lake Park Lions Basketball Team thanked everyone for the Proclamation and spoke about his experiences as a coach.

PRESENTATION

Palm Beach County Ethics Committee Chair Brad Merriman

Mr. Merriman introduced himself and Mr. Alan Johnson the new Executive Director of the Commission on Ethics. He gave a brief background on what the Commission on Ethics has recently established. He began a PowerPoint presentation (see Exhibit "A") to continue his explanation. He stated that in December 2009 Palm Beach County passed three Ordinances which created the Commission on Ethics (COE), Inspector General (IG) and the Code of Ethics (see page 1 of Exhibit "A"). He explained the Commission on Ethics and its functions (see pages 2 through 5 of Exhibit "A"). He explained and reviewed the "Commission on Ethics' Powers and Duties" (see pages 6 through 7 of Exhibit "A"). He reviewed the Commission on Ethics' Executive Director Duties (see pages 8 of Exhibit "A"). He reviewed the Commission on Ethics Funding (see page 9 of Exhibit "A"). He reviewed and explained the "Inspector General Ordinance" its "Function, Authority, and Power", the process of "Selection and Removal of Inspector General" and the "Inspector General Funding" (see pages 10 through 14). He reviewed and explained the "Code of Ethics" and its duties and functions (see pages 15 through 23 of Exhibit "A"). He reviewed and explained a "Proposed Charter Amendment" that will be placed as a referendum question at the next election. The question will be whether or not those Ordinances should be placed in the County Charter (see page 24 of Exhibit "A"). He explained the "Implementation Committee" (see page 25 of Exhibit "A"). He concluded by reviewing a copy of the Palm Beach County website page that had the link to the Ethics/Inspector General information (see page 26 of Exhibit "A").

Commissioner Rumsey stated that the present Ethics Commission was only covering county employees and elected officials but to have other municipalities included, the referendum would need to be passed in November.

Mr. Merriman explained that the majority of the residents in the municipality would have to vote for it.

Attorney Tom Baird stated that there would be one ballot question and the Supervisor of Elections office would determine whether or not the majority voted for the question in each municipality which would set those ordinances in place within that municipality.

Discussion ensued between Mr. Merriman, Attorney Baird and the Commissioners regarding the proposed ordinances, their implementation, and how they would affect the Town of Lake Park.

Commissioner Rumsey congratulated Mr. Merriman and the Palm Beach County Ethics Committee for their work and efforts and he stated that he hoped that the voters of Lake Park would approve the proposal.

Commissioner Longtin asked if it was the voters or the Commission that would bring the ordinances to Lake Park.

Mr. Merriman explained the process and stated that the only thing that would come before the County Commission would be the ballot language for the referendum question.

Commissioner Longtin asked if the Town would be deducting 2.5% of their payments to vendors.

Mr. Merriman explained that there would need to be dedicated funding source. He explained that the negotiation was still in process.

Commissioner Longtin asked if the voters did not vote in favor, could the Commission participate.

Mr. Merriman explained that if the voters did not vote in favor the Commission could enter into an Interlocal Agreement with the Inspector General and the Commission on Ethics to use their services.

Commissioner Longtin asked if the training offered for county employees was also available for municipal employees.

Mr. Merriman stated that the training was available on the County's website under the "Training" link and anyone could watch a training session online.

Commissioner Longtin asked if Mr. Merriman expected any push back on the vote.

Mr. Merriman stated that he did not expect any push back and he gave an explanation why.

Commissioner Hockman asked if the rate to participate would be the same for all municipalities.

Mr. Merriman explained that it would not be the same rate across the board and that there were certain exclusions involved.

Discussion continued between Mr. Merriman and the Commissioners regarding their questions about the Commission on Ethics.

Mr. Merriman thanked the Commission for their time.

The Commission thanked Mr. Merriman for his presentation.

PUBLIC AND OTHER COMMENTS:

Roslyn Saunders, 211 E. Ilex Dr. – expressed her concerns regarding the proposed street closures in Lake Park and the effects it would create in the event of storms and hurricanes.

Tim Kasher, 315 Foresteria Dr. – stated that he would be moving out of Town. He expressed his issues with sober homes and halfway houses that have been allowed to run in the Town.

Vice-Mayor Osterman and Commissioner Rumsey thanked Mr. Kasher for the work he has done and for being outspoken on the sober housing issue.

Public Comment Closed.

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of April 7, 2010
2. Resolution No. 21-05-10 Grant Application to Fund Lake Shore Drive Construction Project
3. Amendment to the Bioscience Interlocal Agreement

Public Comment Open.

None

Public Comment Closed.

Commissioner Longtin stated that she wanted all consent items pulled for discussion. She stated that there were errors in the Regular Commission Meeting Minutes of April 7, 2010 and that they were not done to her recollection. She stated that to her recollection there were death threats made to Commissioner Hockman by Mr. Balius and the threat to burn Commissioner Hockman's house was made by Mr. Wallace.

Vice-Mayor Osterman stated that the April 7, 2010 meeting minutes were done verbatim and they were done exactly how she remembered and she had reviewed the DVD recording of the meeting several times and the minutes were done accurately.

Commissioner Longtin stated that she did not remember making a specific comment that was noted in the minutes.

Vice-Mayor Osterman tabled the minutes and directed Town Clerk Vivian Lemley to review the DVD recording of the meeting and the minutes and make sure that it was accurate and the Commissioners who had questions regarding the minutes to bring back their questions to the next Commission Meeting with pages of the minutes identified for possible discussion.

Motion: A motion was made by Commissioner Longtin to table the Regular Commission Meeting Minutes of April 7, 2010; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		

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

Motion passed 4-0.

Public Comment Open.

None

Public Comment Closed.

Commissioner Longtin asked for clarification of the Lake Shore Drive Construction Project.

Town Manager Davis explained that the project was to alleviate drainage problems on Lake Shore Drive.

John Downs of Calvin, Giordano and Associates explained that one new outfall to the intracoastal would be installed at the north end of the park. Pipes would be upsized and an infiltration trench installed to improve the drainage.

Commissioner Longtin asked how much of the grant for the project would also be for beautification as well as for drainage alleviation.

Town Manager Davis explained that she could not answer that question because it was a matching grant in order to obtain another grant. They would be proposing to pledge storm water utility dollars as debt service for the remainder of the needed funds. She stated that she could not yet tell how much would be attributed to drainage and how much attributed to beautification, however she felt the majority would be for drainage.

Motion: A motion was made by Commissioner Rumsey to approve Resolution No. 21-05-10; Commissioner Longtin made the second.

Vote on Motion:

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

DuBois			Absent
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Motion passed 4-0.

Public Comment Open.

None

Public Comment Closed.

Vice-Mayor Osterman apologized to Mr. Balius for being remiss and not calling him up to speak on a previous issue of the April 7, 2010 meeting minutes. She asked Mr. Balius if he could speak at the next meeting since the minutes would be addressed again. She asked him if that would be acceptable.

Mr. Balius agreed.

Commissioner Longtin asked for item #3 of the Consent Agenda, Amendment to the Bioscience Interlocal Agreement to be explained.

Community Development Director Patrick Sullivan explained that a Bioscience Meeting would be taking place at Town Hall the next day. At the meeting the Amendment change would be voted upon or tabled by Commissioner Rumsey and Mayor DuBois. He explained that the item was brought before the Commission so that Commissioner Rumsey and Mayor DuBois could have guidance on whether or not to vote on the amendment. He stated that Palm Beach County Commissioner Karen Marcus requested that the item be brought before the Bioscience Board. He explained that the board was an Advisory Board and only gives an advisory opinion. In reviewing the new amended language he found there was not any substantial change.

Vice-Mayor Osterman stated that in her review of the language she did not see any substantive change in the language.

Attorney Baird explained the reasons why the language needed to be changed and clarified. He gave past examples of instances where language had to be changed and reviewed by the Bioscience Board.

Motion: A motion was made by Commissioner Longtin to approve the Amendment to the Bioscience Interlocal Agreement; Commissioner Hockman made the second.

Vote on Motion:

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

Mayor DuBois			Absent
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Motion passed 4-0.

ORDINANCES ON FIRST READING:

ORDINANCE NO. 05-2010 Amendment to Town Code of Ordinance Section 2-151 et. Seq. Regarding Rules Governing the Library Board

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 2, ARTICLE IV, DIVISION 2 OF THE TOWN CODE ENTITLED "LIBRARY BOARD"; PROVIDING FOR THE AMENDMENT OF SECTIONS 2-154, 2-158, 2-160 AND 2-161 PERTAINING TO THE LIBRARY BOARD; 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.

Library Director Karen Mahnk explained why the changes needed to be made to Section 2-151 of the Town's Ordinances.

Motion: A motion was made by Vice-Mayor Osterman to approve Ordinance No. 05-2010; Commissioner Hockman made the second.

Vote on Motion:

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

Motion passed 4-0.

Town Attorney Baird read Ordinance No. 05-2010 by caption-only.

ORDINANCE NO. 06-2010 Mobile Food Vendors

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 22 OF THE CODE OF ORDINANCES, ENTITLED "SOLICITATION" TO CREATE A NEW ARTICLE III PERTAINING TO MOBILE VENDORS PROVIDING FOR DEFINITIONS; PROVIDING THAT A LICENSE IS REQUIRED; PROVIDING

FOR CERTAIN EXEMPTIONS; PROVIDING FOR LIMITATIONS ON CERTAIN ACTIVITIES; PROVIDING FOR A LICENSE APPLICATION AND LICENSE FEE; PROVIDING FOR THE EXPIRATION OF LICENSES; PROVIDING FOR THE REQUIREMENT THAT LICENSES BE DISPLAYED IN PLAIN VIEW; PROVIDING FOR THE TRANSFER OF LICENSES; PROVIDING FOR CERTAIN HEALTH REGULATIONS; PROVIDING FOR MOBILE VENDOR STANDARDS; PROVIDING THAT MOBILE VENDORS SHALL HAVE AND MAINTAIN INSURANCE; PROVIDING FOR THE REVOCATION OF LICENSES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE

Public Comment Open.

None

Public Comment Closed.

Community Development Director Patrick Sullivan explained the reason for Ordinance No. 06-2010.

Motion: A motion was made by Commissioner Longtin to approve Ordinance No. 06-2010; Commissioner Hockman made the second.

Vote on Motion:

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

Motion passed 4-0.

Town Attorney Baird read Ordinance No. 05-2010 by caption-only.

DISCUSSION AND POSSIBLE ACTION

Appointment of a Commissioner to Serve on the Street Lighting Cost Study Short List Committee

Town Manager Davis explained that when the item was placed on the agenda it was anticipated that there would be a lot of participation in the RFP process for the project. Bids were opened yesterday and there were three qualified bidders that met all of the criteria and she stated that staff recommended bypassing the short list committee option

since there already was a short list and for the vendors to prepare presentations for the Commission so that the Commission could select from the three.

Commissioner Longtin stated that she had heard at a prior meeting that the consulting work would be done by the Town's in-house engineer.

Town Manager Davis stated that the scope of work was too great to be done in-house.

Commissioner Longtin stated that she had thought that Calvin Giordano and Associates would be doing the work.

Town Manager Davis stated that Calvin Giordano and Associates was one of the firms that submitted a proposal.

Vice-Mayor Osterman explained and clarified the process for Commissioner Longtin.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Rumsey to not appoint a Commissioner to a Short-List Committee and to move forward with the presentations by the three firms who submitted proposals; Commissioner Hockman made the second.

Vote on Motion:

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

Motion passed 4-0.

Commissioner Longtin asked when those firms would be making their presentations.

CRA Project Manager Richard Pittman explained that he had spoken with all three firms and asked them if they would be able to make a presentation by the week of June 7, 2010 or later. He stated that they all responded that they would be able.

Commissioner Rumsey asked if the presentations could be done at the June 16, 2010 Regular Commission Meeting.

Vice-Mayor Osterman recommended that the presentations be made at the June 16, 2010 Regular Commission Meeting with the option of making a decision by the next Commission Meeting in July.

Commissioner Longtin expressed concern that it would be a month before a decision would be made. She asked if the presentations could be done at the June 2, 2010 Regular Commission Meeting.

CRA Project Manager Pittman explained that there was one firm out of the three who could not have a presentation ready sooner than the week of June 7, 2010.

Discussion ensued between the Commissioners regarding the time limit which should be given for each presentation.

Vice-Mayor Osterman recommended a suggested time of 15 minutes with a cut-off of 20 minutes allowing a total of 30 minutes for presentation, questions, and answers.

Commissioner Hockman suggested having set times for each firm to make their presentation so that each firm is not in attendance while the other is giving their presentation.

CRA Project Manager Pittman explained that as a professional courtesy those firms would wait outside of the room while the other is giving their presentation. He requested that the firm who has traveled the farthest be given the earlier time due to their length of travel.

Vice-Mayor Osterman stated that she would trust CRA Project Manager Pittman's judgment in setting the times for those firms.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTOR

Mayor DuBois

Absent

Commissioner Hockman stated that he observed that a fishing tournament took place at the Marina over the weekend. He stated that he was glad to see the activity at the Marina.

Vice-Mayor Osterman asked Marina Director Michael Pisano to come up and speak about the Fishing Tournament Event and its success and the revenue generated.

Marina Director Michael Pisano stated that the Marina had a very successful Fishing Tournament over the past weekend. He stated that \$13,783.00 in revenue was made in two days. He stated that the parking meters at the Marina generated \$650 during the event. He stated that the patrons were very grateful that Lake Park "rolls out the red carpet" for the Fishing Tournament every year. He stated that the winner of the tournament donated his trophy to the Marina for display.

Commissioner Longtin thanked the Palm Beach County Sheriff's Office for donating the sign that forewarns of a new stop sign installation on Flagler Drive. She thanked the Vice-Mayor and Commissioners for their vote on the stop sign. She reminded everyone and announced the Street Closure Workshop on May 26, 2010 at 7 p.m. She thanked Commissioner Rumsey for his suggestion of Mr. Merriman's and Mr. Johnson's presentation from the Commission on Ethics Committee.

Commissioner Rumsey stated that he wanted to remind the public that a permit was required for yard sales, and that signs were not allowed on trees on Park Avenue.

Town Attorney Baird

None

Town Manager Davis stated that Human Resources Director Bambi McKibbon-Turner coordinated the "Relay for Life" with the American Cancer Society and joined with Singer Island to have a walk last weekend. She congratulated the staff members who participated. She stated that they raised over \$500. She named Dena Davis in Finance, Library staff Phillip Lyle Doss, Karen Mahnk, Mary Ann Matthews and HR Director Bambi McKibbon-Turner as those who participated in the event. She thanked Grants Writer Virginia Martin for her press releases. She also thanked Dena Davis' daughter Leah Davis, Sean Wolf, Ruth Korman of Lake Park, and Karen Currington of North Palm Beach for all of their efforts.

She announced the Bioscience Advisory Board Meeting on May 27, 2010 at 1:30 p.m. taking place in the Commission Chamber.

Commissioner Longtin commended Vice-Mayor Osterman for doing a great job in conducting her first Commission Meeting.

Vice-Mayor Osterman thanked Commissioner Longtin. She encouraged everyone who has a position on the issue to come out to the Street Closure Workshop on May 26, 2010.

Marina Director Michael Pisano announced that there would be another fishing tournament taking place at the Marina on May 22, 2010. The tournament would be more family oriented and from 2:30 p.m. on there will be a bounce house, face painting, and a water slide. He encouraged everyone to come out and have a great time.

ADJOURNMENT

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

Mayor Desca DuBois

Deputy Town Clerk, Jessica Shepherd, CMC

Town Seal

Approved on this _____ of _____, 2010

TAB 5

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 2, 2010

Agenda Item No. 5

- | | |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input checked="" type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input type="checkbox"/> CONSENT AGENDA |
|---|--|

SUBJECT: Resolution for National Missing Children's Day

RECOMMENDED MOTION/ACTION: Approval of Resolution

Approved by Town Manager *W. Davis*
 Date: 5/27/10

Name/Title	Date of Actual Submittal	
Originating Department: Town Manager	Costs: \$ -0- Funding Source: Acct.	Attachments: Copy of Resolution
Department Review: <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <u>BMT</u> : Please initial one.

Summary Explanation/Background: May 25, 2010 has been designated as National Missing Children's Day. The National Center for Missing and Exploited Children has requested that the Town of Lake Park join in the collaborative effort to raise awareness of the issues of child abduction and sexual exploitation, and to urge participation of all law enforcement, schools, community based organizations, and families to provide information pertaining to child safety and ways of seeking help.

RESOLUTION 22-06-10

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK RECOGNIZING MAY 25, 2010 AS NATIONAL MISSING CHILDREN'S DAY

WHEREAS, according to the United States Department of Justice, in one year there was an estimate of nearly 800,000 missing children; and

WHEREAS, on a daily basis there is an estimated average of 2,200 children reported missing to law enforcement agencies; and

WHEREAS, 58,200 of these children are victims of non-family abductions and more than 200,000 are the victims of family abductions; and

WHEREAS, the National Center for Missing and Exploited Children exists as a resource to help prevent child abduction and sexual exploitation; to help find missing children; and, to assist victims of child abduction and sexual exploitation, their families, and the professionals who serve them; and

WHEREAS, despite the fact that the National Center for Missing and Exploited Children's recovery rate has grown from 62 percent in 1990 to 96 percent of domestically missing children, too many children still remain among the missing; and

WHEREAS, the date of May 25, 2010 was designated as a time to remember these children who are missing and to give hope to their families.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, AS FOLLOWS:

Section 1. In partnership with the National Center for Missing and Exploited Children and its collaborative organizations, the Town of Lake Park recognizes May 25, 2010 as National Missing Children's Day as part of its continuing effort to prevent the abduction and sexual exploitation of children.

Section 2. The Town of Lake Park hereby urges the participation of law enforcement, schools, community-based organizations, and families in the protection and education of all individuals about child abduction and sexual exploitation, appropriate protective measures, and ways to respond and seek help from law enforcement, social services, and the National Center for Missing and Exploited Children.

Section 3. The Town of Lake Park hereby urges all individuals to take 25 minutes to help children stay safer.

Section 4. This Resolution shall become effective immediately upon adoption.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	_____	_____
VICE-MAYOR PATRICIA OSTERMAN	_____	_____
COMMISSIONER KENDALL RUMSEY	_____	_____
COMMISSIONER STEVEN HOCKMAN	_____	_____
COMMISSIONER JEANINE LONGTIN	_____	_____

The Mayor thereupon declared the foregoing Resolution No. *** duly passed and adopted this 2nd day of June, 2010.

TOWN OF LAKE PARK, FLORIDA

BY: _____
DESCA DUBOIS
MAYOR

ATTEST:

Vivian Mendez Lemley
Town Clerk

Approved as to form and
legal sufficiency:

(TOWN SEAL)

By: _____
THOMAS J. BAIRD,
TOWN ATTORNEY

TAB 6

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 2, 2010

Agenda Item No. 6

- | | |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: Changes to Fee Schedule

RECOMMENDED MOTION/ACTION: Approval

Approved by Town Manager *W. P. Lewis*

Date: 5/27/10

Patrick Sullivan CD Director

Name/Title

5-25-2010
Date of Actual Submittal

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments:
Department Review: <input checked="" type="checkbox"/> Town Attorney <u><i>PGS</i></u> <input type="checkbox"/> Community Affairs _____ <input checked="" type="checkbox"/> Community Development <u><i>PGS</i></u>	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u><i>AM</i></u> Or Not applicable in this case _____: Please initial one.

Summary Explanation/Background: This Resolution would amend the schedule of fees to add an annual Mobile Vendor license fee of \$250 and require the payment of a fee of \$25 for per event.

RESOLUTION NO. 23-06-10

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING THE SCHEDULE OF FEES FOR DEVELOPMENT ORDERS, PERMITS, MOBILE VENDORS, REASONABLE ACCOMODATION REQUESTS AND OTHER APPLICATIONS WHICH REQUIRE ADMINISTRATIVE PROCESSING BY THE TOWN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park (“Town”) is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has previously adopted Resolution No. 20-05-09, pursuant to which the Town Commission established a Schedule of Fees that the Town charges for the review and processing of applications for development orders, permits, and other applications which require processing by the Town staff and Attorney and consultants ; and

WHEREAS, Town staff has recommended that the Schedule of Fees previously adopted in Resolution No. 20-05-09 be amended as set forth in **Exhibit “A”** attached hereto, and incorporated herein to increase and add certain fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AS FOLLOWS:

Section 1. The whereas clauses are hereby incorporated herein.

Section 2. The Town Commission hereby adopts the amended Schedule of Fees as contained in **Exhibit “A”** which is attached hereto and incorporated herein.

Section 3. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of the conflict.

Section 4. This Resolution shall take effect immediately upon adoption.

EXHIBIT "A"

+SECTION I		
DEVELOPMENT REVIEW PERMIT FEE SCHEDULE		
No.	TYPE OF FEE	FEE
1	Abandonment of rights of way	\$1500.00
2	Abandonment of easements	\$1500.00
3	Appeal of Administrative Decisions	\$600.00
4	Comprehensive Plan amendment	\$1250.00
5	Comprehensive future land use map change	\$1250.00
6	Development of Regional Impact	\$3000.00
	c. Annual report review	\$500.00
7	Development Approval extension	\$1000.00
8	Developer Agreements	\$1500.00
9	Planned Unit Development	
	a. Master Plan approval	\$1750.00
	b. Modification to an approved Master Plan	\$750.00
10	Site Plan, nonresidential	
	a. 0 – 14999 square feet	\$1000.00
	c. Greater than 14999 square feet	\$1500.00
11	Site Plan residential	
	a. Base fee	\$750.00
	b. Additional fee, greater of 10.00 per dwelling unit or lot	\$10.00 per unit
12	Special Exception, nonresidential	
	a. 0—14999 square feet	\$750.00
	c. Greater than 14999 square feet	\$1250.00

13	Special Exception, residential	
	a. 0—14999 square feet	\$750.00
	c. Greater than 14999 square feet	\$1250.00
14	Variance, nonresidential	\$750.00
15	Variance, residential principal structure	\$550.00
16	Vegetation removal and land clearing permit	\$500.00
17	Zoning code text amendment	\$1250.00
18	Zoning map amendment	\$1250.00
19	Zoning determination letter	\$85.00
20	Zoning Confirmation Certificate	\$85.00
21	Home Occupation Zoning Confirmation Certificate	\$85.00
22	Special Event Permit (non-profit)	\$25.00
23	Special Event Permit (commercial entity)	\$75.00
24	Minor Replat	\$500.00
25	Tree Removal	\$50
26	Telecommunications Tower Pre-application Permit	\$250
27	Telecommunications Tower/Co-Location Application	\$1,500
28	Certificate of Appropriateness (Historic Preservation)	\$100
29	Site Plan or Development Approval Amendment	\$250
30	Abatement Request Application - Code	\$50
31	Time Extension Application - Code	\$50
32	Out of Town Business Registration Application	\$25
33	Name Change Administrative Fee	\$25

34	PADD Waiver	\$750
35	Parking meter fee per hour	\$1.00
36	Parking meter fee per quarter hour	\$.25
37	Parking meter discounts, passes and bulk purchases	TBD by the Town Mgr
38	Expired meter – illegal parking fine per ticket	\$20
39	Unauthorized parking in a handicapped space or zone	\$500
<u>40</u>	<u>Mobile Vendor fee</u>	<u>\$250</u>
<u>41</u>	<u>Temporary Mobile Vendor fee per event</u>	<u>\$25</u>

Recovery of additional costs. In addition to the afore-stated fees, the Town may, in addition to the applicable application fee, recover the costs referenced below, including, but not limited to, the following:

(1) Consultant fees incurred by the Town, whenever the Town deems it necessary to retain an outside consultant to assist Town staff in the review and processing of applications for development orders, such as the review and analysis of property appraisals, traffic impact analysis, vegetation and environmental assessments, archeological or historic assessments, market studies, engineering studies or reports, telecommunications facility siting, and any other documents, studies, data, reports and other materials.

(2) Attorney's fees incurred by the Town Attorney or other legal counsel retained by the Town in connection with the review and processing of an application for a development order, and the preparation and/or review of legal documents.

(3) Costs incurred by the Town in connection with advertising, publication, and mailing of legal notices for public hearings, workshops, or other public meetings; recording fees for the cost of recording instruments in the public records of Palm Beach County.

(4) In the event that at the time an application is received by the Town, additional costs are reasonably anticipated by the Town to be incurred by the Town, the Town may require the applicant as a condition precedent to processing the application, to deposit an amount estimated by the Town's Community Development Director, to be a sufficient cost deposit. Any monies provided to the Town as a cost deposit, shall be placed into an escrow account created by the Town. After the Town Commission takes

final action on the application, the Town shall refund any unused cost deposit funds to the applicant.

(5) The minimum cost deposit shall be \$800.00 or a greater amount if deemed necessary by the Town's Community Development Director to cover all anticipated expenses, whichever is greater.

TAB 7

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 2, 2010

Agenda Item No. 7

- | | |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input checked="" type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|--|--|

SUBJECT: Follow Up Letter to the Army Regarding Use of Property on Congress Ave for an Army Reserve Center

RECOMMENDED MOTION/ACTION: Approval

Approved by Town Manager *W. J. Davis* Date: *5/26/10*

Patrick Sullivan CD Director

Name/Title _____ Date of Actual Submittal 5-25-2010

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Letter to Army
Department Review: <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input checked="" type="checkbox"/> Community Development <i>PJS</i>	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <i>[Signature]</i> Or Not applicable in this case _____: Please initial one.

Summary Explanation/Background: At the last Bioscience Board meeting Commissioner Marcus recommended that the Town send a follow up letter to the Army indicating our continued strong disapproval of their attempt to build an Army Reserve Center at the corner of Silver Beach Road and Congress Avenue. This action would authorize the Mayor to send such a letter.

May 24, 2010

Joseph F. Calcara, Deputy Assistant Secretary of the Army
Department of the Army
Office of the Assistant Secretary of the Army
Installations and Environment
110 Army Pentagon
Washington, DC 20310-0110

Re: The acquisition of land in Lake Park, Florida for construction of an Army Reserve Center.

Dear Mr. Calcara:

As Mayor of Lake Park I represent the collective opinion of our Town Commission and our citizenry. On their behalf I would like to reiterate, in the strongest of terms, that the Town of Lake Park does not want the proposed Army Reserve Center to be built on the property at the corner of Silver Beach Road and Congress Avenue. As I have indicated in the past, this land is part of a Bioscience Overlay District and the reserve center use is incompatible with this district and our Comprehensive Plan. Lake Park has little vacant land left and a tax exempt use for this important industrial land will be devastating to our tax base and the fiscal well being of our small community. The proposed site is positioned at the end of a vibrant commercial/retail/industrial area. A reserve center that is surrounded by barb wire and isolated from its neighbors is not a compatible use with other business sites in this area. I should also point out that the members of the Palm Beach County Bioscience Board concur with the Town's opposition to this proposal by the Army.

I was forwarded your letter to Representative Alcee Hastings and noted that you mentioned to the Congressman that the "Army is working with the town of Lake Park to ensure all options have been thoroughly considered." The last contact the Town has had with the Army was on February 5, 2010, almost four months ago. In the meantime the Army has moved forward with its NEPA requirements, has scheduled public review starting in July and has hired a consultant to investigate the process of replatting the parcel. We do not consider this to be working with the Town.

It is also my understanding that there is an available site adjacent to your existing reserve center off Gun Club Road on Palm Beach County land. I have been told by Palm Beach County Commissioner Karen Marcus that the site is available if you wish to locate there. I would strongly encourage you to consider this option and forgo the Lake Park site.

Again, I would request that you look elsewhere for the placement of the reserve center so that our Town might honor its commitments to our residents, neighbors and the State of Florida to keep this land available for industrial and bioscience uses.

Sincerely,

Desca DuBois, Mayor
Town of Lake Park, Florida

TAB 8

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 2, 2010

Agenda Item No. 8

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING
<input checked="" type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Amendments to Town Code of Ordinances, section 2-151 et seq. Regarding Rules Governing the Library Board.

RECOMMENDED MOTION/ACTION: Approve

Approved by Town Manager *W. G. Davis*
 Date: 5/27/10

Karen Mahnk, Library Director

5/22/2010

Name/Title	Date of Actual Submittal	
Originating Department: Library	Costs: \$ -0- Funding Source: Acct.	Attachments: Proposed revisions
Department Review: <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Human Resources _____ <input checked="" type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case __KM____: Please initial one.

Summary Explanation/Background: Amending and updating code sections governing the Library Board; to update and more accurately reflect the current needs and requirements of the library in response to technical trends, and library best practices.

ORDINANCE NO. 05-2010

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 2, ARTICLE IV, DIVISION 2 OF THE TOWN CODE ENTITLED "LIBRARY BOARD"; PROVIDING FOR THE AMENDMENT OF SECTIONS 2-154, 2-158, 2-160 AND 2-161 PERTAINING TO THE LIBRARY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Code provides for a Library Board which has such authority as set forth in Chapter 2, Article IV, Division 2 of the Town Code; and

WHEREAS, the Town Manager has recommended to the Town Commission the amendment of Sections 2-154, 2-158, 2-160 and 2-161; and

WHEREAS, the Town Commission deems it in the best interests of the Town to amend said Sections.

NOW THEREFORE, be it ordained by the Town Commission of the Town of Lake Park, Florida:

Section 1. The whereas clauses are incorporated herein as true and correct and the findings of the Town Commission.

Section 2. Section 2-154 of Chapter 2 of the Town Code is hereby amended to read as follows:

Members of the library board shall be appointed for a term of three ~~two~~ years or until their successors have been appointed and qualified.

Section 3. Section 2-158 is hereby amended to read as follows: In the performance of its duties set forth in this article, the library board shall hold at least one regular meeting ~~every two months~~ monthly.

Section 4. Section 2-160 is hereby amended to read as follows: The library board may make and adopt such bylaws, rules and regulations for its own guidance ~~and for the government and operation of any municipal library and reading room in the town~~ as the library board may deem expedient, subject to the approval, supervision and control of the town commission and not inconsistent with law.

Section 5 Section 2-161 is hereby amended to read as follows: Powers and duties.

Subject to the control and direction of the town commission, the library board shall:

- 1) ~~Act in an advisory capacity (non-administrative) to the town commission, to ensure representation of the ideas of citizens and taxpayers of the town relative to the function and operation of a municipal library and reading rooms in the town, make recommendations relative to the appointment of a suitable director, and such advisory assistance shall include, but not limited to, recommendations relative to control of expenditures of moneys collected, or donated to the credit of a municipal library in this town, and the supervision, care and eustody of the grounds, rooms, property and buildings constructed, leased, or set aside for municipal library purposes;~~
- 2) Make recommendations concerning all matters involving the Library as it sees fit to the Commission concerning the management and operation of the municipal library. Any action, decision or recommendation of the library board shall not be final or binding upon the Commission but shall be advisory only.
- 2) ~~Make recommendations for the appointment of a suitable librarian and assistants and their respective rates of compensation; establish regulations for the government and control of a municipal library as may be deemed necessary for its preservation and to maintain its~~

- ~~usefulness and efficiency; fix and impose by general rules, penalties and forfeitures for failure to return any book or for violation of any bylaws or regulation of the library board;~~
- ~~3) Annually in an advisory capacity assist the town manager in preparing a budget for the maintenance and expansion of municipal library facilities;~~
- 4) Keep records, ~~inventories and accounts, budgetary or otherwise,~~ of all the activities of the library board ~~and the municipal library system~~ and make annual reports to the town manager and the town commission relative thereto or whenever requested to do so by the town commission.

Section 6. Severability. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 7. Repeal of laws in conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 8. Codification. The provision of this Ordinance shall become and be made a part of the Charter for the Town of Lake Park.

Section 9. Effective Date. This Ordinance shall take effect immediately upon passage.

TAB 9

Town of Lake Park Town Commission
Agenda Request Form

Meeting Date: 6-2-2010

Agenda Item No. 9

- | | |
|---|---|
| <input checked="" type="checkbox"/> PUBLIC HEARING
<input checked="" type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Adoption of a Mobile Vendor Ordinance

RECOMMENDED MOTION/ACTION: Adoption

Approved by Town Manager *Patrick Sullivan* Date: 5/27/10

Patrick Sullivan CD Director

5-14-2010

Name/Title

Date of Actual Submittal

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Ordinance Staff Report
Department Review: <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input checked="" type="checkbox"/> Community Development <i>PKS</i>	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <i>[Signature]</i> Or Not applicable in this case _____: Please initial one.

Summary Explanation/Background: The Town's present ordinance does not provide for regulation of mobile food vendors, or other types of mobile vendors (e.g. Elvis rugs at the corner gas station). Property and business owners have complained that the mobile food vendor is taking business away from them. The local business owner pays property taxes and other local fees while the mobile vendor does not have this burden. This places the property/business owner at a distinct competitive disadvantage. In an attempt to level the playing field, this ordinance provides for areas that mobile vendors cannot go by prohibiting them from setting up within a 1000 feet if an existing, like business. It also provides for a permitting mechanism and an appropriate fee. Please review the staff report for explanations of individual section requirements.

ORDINANCE NO. 06-2010

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 22 OF THE CODE OF ORDINANCES, ENTITLED "SOLICITATION" TO CREATE A NEW ARTICLE III PERTAINING TO MOBILE VENDORS PROVIDING FOR DEFINITIONS; PROVIDING THAT A LICENSE IS REQUIRED; PROVIDING FOR CERTAIN EXEMPTIONS; PROVIDING FOR LIMITATIONS ON CERTAIN ACTIVITIES; PROVIDING FOR A LICENSE APPLICATION AND LICENSE FEE; PROVIDING FOR THE EXPIRATION OF LICENSES; PROVIDING FOR THE REQUIREMENT THAT LICENSES BE DISPLAYED IN PLAIN VIEW; PROVIDING FOR THE TRANSFER OF LICENSES; PROVIDING FOR CERTAIN HEALTH REGULATIONS; PROVIDING FOR MOBILE VENDOR STANDARDS; PROVIDING THAT MOBILE VENDORS SHALL HAVE AND MAINTAIN INSURANCE; PROVIDING FOR THE REVOCATION OF LICENSES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has adopted general provisions pertaining to solicitation in the Town, which have been codified at Chapter 22, of the Code of Ordinances; and

WHEREAS, the Town staff has recommended to the Town Commission that Chapter 22 of the Town Code be amended to provide for a new Article III pertaining to Mobile Vendors; and

WHEREAS, Town staff has recommended to the Commission that it create Code regulations requiring that Mobile Vendors doing business in the Town be licensed and insured; and

WHEREAS, the Town Commission has reviewed the recommendations of the Town staff and has determined that amending Chapter 22 and creating a new Article III to the Town's Code of Ordinances would further the public's health, safety and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein and constitute the legislative findings of the Town Commission.

Section 2. Article III and Sections 22-101, 22-102, 22-103, 22-104, 22-105, 22-106, 22-107, 22-108, 22-109, 22-110, 22-111, 22-112 and 22-113 of the Code of Ordinances of the Town of Lake Park, Florida are hereby created as follows:

Chapter 22 – SOLICITATION

ARTICLE III. MOBILE VENDORS

Sec. 22-101 Definitions.

"Concessionaire" means a person, firm or corporation engaged in the sale of food or other goods or services in a Town park or on Town property, including without limitation those who operate or maintain a concession stand, in accordance with a written agreement or franchise therefore as lawfully approved in writing by the Community Development Department.

"Food" has its usual and ordinary meaning, and includes all items designed for human consumption, including but not limited to ice cream, candy gum, popcorn, hot dogs, sandwiches, peanuts, soft drinks, coffee and dairy products.

"Mobile vendor" shall mean any business operator or vendor who conducts business from a motor vehicle upon public streets.

"Motor vehicle" in this chapter shall mean a motorized vehicle that is registered and licensed with the Florida State Department of Motor Vehicles.

Sec. 22-102 License – Required.

It is unlawful for a mobile vendor to engage in business within the Town of Lake Park except when licensed by the Town of Lake Park as a mobile vendor or concession in compliance with the provisions of this Article. A separate license is required for each concession location.

Sec. 22-103 Exemptions.

The following activities, businesses, and/or persons, as such are commonly known, are exempt from coverage of this Article, but this exemption shall not be construed to limit or restrict the application of other laws and regulations pertaining to such activities, businesses and/or persons:

(a) Newspaper couriers;

(b) Lemonade stands;

(c) Stands used to sell or distribute flowers, fruit, vegetables, produce or plants grown on the property where the stand is located; or at a Town sanctioned public outdoor green market.

(d) Delivery or distribution of food, goods or products ordered or purchased by customers from a source or point of sale other than a mobile food vehicle operated for the purpose of soliciting customers while traveling or while located on Town streets or property;

(e) Delivery or distribution of food by or for any not-for-profit organization, governmental agency, or other charitable organization, including without limitation Meals on Wheels and the Food Bank; and

(f) Concessionaires as defined in this chapter, except that concession agreements with the Town shall include health, sanitation and insurance requirements generally conforming to those established for similar businesses and vendors covered by this chapter.

Sec. 22-104 Limitation on activities permitted by mobile vendor license.

Mobile vendors shall not:

(a) Operate the motor vehicle in such a manner as to impede the normal usage of the arterial streets;

(b) Stop on the traveled portion of the street or within 50 feet from a corner to dispense food products;

(c) Stop in dangerous locations for dispensing food products, such as on streets with inadequate shoulders and restricted sight distance;

(d) Be operated on any arterial street during the peak hours of traffic, generally between 4:00 and 6:30 p.m.;

Sec. 22-105 Application.

A person, firm, or corporation desiring to secure a license as a mobile vendor shall make application to the Community Development Department. Such application shall be made on a form provided by the Department, which at a minimum shall include:

- (a) The name or names and address of the applicant;
- (b) Vehicle license number of all vehicles from which the applicant proposes to conduct business;
- (c) Description of the general type of food or merchandise to be sold if applicable;
- (d) The place or places where the applicant proposes to engage in business.
- (e) A letter from the Palm Beach County Health Department, certifying that the motor vehicle vending business has complied with Health Department regulations.

Sec. 22-106 License fee.

The license fee for an annual mobile vendor license shall be as established by a resolution of the Town Commission and shall be required for each vehicle or location. The Town Commission shall establish a license fee for temporary vendors which shall be charged on a per event basis.

Sec. 22-107 Expiration of License.

An annual license issued under this Article shall expire on September 30 each year. A temporary license shall expire at the end of the event.

Sec. 22-108 Exhibition of License – Transfer of License Prohibited.

A license issued under this Article shall be posted conspicuously at either the place of business or upon the motor vehicle as directed by the Community Development Department. Licenses issued under this Article are not transferable.

Sec. 22-109 Health regulations.

All mobile vendors shall comply with all laws, rules and regulations regarding food handling, and all vehicles, equipment, and devices used for the handling, storage, transportation and/or sale of food shall comply with appropriate county and state regulations, as presently worded and as may be amended by law, in addition to any other rules and regulations respecting such vehicles, equipment, devices as may be established by state or local governments.

Sec. 22-110 Mobile vendor standards.

All mobile vendors licensed under this chapter shall conform to the following standards:

- (a) Geographical Restrictions. No mobile vendor shall sell food or merchandise from his or her vehicle or conveyance:

- (1) Within 400 feet of a public or private school grounds during the hours of regular school session, classes, or school-related events in said public or private school, except when authorized by said school; or
 - (2) Within 1000 feet of the entrance to a business establishment which is open for business and is offering for sale the same or similar product as an item offered for sale by the mobile vendor; or
 - (3) Within 1000 feet of a restaurant, cafe, deli or any type of eating establishment which is open for business; or
 - (4) Within 1000 feet of a public park of the Town where a Town authorized concession stand is located during times other than during the course of a public celebration except as approved by the Town manager or designate; or
 - (5) Within 1000 feet of Town property where a Town authorized concession stand is located during the course of a public celebration when nonprofit organizations are permitted to engage in the sale of merchandise and food in such park; or [I thought the vendor was limited to selling food, not merchandise.]
 - (6) Within any one block for more than one hour in any four-hour period; except this shall not apply in those situations where the mobile vendor is serving organized and sanctioned community-sponsored ball games at public parks and schools provided there is no Town-approved concession in the park or at the school.
- (b) No mobile vendor shall conduct business so as to violate any ordinances of the Town, including those regulating traffic and rights-of-way, as now in effect or hereafter amended.
- (c) No mobile vendor shall obstruct or cause to be obstructed the passage of a sidewalk, street, avenue, alley, or any other public place by causing people to congregate at or near the place where food is being sold or offered for sale.
- (d) No customer shall be served on the street side of the mobile unit. Service by mobile vendors is limited to the curb side when the mobile unit is on or abutting a public street.
- (e) All mobile vendors shall provide garbage receptacles for customer use.
- (f) No mobile vendor shall locate his or her vehicle or other conveyance in such a manner as to cause a traffic hazard or obstruct a designated customer parking space.
- (g) At the conclusion of business activities at a given location the mobile vendor shall clean all the public way surrounding his or her vehicle of all debris, trash and litter generated by the vendor's business activities.

(h) All mobile vendors preparing food by cooking, frying or other means shall be equipped with at least one 2A-40-BC fire extinguisher.

(i) All mobile vendors shall conclude daily business activities at sunset.

Sec. 22-111 Mobile vendor insurance requirement.

No license shall be issued to a mobile vendor selling from a truck or other motor vehicle unless a certificate is furnished to the Town showing that the mobile vendor is carrying the following minimum amounts of insurance:

(a) public liability insurance in an amount of not less than \$500,000 for injuries, including those resulting in death, resulting from any one occurrence, and on account of any one accident; and

(b) property damage insurance in an amount of not less than \$25,000 for damages on account of any one accident or occurrence.

Sec 22-112 Revocation of license.

A license issued pursuant to this Article may be revoked by the Community Development Director for any of the following reasons:

(a) Any fraud, misrepresentation or false statement contained in the application for license;

(b) Any fraud, misrepresentation or false statement made in connection with the selling of products;

(c) Any violation of this Article;

(d) Conviction of the licensee of a felony or of a misdemeanor involving moral turpitude; or

(e) Conducting business licensed under this Article in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

Sec. 22-113 Enforcement; fines.

Any mobile vendor, after having been warned by a Town of Lake Park Code Officer that the mobile vendor is in violation of this Article, or any business that knowingly allows said mobile vendor to continue stopping at their place of business shall be in violation of this Article and shall be subject to a fine of up to \$250 for the first offense and \$500 for each offense thereafter.