Minutes
Town of Lake Park, Florida
Regular Commission Meeting
June 21, 2006 7:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, June 21, 2006 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor Daly, Commissioners Balius, Carey, and Osterman, Town Manager Paul Carlisle, Town Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Vivian Mendez led the Invocation.
Mayor Castro led the Pledge of Allegiance.
Town Clerk Vivian Mendez performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA
None

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

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

PRESENTATION:
Proclamation honoring Steve Mizerak.

Mayor Castro spoke about Steve Mizerak's life as a good person and a great pool player. Mayor Castro expressed thanks to the Mizerak family for residing in the Town of Lake Park and bringing the Town worldwide recognition.

Commissioner Carey shared a brief story of how he watched Steve Mizerak play pool in Jupiter before opening his pool hall in Lake Park.

Commissioner Balius shared a brief history of Steve Mizerak's life as a school teacher and being the youngest pool player to be honored in the Hall of Fame.

Vice-Mayor Daly expressed sympathy over the loss of Steve Mizerak and referred to his big chair as a trademark to be filled by the next person to come to the pool hall.

Mayor Castro read the proclamation to the Mizerak family and presented the proclamation to Steve Mizerak's wife Karen.

Karen Mizerak expressed her thanks to the Commission and the Town.

Motion: A motion was made by Commissioner Carey to approve the Proclamation for Steve Mizerak; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC and OTHER COMMENT

The following person(s) addressed the Commission:

Trudy Gomez, 546 Foresteria Dr. – Ms. Gomez stated that she previously addressed the Commission on April 5, 2006 regarding a Notice of Hearing she received for planting palm trees in her swale area. Ms. Gomez reviewed her comments and questions of her presentation at the April 5, 2006 Commission meeting. Ms. Gomez stated that she spoke with Vivian Mendez, Town Clerk, and Paul Carlisle, Town Manager on the status of the trees in swales ordinance being placed on the agenda and was told that it should be placed on the agenda soon. Ms. Gomez addressed the Commission and inquired of the status of the trees in swales ordinance.

Town Manager Paul Carlisle explained that the swale ordinance is voluminous and staff tried to trim the ordinance down to pertain to just palm trees. He stated that staff did not recommend the ordinance be trimmed but that the Commission had directed them to do so. Town Manager Paul Carlisle asked the Commission for direction on the swale ordinance.

Mayor Castro recommended that the swale ordinance be brought back for discussion. Town Manager Paul Carlisle stated that they will bring back the swale ordinance for discussion to the next Commission meeting in July. Mayor Castro agreed and stated that the ordinance will be discussed at the next Commission meeting on July 5, 2006 and will direct staff to make any changes that Commission feels would be appropriate at that time. Mayor Castro stated that staff concluded from their research that there are no other municipalities that allow vegetation in the swales. Mayor Castro stated that the City of Palm Beach allows vegetation in the swales on a very limited basis.

Ms. Gomez gave a history of the code violation case on her property. Mayor Castro reminded Ms. Gomez that her code violation was discussed previously. Mayor Castro asked Ms. Gomez to return to the next Commission meeting on July 5, 2006 as they will discuss the swale ordinance. Commissioner Balius asked Ms. Gomez if she was cited and had removed her trees. Ms. Gomez stated that she was cited and had to remove her trees. Commissioner Balius stated that he believed the Commission agreed to stop citing residents for trees in swales until they discussed the ordinance. Mayor Castro stated that the Town has had a couple of code enforcement officers and town managers since that discussion. Commissioner Balius stated that that was not an excuse.

Commissioner Osterman stated that a friend that lived in North Palm Beach had a Maleluca tree removed from her swale and was given a choice of a replacement tree. Commissioner Osterman stated that there are many different issues regarding the swale ordinance and is hopeful that a compromise could be reached.

Bert Bostrum, 1451 Flagler Blvd. – stated that she would like to make a correction on the phone number that was placed in the Town paper. The number in the paper was 842-2523. The correct phone number is 842-2524.

CONSENT AGENDA:

1. Commission Meeting Minutes from June 7, 2006.

Public Comment Open.
None
Public Comment Closed.

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

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC HEARING(S)
ORDINANCE ON FIRST READING:
ORDINANCE NO. 02.2006 – Northlake Blvd Overlay Zoning District
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE LAKE PARK TOWN CODE, CHAPTER 78, ARTICLE II, SECTION 78-31 ENTITLED "DIVISION OF TOWN INTO

DISTRICTS, DISTRICTS ENUMERATED;" TO ESTABLISH THE NORTHLAKE BOULEVARD OVERLAY ZONING DISTRICT ("NBOZ"); PROVIDING FOR THE AMENDMENT OF THE TOWN'S OFFICIAL ZONING MAP TO REFLECT THE CREATION OF NEW NBOZ DISTRICT; AMENDING CHAPTER 78, ATRICLE III TO CREATE NEW CODE SECTION 78-81 TO BE ENTITLED "NORTHLAKE BOULEVARD OVERLAY ZONING DISTRICT REGULATIONS;" PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Paul Carlisle spoke about the Northlake Task Force Meeting he attended and the items that were discussed. He stated that staff has changed and all properties are not in joint jurisdiction except for the Twin City Mall which is covered by theC-3 Zoning District. Town Manager Paul Carlisle stated that he spoke to Commissioner Eric Javelin and voiced the Town's concerns. Town Manager Paul Carlisle stated that Mr. Javelin assured him that his concerns will not take place again.

Public Hearing Opened.
None
Public Hearing Closed.

Motion: A motion was made by Commissioner Osterman to approve Ordinance No. 02.2006; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCE NO. 06-2006 – Prohibited Parking
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, CHAPTER 30, ENTITLED "TRAFFIC AND MOTOR VEHICLES", ARTICLE I, "IN GENERAL", SECTION 30-2 ENTITLED "PROHIBITED PARKING"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Carey asked if tickets will be written for prohibited parking on Park Ave.

Mayor Castro stated he would like to write warnings first before writing tickets.

Town Manager Paul Carlisle stated that there are no warnings posted on Park Ave because it is a three (3) lane street. He recommended that residents be made aware that parking on Park Ave is prohibited.

Public Comment Open.
Mary Donovan, 327 Park Ave. – Ms. Donovan asked if parking could be allowed on Park Ave for a special event. Mayor Castro stated that parking on Park Ave is not allowed under any circumstance. Ms. Donovan asked if the vehicles could be parked at the Town Hall. Mayor Castro stated that parking at Town Hall or the library would be acceptable and explained why parking on Park Ave is prohibited.

Commissioner Osterman suggested that residents be allowed to ask for a special consideration in regards to parking on Park Ave. Town Manager Paul Carlisle stated that if they allowed residents to park on Park Ave under special circumstances, those residents are responsible for placing proper traffic control, and if they do not, the Town would be liable.

Public Hearing Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance No. 06-2006; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 32-06-06 – TBH Land Trust Traffic Concurrency
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING RESOLUTIONS 05-03-06 AMD 06-03-03 EXTENDING THE TRAFFIC CONCURRENCY EXPIRATION DATE FOR A DEVELOPMENT PROJECT PROPOSED BY TBH LAND TRUST TO DECEMBER 31, 2009.

Town Manager Paul Carlisle explained the Resolution and recommended its approval. He stated that a representative from Divosta was present.

Mayor Castro asked Dodi Glass representative for TBH Land Trust when they will be starting their project.

Ms. Glass stated that they will be starting with the Southern parcel, corner of Silver Beach Rd. and Congress Ave. first. She stated that they are in the design phases of the plan.

Public Comment Open.
None
Public Hearing Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 32-06-06; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 30.06.06
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING THE EVALUATION AND APPRAISAL REPORT FOR THE COMPREHENSIVE PLAN OF THE TOWN OF LAKE PARK; STATING THE INTENT OF THE TOWN COUNCIL TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING TRANSMITTAL OF THE REPORT TO THE DEPARTMENT OF COMMUNITY AFFAIRS IN ACCORDANCE WITH SECTION 163.3191, FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Castro stated that this resolution was brought back because it did not meet advertising requirements.

Public Comment Open.
None
Public Hearing Closed.

Motion: A motion was made by Commissioner Balius to approve to defer Resolution No. 30-06-06; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other

Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION 33-06-06 – Adding Planner I position to the Classification Plan
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN'S CLASSIFICATION PLAN MANUAL TO PROVIDE FOR THE POSITION OF PLANNER I; PROVIDING FOR THE PUBLICATION OF AN UPDATED "CLASSIFICATION PLAN MANUAL"; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Castro asked if the Planner I position was being added or revised.

Town Manager Paul Carlisle explained that the Planner I position is being added and the current budget provides for a Planner but there was no classification. Town Manager Paul Carlisle explained that the Planner I position must be added to the classification plan. Town Manager Paul Carlisle then explained the need for a Planner in the Community Development Department.

Mayor Castro asked for a report that reflected the need for a Planner in the Community Development Department.

Town Manager Paul Carlisle stated that there was a report and it should be in the agenda packet.

The Commission stated that there was no such report in their packet.

Town Manager Paul Carlisle apologized and stated that the report should have been included in the agenda packet.

Commissioner Carey asked what the pay range for the Planner I position was.

Town Manager Paul Carlisle stated that the pay range for the Planner I position was $35,000.00 to $50,000.00.

Town Manager Paul Carlisle stated that the report will be brought back to the next Commission Meeting on July 5, 2006 for discussion.

Mayor Castro stated that in past discussions he did not want to add the Planner I position to the Community Development Department.

Commissioner Balius asked if the Planner I position will address the permit processing complaints

Vice-Mayor Daly agreed and stated that the permitting process needs to be addressed and improved.

Public Comment Open.
None
Public Hearing Closed.

Motion: A motion was made by Commissioner Carey to defer Resolution No. 33-06-06 to the next Commission meeting on July 5, 2006; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION
To join Municipal Underground Utilities Consortium for Underground Utilities

Town Manager Paul Carlisle stated that the Town's cost or consortium would be $1,407.00 and explained the study which justifies placing overhead lines underground in various municipalities in Palm Beach County. He explained that FPL provided a report that overestimates and do not accurately account the cost for the overhead lines. Town Manager Paul Carlisle stated that the report overestimates the cost of the buried lines and underestimates the cost of overhead lines. He explained that the study is an independent study to balance out the cost of the underground utilities.

Motion: A motion was made by Vice-Mayor Daly to accept the Underground Utilities Consortium for Underground Utilities study; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		

Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

TelVue Virtual Television Network

Town Manager Paul Carlisle explained what the network provides and commented that it will benefit the Town. He introduced Ms. Elizabeth Nelson from Virtual Television Network.

Ms. Nelson from Virtual Television Network gave a presentation of the network and explained the benefits to the Town.

Commissioner Balius asked what the cost of the network would be.

Town Manager Paul Carlisle explained that the network is free. He stated that the network will sell the advertisements which value at $12,000.00. He explained that there is a $12,000.00 set up fee and a cost of $500.00 per month which will be paid by the advertisements.

Ms. Nelson explained that they are not advertisements but sponsorships.

Commissioner Carey asked if the network will do the legwork in obtaining sponsorship.

Ms. Nelson explained the types of contracts and what would occur if there was not enough sponsorship. She explained a contract would be guaranteed for two (2) years.

Commissioner Carey stated that he saw the network at the League of Cities last year and approved of having the new network.

Motion: A motion was made by Vice-Mayor Daly to approve TelVue Virtual Television Newtork as the Town's new television station; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Balius

Commissioner Balius stated that he received several complaints of boulders in swales.
Commissioner Balius stated that the people that did attend the Palm Beach County Sheriff's Office Meet & Greet presented very good questions.
Commissioner Balius expressed concern over distribution lines running in front and behind his house.
Commissioner Balius stated that misprints in the Town newsletter has happened in the past.
Commissioner Balius commented on Quality Cities Magazine and stated that in the past, Bambi McKibbon-Turner, Personnel Director was able to have an article run in the magazine about Lake Park.
Commissioner Balius suggested that Bambi McKibbon-Turner, Personnel Director run an article regarding the Lake Park Harbor Marina in the Quality Cities Magazine.

Mayor Castro

Mayor Castro recommended that the Town make a code enforcement complaint with Palm Beach County regarding boulders in the swales.
Mayor Castro agreed with Cynthia Sementelli, Interim Town Manager that it would be in the Town's best interest to keep Paul Carlisle, Town Manager as consultant and he expressed that the transition needed to be as smooth as possible.
Mayor Castro recommended that the Commission write a letter to the Sheriff expressing thanks for coming back to the Town of Lake Park.
Mayor Castro expressed concern over essential services such as power distribution centers and specifically the distribution center on 2nd St. Mayor Castro stated that as Riviera Beach grows, there will be expansion. Mayor Castro expressed concern that the Town will have to pay for Riviera Beach's developments. Mayor Castro stated that there will be heavy distribution lines running up 2nd St. and US 1 and recommended that the lines be buried. Mayor Castro stated that he heard that Riviera Beach did not want their distribution center in their city but in Lake Park.
Mayor Castro stated that it is the Town Manager's decision as to whether to use a third party in proofreading the Town newsletter. Mayor Castro commented that of all phone number's to be printed in the Town newsletter, Bert Bostrum's phone number should have had special attention.
Mayor Castro addressed the Commission and citizens of Lake Park and stated that they not call him after 9 pm or before 7 am.
Mayor Castro agreed with Commissioner Balius' idea to have Bambi McKibbon-Turner, Personnel Director run an ad about the Lake Park Harbor Marina in the Quality Cities Magazine.
Mayor Castro announced the Town of Lake Park Firework Festival and stated that it is taking place on July 1, 2006 between 4:30 pm to 10 pm.

Commissioner Carey

None

Commissioner Osterman

Commissioner Osterman stated that the people that attended the PBSO Meet & Greet had very good suggestions. Commissioner Osterman expressed thanks and gratitude to the people who attended the PBSO Meet & Greet. Commissioner Osterman stated that the Sheriff was open to suggestions.
Commissioner Osterman asked Town Manager Paul Carlisle if a stipend or bonus for Bambi McKibbon-Turner, Personnel Director will be discussed.

Commissioner Osterman asked Town Manager Paul Carlisle for the status on the Commission's e-mail communication and stated that she was still receiving complaints.
Commissioner Osterman expressed concern over the Town newsletter. Commissioner Osterman stated that there are more fillers than articles in the Town newsletter. Commissioner Osterman expressed concern over the misprint of Bert Bostrum's phone number in the Town newsletter. Commissioner Osterman asked what can be done to change perception of a Town employee who has had issues of misconduct in the past. Commissioner Osterman stated that certain phone numbers should be double checked when proofreading the Town newsletter.

Vice-Mayor Daly
Vice Mayor Daly asked the Commission if they would be interested in setting up a consulting fee for Town Manager Paul Carlisle to follow up on projects for the Town.
Vice-Mayor Daly expressed his disappointment and embarrassment with the Palm Beach County Sheriff's Office Meet & Greet. He stated that the Sheriff, sergeants, and captains showed up but citizens and residents did not. Vice-Mayor Daly stated that Captain Reese works very hard for the Town.
Vice-Mayor Daly recommended that a second or third party neutral person review the Town newsletter before it is distributed.

Town Attorney
None

Town Manager
Town Manager Paul Carlisle stated that he passed the information he received from Mayor Castro on Florida Statutes relating to power distribution centers to Attorney Thomas Baird.
Town Manager Paul Carlisle stated that Attorney Thomas Baird will review the information on power distribution centers.
Town Manager Paul Carlisle stated that he discussed the Commission's e-mail issues with Hoa Huang, Assistant to Town Manager and that he stated that he will remove the features that are causing the complications.
Town Manager Paul Carlisle stated that he cannot change the perception of the Commission or Community concerning the past misconduct of an employee of the Town. Town Manager Paul Carlisle stated that he does not believe that a town employee sabotaged the Town newsletter by misprinting one digit in Bert Bostrum's phone number. Town Manager Paul Carlisle stated that he reviews the Town newsletter for content and does not know everyone's phone number thus making it difficult for him to determine whether a number has been misprinted. Town Manager Paul Carlisle stated that some people like the fillers that are in the Town newsletter.
Town Manager Paul Carlisle stated that Bambi McKibbon-Turner, Personnel Director is in the process of reviewing and scoring/ranking applications for a new town manager.
Town Manager Paul Carlisle recommended a 20% salary increase be given to Bambi, Personnel Director for searching for a new town manager.
Town Manager Paul Carlisle informed the Commission of the Health Fair and Blood Drive taking place at Town Hall on June 27, 2006 between 10 am and 3 pm.

Cynthia Sementelli, Interim Town Manager
Cynthia Sementelli, Interim Town Manager stated that Paul Carlisle Town Manager has great knowledge of the Town and it would be to the Town's benefit to have him as a consultant.

ADJOURNMENT

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

Mayor Paul Castro

Town Clerk Vivian Mendez

Town Seal

TOWN OF LAKE PARK SEAL FLORIDA

Approved on this 5 day of July, 2006.