

**Minutes
Town of Lake Park
Regular Commission Meeting
Wednesday, July 6, 2005 7:30 p.m.**

The Town Commission of the Town of Lake Park, Florida met on Wednesday, July 6, 2005 at 7:30 p.m. in the Commission Chambers located at 535 Park Avenue, Lake Park, Florida for the purpose of a Regular Commission Meeting. Present was Mayor Paul W. Castro, Vice Mayor Paul Garretson, Commissioners Ed Daly, and Jeff Carey. Commissioner Chuck Balius was absent. Also present was Town Attorney Thomas Baird, Interim Town Manager Paul Carlisle, and Town Clerk Stephanie Thomas.

Mayor Castro called the meeting to order at 7:30 p.m.

Mayor Castro led the Invocation.

Vice-Mayor Garretson led the Pledge of Allegiance.

Stephanie Thomas, Town Clerk performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

Item J - Quasi-Judicial Proceeding was removed from the agenda.

Motion: A motion was made by Vice Mayor Garretson to approve the amended July 6, 2005 Regular Commission Meeting Agenda; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius			Absent
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 4-0.

PUBLIC AND OTHER COMMENT

The following person(s) addressed the Commission:

None.

PRESENTATIONS:

None.

CONSENT AGENDA

1. Commission Meeting Minutes from June 15, 2005
2. Request to mail correspondence to Florida Power and Light regarding Riviera Beach Power Plant.
3. Lake Park Harbor Marina Security Contract Amendment.

Motion: A motion was made by Vice Mayor Garretson to approve items 1 and 3 of the Consent Agenda; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius			Absent
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 4-0.

Mayor Castro asked for an explanation to mail correspondence to Florida Power and Light regarding Riviera Beach Power Plant. Interim Town Manager Paul Carlisle explained this request is in support of natural gas instead of oil for the Sea Fair Pipe Line that is being installed from the Gulf of Mexico to the Bahamas. The Sea Fair Pipe Line is not available yet the letter indicated that should it become available that natural gas be considered instead of oil.

Motion: A motion was made by Vice Mayor Garretson to approve items 2 of the Consent Agenda; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius			Absent
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor			

Garretson	X		
Mayor Castro	X		

Motion passed 4-0.

PUBLIC HEARING(S)

ORDINANCE(S) ON FIRST READING/ADOPTION:

ORDINANCE NO. 03-2005-Adopting the Florida Building Code.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 7, ARTICLE II, SECTIONS 7-16, 7-18, 7-18.1, OF THE TOWN CODE REPEALING THE STANDARD BUILDING, GAS, MECHANICAL AND PLUMBING CODE, 1994 EDITIONS AND THE NATIONAL ELECTRIC CODE, 1993 EDITION, AND ALL AMENDMENTS THERETO, AND ADOPTING THE FLORIDA BUILDING CODE AND ALL AMENDMENTS THERETO, TO IMPLEMENT CHAPTER 553, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: A motion was made by Commissioner Daly to approve Ordinance 03-2005; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius			Absent
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 4-0.

RESOLUTIONS

**RESOLUTION NO.23-07-05-Special Exception for a specialty grocery store
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SPECIAL EXCEPTION USE, FOR SPECIALTY GROCERY, SUBJECT TO CONDITIONS IN A BUILDING AT 910 10TH STREET, OWNED BY CAT RAN BONE, INC.; AND PROVIDING FOR AN EFFECTIVE DATE.**

Motion: A motion was made by Vice-Mayor Garretson to approve

Resolution 23-07-05; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius			Absent
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 4-0.

**RESOLUTION NO. 20-06-05 Assistant to the Finance Director position.
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REVISING THE TOWN CLASSIFICATION PLAN TO PROVIDE FOR THE POSITION OF ASSISTANT TO THE FINANCE DIRECTOR; PROVIDING FOR THE PUBLICATION OF AN UPDATED "CLASSIFICATION PLAN MANUAL"; PROVIDING FOR AN EFFECTIVE DATE.**

Motion: A motion was made by Commissioner Daly to approve Resolution 20-06-05; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius			Absent
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 4-0.

Interim Town Manager Paul Carlisle explained that this Resolution was a housekeeping issue. The position of Assistant to the Finance Director was never adopted into the Town Classification Plan.

RESOLUTION NO. 21-07-05- Sanitation Trim Rates

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA PROVIDING A TENTATIVE COLLECTION SCHEDULE AND TENTATIVE SCHEDULE OF FEES AND CHARGES FOR RESIDENTIAL, GOVERNMENTAL AND COMMERCIAL REFUSE AND RECYCLABLES COLLECTION SERVICES; PROVIDING FOR LATE FEES, FREQUENCY OF BILLING AND OTHER MATTERS RELATING TO COLLECTION POLICY; AND PROVIDING AN EFFECTIVE DATE.

Motion: A motion was made by Commissioner Daly to approve Resolution 21-07-05; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius			Absent
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 4-0.

RESOLUTION NO. No. 22-07-05-Water Tower Road Refund

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE REFUND OF SURPLUS MONIES DERIVED FROM SPECIAL ASSESSMENTS LEVIED FOR THE WATER TOWER ROAD PAVING AND DRAINAGE PROJECT, IN ACCORDANCE WITH THE DISBURSMENT SCHEDULE ATTACHED HERETO AS EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: A motion was made by Commissioner Daly to approve Resolution 22-07-05; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius			Absent

Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 4-0.

RESOLUTION NO. 24-07-05-Ballroom Theatrical Improvements Grant
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE STATE OF FLORIDA, DEPARTMENT OF STATE AND THE TOWN OF LAKE PARK FOR THE TOWN HALL BALLROOM THEATRICAL IMPROVEMENTS GRANT; AND PROVIDING FOR AN EFFECTIVE DATE

Motion: A motion was made by Vice- Mayor Garretson to approve Resolution 24-07-05; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balias			Absent
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 4-0.

DISCUSSION AND POSSIBLE ACTION

Town Manager's contract: The Commission discussed their concerns with the revised contract proposed by Paul Carlisle, Interim Town Manager.

Vice-Mayor Garretson expressed his concerns with the 6 months severance package. Vice-Mayor Garretson would prefer a 4 month severance package.

Mayor Castro stated that the salary range is too high. Mayor Castro stated that the vehicle usage proposed was not conducive to the Town standard. Mayor

Castro stated that he will not compromise his position.

Commissioner Daly stated that the Town is dragging this item out and risking losing our Interim Town Manager as a candidate for Town Manager.

Motion: A motion was made by Commissioner Daly to approve the Town Managers Contract with discussion; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balias			Absent
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro		X	

Motion passed 3-1.

A vote of 4/1 is needed for a Town Manager's contract to be approved by the Commission. Since the vote carried 3/1 this item will be revisited at a later meeting.

Town Attorney Contract:

Town Attorney Thomas Baird explained the increase in the retainer fee in the contract from \$150.00 an hour to \$200.00 an hour. The Commission came to consensus after some discussion on increasing the retainer fee to \$175.00 an hour.

Motion: A motion was made by Vice- Mayor Garretson to approve the Town Attorney contract; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balias			Absent
Commissioner Daly		X	
Commissioner Carey	X		
Vice-Mayor Garretson	X		

Mayor Castro	X		
--------------	---	--	--

Motion passed 3-1.

A vote of 4/1 is needed for the Town Attorney's contract to be approved by the Commission. Since the vote carried 3/1 this item will be revisited at a later meeting.

Authorize the Mayor to execute the Sea Spill Contract.

Interim Town Manager Paul Carlisle explained that this is a performance contract. Until this agreement is completed the Town can not sell fuel at the Marina.

Motion: A motion was made by Commissioner Carey to approve the Sea Spill contract; Vice-Mayor Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius			Absent
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 4-0.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Mayor Castro

Mayor Castro stated that the Palm Beach County Sheriff's Office did a great job at the Lake Park Fire Works Festival on Saturday, July 2, 2005 with the crowd and traffic.

Vice-Mayor Garretson

Vice-Mayor Garretson wanted to know if it would be possible to have some of the Public Works employees volunteer their time to cut the over grown lawns of some of the home around town. Interim Town Manager Paul Carlisle explained that this could cause a bad precedent. Interim Town Manager Paul Carlisle suggested hiring a contractor for mowing services for these types of situations. Mayor Castro suggested that Paul Carlisle look into this for the Town.

Commissioner Daly

Commissioner Daly stated that he would prefer that the Town no longer do business with Murphy construction. Commissioner Daly wanted to know if the staff at the Marina had been trained yet in the event of a fuel spill. Interim Town Manager Paul Carlisle explained that the Marina Manager, Patience Cohn has scheduled training for all the employees. Commissioner Daly asked would it be a problem for the Town to keep using the North Basing for parking. Interim Town Manager Paul Carlisle explained that during a Holiday weekend it is a good idea, but does not want to create a habit of boater at the Harbor Marina.

Commissioner Carey

Commissioner Carey expressed how great the Fireworks were this year.

Town Attorney

Town Attorney Thomas Baird expressed that the Fireworks were great this year.

Town Manager

None

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Vice-Mayor Garretson and seconded by Commissioner Daly, and by unanimous vote, the meeting adjourned at 8:10 p.m.



Mayor Paul Castro



Town Clerk Stephanie Thomas



Vivian Mendez, Deputy Town Clerk

FLORIDA

Approved on this 20th day of July, 2005.