

**Minutes
Town of Lake Park, Florida
Regular Commission Meeting
December 7, 2005 7:30 p.m.
Town Commission Chambers, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, December 7, 2005 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor Garretson, Commissioners Balius, Carey, and Daly, Town Manager Paul Carlisle, Town Attorney Thomas Baird, and Town Clerk Stephanie Thomas.

Town Clerk Stephanie Thomas led the Invocation.
Mayor Castro led the Pledge of Allegiance.
Town Clerk Stephanie Thomas performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

Added to Consent Agenda was the authorization to sign the signature cards for First Fidelity Bank by the Mayor and Commission.

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

Vote on Motion:

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

Motion passed 5-0.

PRESENTATION:

Proclamation to the Salvation Army for their efforts during the aftermath of Hurricane Wilma.

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

Vote on Motion:

Commission	Yes	No	Other

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

Motion passed 5-0.

Mayor Castor stated that the Salvation Army did an outstanding job of supporting the Town. Major Charles Smith, Director of the Salvation Army for Palm Beach County thanked the Town.

Proclamation to the American Red Cross for their efforts during the aftermath of Hurricane Wilma.

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

Vote on Motion:

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

Motion passed 5-0.

Mayor Castro thanked the American Red Cross for their efforts this year as well as last year. Robert Dillingham, Board Director of the American Red Cross thanked the Town.

PUBLIC and OTHER COMMENT

The following person(s) addressed the Commission:

Manny Grinn, 536 Greenway Drive, North Palm Beach – Thanked the Town for its role in the Northlake Blvd Task Force.

Catherine Saikley, 330 2nd Street – Expressed her concerns with the Palm Beach County Sheriff’s Office and the crime in Town. Ms. Saikley’s home was burglarized, and was concerned with only four (4) officers on duty how is the Town going to be manned. Ms. Saikley felt with all the big box stores in Town Lake Park would not receive adequate coverage.

Patricia Osterman, 919 W. Jasmine Drive – Expressed concern that one of the Commissioner no longer resides in Town. Ms. Osterman asked for action regarding this matter from the Commission. Ms. Osterman submitted all her concerns in writing, which are available as “Exhibit A”.

Gary Jackson 1210 Gateway Road – Expressed his concern with the Town Code stating that they are outdated. Expressed his concern with who is controlling the Town, elected officials or staff. Mr. Jackson expressed his concern with the Town Manager living outside of the Town. Mr. Jackson expressed his concern with the unfriendly attitude residents receive from the Commission. Expressed his concern with how the Town is running off long-term business owners.

CONSENT AGENDA:

- ❖ Commission Meeting Minutes of November 17, 2005.
- ❖ Consensus to use contingency funds to purchase computer for Clerk’s office.
- ❖ Purchase of one (1) Sanitation Department Pick-up truck and one (1) Facilities Maintenance Pick-up truck.
- ❖ Purchase vehicle for Town Administration.
- ❖ Authorizing the signature cards for First Fidelity Bank by the Mayor and Commission.

Motion: A motion was made by Commissioner Balius to approve items 1, 2 and 5 of the Consent Agenda; Vice-Mayor Garretson made the second.

Vote on Motion:

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

Motion passed 5-0.

Mayor Castro asked if the remaining items on the Consent Agenda were previously budgeted. Town Manager Paul Carlisle indicated that the remaining items were budgeted in this budget.

Motion: A motion was made by Commissioner Balius to approve the remaining Consent Agenda items; Commission Daly made the second.

Vote on Motion:

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

Motion passed 5-0.

PUBLIC HEARING(S)

ORDINANCES ON FIRST READING/APPROVAL:

ORDINANCE NO: 16-2005 – Removal of 1% sales tax from Fire & Windstorm Insurance. AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REPEALING ORDINANCE NO. 327, WHICH ASSESSED AND IMPOSED AN EXCISE OR LICENSE TAX LEVIED ON EVERY INSURANCE COMPANY, CORPORATION, OR OTHER INSURER, ENGAGING IN OR CARRYING ON, THE BUSINESS OF INSURING WITH RESPECT TO FIRE AND WINDSTORM RISKS, IN ADDITION TO THE LICENSE OR TAX LEVIED BY THE TOWN OF LAKE PARK, IN AN AMOUNT OF ONE PERCENT (1%) OF THE GROSS AMOUNT OF RECEIPTS OF PREMIUMS COLLECTED FROM POLICYHOLDERS ON ALL PREMIUMS FOR FIRE AND WINDSTORM INSURANCE POLICIES COVERING PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN OF LAKE PARK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Public Hearing Opened.

None.

Public Hearing Closed.

Town Manager Paul Carlisle stated that the current Ordinance provided for a 1% Fire and Windstorm Insurance Tax, with the funds being placed in the Fireman’s Pension Fund, since the Town no longer has a Fire Department, the Town is no longer entitled to that tax.

Motion: A motion was made by Commissioner Daly to approve Ordinance 16-2005; Commissioner Carey made the second.

Vote on Motion:

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

Motion passed 5-0.

RESOLUTION(S)

RESOLUTION NO. 41-12-05 – Community Development Block Grant.

A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING THE TOWN MANAGER TO APPLY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FROM PALM BEACH COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, FISCAL YEAR 2006/2007, PROVIDING AN EFFECTIVE DATE.

Town Manager Paul Carlisle stated the grant is for drainage improvements in the target area. This is a non-matching grant other than engineering.

Public Comment Open.

No speakers.

Public Comment Closed.

Motion: A motion was made by Commissioner Balias to approve Resolution 41-12-05; Commissioner Carey made the second.

Vote on Motion:

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

Motion passed 5-0.

RESOLUTION NO.42-12-05 – Disaster Relief Funding Agreement.

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE TOWN MANAGER TO EXECUTE THE DISASTER RELIEF FUNDING AGREEMENT BETWEEN THE TOWN OF LAKE PARK AND THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR STORM RELATED DAMAGE REIMBURSEMENT; AND PROVIDING AND EFFECTIVE DATE.

Town Manager Paul Carlisle stated the requirement to receive funding from FEMA is that the Town will need to complete an agreement indicating that the Town will use the funds for hurricane related expenses.

Public Comment Open.

No speakers.

Public Comment Closed

Motion: A motion was made by Commissioner Carey to approve Resolution 42-12-05; Vice-Mayor Garretson made the second.

Vote on Motion:

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

Motion passed 5-0.

RESOLUTION NO. 43-12-05 – Revision Employee Evaluation Form.

A RESOLUTION OF THE TOWN COMMISSION OF LAKE PARK, FLORIDA, REVISING THE EMPLOYEE EVALUATION FORM; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Paul Carlisle explained the current pay plan for employees. Mayor Castro stated that he does not support the proposed employee evaluation process in that he is in favor of both the Cost of Living Increase and the merit system increase. Mayor Castro stated that he does not support the plan to give an employee that has a satisfactory evaluation the same three (3%) percent increase as an employee that has preformed above satisfactory.

In reference to the proposed evaluation system, Commissioner Balias posed the question of how employee performance will be accurately measured. Vice-Mayor Garretson stated that there are several ways to evaluate employees. The pleasure of the Commission was to direct staff to

investigate the merit increases given in the past, and to place the item on the December 21, 2005 regular commission agenda.

Town Manager Paul Carlisle stated the grant is for drainage improvements in the target area. This is a non-matching grant other than engineering.

Motion: A motion was made by Commissioner Daly to table this item to the December 21, 2005 regular commission meeting; Commissioner Balius made the second.

Vote on Motion:

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

Motion passed 5-0.

RESOLUTION NO. 44-12-05 – Permit Application for Non-Town Sponsored Events. A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING THE FORM OF AN APPLICATION FOR A PERMIT FOR NON-TOWN SPONSORED TEAM SPORTS AND ACTIVITIES FOR THE USE OF TOWN RECREATIONAL FACILITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: A motion was made by Commissioner Daly for discussion of Resolution 44-12-05; Commissioner Balius made the second.

Vote on Motion:

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

Motion passed 5-0.

Town Manager Paul Carlisle indicated that this Resolution was a direct result of the direction from the Mayor and Commission for policy and procedures for the use of the ball fields and sponsored events for organized sports. Staff researched how other municipalities in the surrounding cities monitor their ball fields and sponsored events to develop this Resolution. Town Manager Paul Carlisle stated that fees were added that were comparable to area municipalities. Town Manager Paul Carlisle stated that the policy would require background check of any volunteers that are working with the sports organizations such as coaches, and people that are working with the youth.

Public Comment Opened.

Beth Drew, 527 Palmetto Road - Expressed her concerns regarding the Town not having sponsored organized activities. Ms. Drew stated that the Town should hold off on this Resolution until a time when Town activities, like baseball, are available.

Patricia Plasket-Osterman, 919 W. Jasmine Drive – Expressed her concern regarding the definition of a Town sponsored or non-Town sponsored event. Ms. Osterman wanted to know who should determine which programs are Town sponsored. “Exhibit B”.

Gary Jackson 1210 Gateway Road – Expressed his concern regarding the whereas clause no.3 in the Resolution, it is too broad in its statement. Mr. Jackson stated that the American Youth Soccer Organization (AYSO) has performed National background checks that are legitimate and stringent, and the new Homeland Security Law is recommending random background checks on local government employees.

Paul Scala, Area Coach Administration for AYSO – Expressed his concern regarding the application and Resolution. Mr. Scala explained that background checks are procedure with all coaches and volunteers. Mayor Castro stated that none of the background check reports requested from AYSO were returned. Mr. Scala stated that the AYSO has provided the necessary background checks to Palm Beach County. Mayor Castro explained why the purpose of this Resolution being brought before the Commission. Mayor Castro stated his concerns with the issues at the ball fields. Mayor Castro stated that this is the first look at this Resolution, which the Commission and staff will discuss after Public Comment at this meeting.

Bert Bostrum, 1451 Flagler Blvd. – Ms. Bostrum stated that there was no reply from a letter sent to the Town Manager, in September, regarding background checks from AYSO. Ms. Bostrum indicated that the only other City or Town to request a similar report from AYSO, Homestead. Ms. Bostrum indicated that the Town of Homestead hired the Sheriff’s office to run the background check and the town then received a letter indicating that a person could or could not coach or be a volunteer for AYSO. Mayor Castro stated that AYSO had indicated that they would provide the Town with such background checks. Mr. Scala came back to the podium to clarify a previous statement. Mr. Scala stated that a report could be provided, but not the actual background check. Mayor Castro asked the Town Manager if the letter stated earlier was received by the Town. Town Manager Paul Carlisle stated that a letter was received and the Recreation Director, Dale Dougherty, had spoken with the representative.

Recreation Director Dale Dougherty recalled the conversation with the AYSO representative as the AYSO performs background checks on volunteer on a random basis.

Commissioner Balius stated that the statement provided by Recreation Director Dale Dougherty was hear say and should be in writing. Mr. Scala explained the process of the background check and how the AYSO proceeds. Commissioner Daly requested that Mr. Scala try to get the report from AYSO for the Town. Ms. Bostrum stated that no criminal acts are tolerated in the AYSO.

Diane Munroe 722 Hawthorne Drive – Expressed her concerns as it pertains to the Resolution.

Mayor Castro stated that several complaints have come regarding the ball fields. The intent of this Resolution was to resolve the situations that occur at the ball field. Mayor Castro agreed with the comments of the residents that the Town should sponsor sporting events for the children of the Town.

Mayor Castro stated that the miscommunication conditions needed to be clarified including that the Resolution needs revisions to work for everyone. Mayor Castro stated that working together with the Town Manager if things are not resolved the individual could go before the Commission. Mayor Castro suggested deferring this item to the next meeting until staff has time to make revisions to the Resolution.

Diane Munroe asked did the application include all the Town facilities such as Kelsey Park and the Mirror Ballroom. Mayor Castro stated that the application process would include all Town facilities.

Commissioner Daly expressed his concern regarding the rates for permits and who will have control over the facilities. Commissioner Daly also expressed his concern with the conflict between the groups. He strongly encouraged the groups to resolve the issues.

Vice-Mayor Garretson expressed his concerns with the permit rates; it seems excessive to charge \$100.00 to schedule time at the field.

Commissioner Balius expressed his concerns regarding the fields, including who will enforce the permits, the Sheriff's Office or the Recreation Director. Commissioner Balius stated that in the Code permit applications go before the Board of Adjustments (Planning & Zoning) for approval; why. Town Manager Paul Carlisle stated that he is not aware of such a policy for permits.

Public Comment Closed.

Motion: A motion was made by Commissioner Daly to defer Resolution 44-12-05 to the December 21, 2005; Commissioner Balius made the second.

Vote on Motion:

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

Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION

Authorize Mayor to execute Amendment 002 to the Agreement with Palm Beach County for Community Development Block Grant.

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

Vote on Motion:

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

Motion passed 5-0.

Award Lake Park Harbor Marina Security Camera System Bid.

Town Manager Paul Carlisle explained that Cypress Communication was the only bidder for the Security Camera System at the Marina, with four (4) cameras in the Dock Master building and four (4) cameras at the Ramp attendant building.

Commissioner Carey inquired about the project completion date. Town Manager Paul Carlisle was unable to give a definite completion date. He stated that he thought the total time for the project was ninety (90) days.

Motion: A motion was made by Commissioner Balius to award the bid to Cypress Communications; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner			

Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

Approval of the Community Beatification Fund Application.

Mayor Castro stated that he could not support this agreement because of the lack of participation from the owner of the property. He stated that the Federal Emergency Management Agency (FEMA) will cover 20% of the repairs and the Town has committed to pay the remaining balance.

Mayor Castro indicated that the property needs work and without a commitment from the owner, he does not support the agreement. Commissioner Balius agreed with the Mayor and suggested that there be a condition in the agreement that would allow the Town to be paid, should the owner sell; the Town would receive a refund.

Town Manager Paul Carlisle explained that the funds received from Code Compliance violations are placed in a special account used for hardship cases. Specific criteria to qualify for these funds must be met. Vice-Mayor Garretson suggested making lawn maintenance and upkeep of the property part of the criteria.

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

Vote on Motion:

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

Motion passed 4-1.

Approval of Employee Holiday Luncheon and Employee Gift Certificates Proposal.

Mayor Castro suggested having only Lake Park vendors. Commissioner Balius was opposed to providing the employees with both gift certificates and a luncheon.

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

Vote on Motion:

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

Motion passed 4-1.

Approval of request to hold a Community Block Party.

Mayor Castro stated that several years ago residents were not pleased that a street was closed. Mayor Castro indicated that proper notice was not given to the neighbors with sufficient time to appear at the meeting to express their concerns. Town Manager Paul Carlisle stated that flyers were placed at each home to notify them that this item would be heard at this meeting.

Public Comment Opened.

Kathy Bomand 807 Northern Drive – Requestor of the street closer, Explained the purpose of the event was to have music and neighbors gather, no foods or drinks will be sold. Ms. Bomand was available to answer any questions.

Commissioner Balias asked who would shut them down if complaints were reported. Mayor Castro instructed Captain Reece to have the shift Commander contact the Town Manager if any reports occurred.

Commissioner Balias stated that the event violates the noise Ordinance. Ms. Bomand stated that she was instructed, by town employees, because the event was on New Year’s Eve, they were fine until midnight. Commissioner Balias explained to Ms. Bomand that the statement was false.

Public Comment Closed.

Mayor Castro felt there was no problem to have the event take place on New Year’s Eve.

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

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balias	X		
Commissioner Daly	X		

Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

Discussion about the 2006 Lake Park Fireworks Festival.

Recreation Director Dale Dougherty stated that the Fireworks event although several months away, time is needed for RFP's to go out and returned, for the town to make a decision. Commissioner Carey wanted to clarify for the residents that the event is call the Lake Park Fire Works Festival, not the Forth of July Fire Works, which is why the event is sometimes held on dates near July 4th.

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

Vote on Motion:

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

Motion passed 5-0.

Discussion about Horse Structures agreement on Federal Highway.

Mayor Castro instructed the Mr. Sallient of the procedure to take. Mayor Castro stated that action could not be taken at this meeting because this was originally heard as a Quasi-Judicial Hearing. Mayor Castro stated that another Quasi-Judicial Hearing is required to make any modification to the original plan of this structure.

Mayor Castro indicated that he is pleased with the building and its landscaping and does understand the issue with the horses. Mayor Castro stated that the Commission had no jurisdiction over the property unless the horses became a hazard. Mayor Castro gave Mr. Sallient some suggestions to return to the Commission. Mayor Castro does not want to hold up the Certificate of Occupancy (c.o.) process.

Public Comment Opened.

Jorge Sallient, business owner – Mr. Sallient expressed his gratitude for the Commissions welcoming efforts. Mr. Sallient was available to answer questions.

James Knox 21210th Street – Mr. Knox submitted a proposal to fix the horses, which can be found as “Exhibit C”. Mr. Knox explained what materials he would use to fix the horses and why he would use these materials.

Mayor Castro recommended Mr. Knox work with Mr. Riley, the business engineer, and Mr. Sallient to replace the horses at its current location.

The Commission had some discussion of the horses and the cost to fix them.

Mary Miller 344 Cypress Drive – Expressed her concern that the Commission is focusing their efforts on the horses and not the children that would benefit from this center and the doctor. Ms. Miller encouraged the Commission to let the doctor open his establishment.

Nedean Sams and son Parker – Expressed her concern with the Commission and re-focusing their attention on the children and not the horses.

Town Manager Paul Carlisle stated that a temporary C.O for a sixty (60) days would allow the business to open and come into compliance. Mayor Castro agreed with the temporary C.O.

Mr. Sallient is concerned with the safety of the children outside his facility. Mr. Sallient is grateful for the proposal from Mr. Knox. Mr. Sallient supports moving the horses to another location.

Mayor Castro directed staff to update the Commission on this situation at the December 21, 2005 meeting.

Public Comment Closed.

No action was taken.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Carey

Commissioner Carey asked for an update on the Holiday lights in front of Town Hall. Town Manager Paul Carlisle stated that its an electrical issue, FPL is aware. Commissioner Carey wished everyone a Happy Holiday and Merry Christmas.

Vice-Mayor Garretson

Vice-Mayor Garretson stated that he would prefer the Town no longer conduct Flea Markets. He would prefer that the Town be more creative and productive. Vice-Mayor Garretson wished everyone a Merry Christmas.

Commissioner Daly

Commissioner Daly stated that it was unfortunate that James Dubois resigned from the Harbor Marina Advisory Board. Commissioner Daly suggested a proclamation for Mr. Dubois for all the years of service and contributions.

Commissioner Daly commented on the joint Planning & Zoning meeting with Palm Beach Gardens where he learned that Earl Stewart is moving and storing cars at Journey’s Inn. Commissioner Daly suggested having a discussion with Mr. Stewart and cleaning up that area of Town.

Commissioner Daly wished everyone a Happy Holiday and Merry Christmas.

Commissioner Balius

Commissioner Balius stated that the Railroad was to install a quite crossing in Palm Beach Gardens and Lake Park, a directional whistle blows on the gate, usually around 4 a.m. and they have not done so.

Commissioner Balius stated that the FEC has to fix their signs, pick-up trash and cut the grass along Silver Beach Road because it looks terrible.

Commissioner Balius asked when will the consulting firm for the Marina start. Town Manager Paul Carlisle stated that he is working with the consulting firm on a contract.

Commissioner Balius wanted to know what the Palm Beach County Sheriff's Office (PBSO) was doing about all the residential robberies. Mayor Castro directed staff to have the PBSO report on the robberies and other issues going on in town. Commissioner Balius stated that PBSO has not been visible in Town. Commissioner Balius requested a copy of the PBSO contract to review. Commissioner Balius wished everyone a Merry Christmas.

Mayor Castro

Mayor Castro wanted an update on the landscaping at the Marina, and One Park Place.

Mayor Castro stated that on his way home recently he noticed a few Sheriff's office trucks patrolling the Town. Mayor Castro wished everyone a Merry Christmas.

Town Attorney

Town Attorney stated that the Town won the Applebaum case, and was awarded \$10,000.00 and attorney fees. Collection of these funds might be difficult.

Town Attorney stated that the other case, Fire Fighters Pension Fund, was reset to March 2006.

Town Manager

Town Manager Paul Carlisle provided an update on the landscaping at the Marina. The project is anticipated to be completed by the end of this year, which is a head of schedule. Town Manager Paul Carlisle indicated that the grand opening of the Marina could be scheduled once the project is completed. Town Manager Paul Carlisle stated that at the direction of the Commission he attended the Northlake Blvd Task Force meeting where he submitted a proposal for a payment plan for the Town that is more equitable. The Task Force would like the Town to reconsider its participation in the Overlay District. Lake Park can not move forward until the other municipalities involved (Palm Beach Gardens, and Village of North Palm Beach) approve the proposal from Lake Park. Town Manager Paul Carlisle gave a brief update on this process, which is set for completion by 2008. Town Manager Paul Carlisle wished everyone a Merry Christmas and Happy Holidays.

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 Balius, and by unanimous vote, the meeting adjourned at 9:50 p.m.



Mayor Paul Castro



Town Clerk Stephanie Thomas

TOWN OF LAKE PARK
SEAL
FLORIDA



Deputy Town Clerk Vivian Mendez

FLORIDA

Approved on this 21 day of December, 2005.

Mr. Mayor, Commissioners, Town Manager, Town Attorney, and Town Clerk,

I have an issue of possible serious concern which I feel obligated to bring to your attention. I have heard rumors from several different sources that one of the commissioners is no longer a resident of the Town of Lake Park. Rumors can be powerfully divisive, so I believe that it is imperative that this situation be addressed immediately. It is my understanding that the Town Clerk is charged with ensuring proper administration of the affairs of the town. As such, I request that the Town Clerk at the direction of the Commission and the Town Manager, take immediate action to dispel such rumors and to verify legal residency of each member of the Commission. I request that the initial investigation be completed by the close of business tomorrow, Thursday, December 8, 2005 by conducting a search of legal ownership as held by the Palm Beach County Property Appraiser's Office. Any Commissioner not owning property within the town can provide a notarized copy of a lease agreement with beginning and ending dates indicated as well as copies of the most recent utility bills in the lessee's name. Driver's licenses and voter's registration should not be considered sufficient as these are often not updated as they should be. I would also request that the Town Attorney preliminarily investigate the legal ramifications of a Commissioner not immediately resigning if he or she has moved out of town. Issues include the salary, validity of votes cast, and charges for fraudulent representation. I further request that the findings of these investigations be presented to the community at the next commission meeting. I thank you for your prompt and serious ^{attention to} ~~action on~~ this matter.

Stephanie,
A certified letter will be sent tomorrow to the Supervisor of Elections. I wanted to give you a "heads up" so that you have a chance to take action first. Thanks! Patti

Patricia Plasket Osterman
919 W. Jasmine Drive
Lake Park, FL 33403

December 7, 2005

Mr. Mayor, Commissioners, Town Manager, and Town Attorney,

I wish to address several issues of concern regarding Resolution #44-12-05, the resolution regarding non-town sponsored team sports and activities.

First, what is to be defined as a "town-sponsored" or "non-town sponsored" team sport and/or activity? At this time, it is my understanding that we have no town-sponsored sports programs, nor has the town had any for several years. Furthermore, who shall determine said designations and how will such designations be made? How will the town commission, town manager, town attorney, and recreation director ensure legal equity in said designation so as not to give unfair bias toward or against any particular individual or organization?

This brings me to my second concern. As currently written, the "General Policies" provide that the Lake Park Recreation Department solely shall make determination under the categories called "Right to Refuse," "Allowable Time," and "Inclement Weather." While the other categories do not state who is responsible, the implication is the same. This is of concern because unfortunately, our current recreation department is too small to ensure that there is no bias, positively or negatively, toward any one individual or group. Simply put, if only one or two people are making such decisions, there are no checks and balances. There is no way to ensure equity of treatment, thereby opening the door to legal battles and lawsuits regarding fairness and discrimination. This is something that the town does not need.

Third, there is a provision for the exclusion of public and private schools, and the policies state that "those institutions must complete a separate application." However, that application is not included. Why? This leaves many areas unclear. What about the fee schedule for these institutions? Will there be fee waivers or a different fee schedule? Who will determine to whom fee waivers shall be granted? Why are schools alone receiving special consideration rather than all non-profit organizations located within the town? How and why was this decided and by whom? Again, where are the checks and balances?

These are my concerns regarding this resolution as it is written; these would be my concerns regardless of who the Recreation Director is. However, my concerns are multiplied exponentially because of the history of our current Recreation Director. The town has been placed in jeopardy, the Town Commission and Town Manager have been made to look like fools, and the town has forfeited thousands of dollars as a result of errors in judgment made by the current Recreation Director. Unfortunately, because of past history, I question the intentions of this resolution. Is it done to protect the town or to garner control? Is it done particularly to bring the efforts of one individual or group to an end or to further the goals of one particular individual or group? I do not know the answer to this question, but it is up to the Commission, the Town Manager, and the Town Attorney to guard against discrimination (whether positive or negative).

My concerns regarding bias are not unfounded. Why are some groups currently treated differently? Why do the Recreation Director and Assistant Director make themselves available to mark the fields for one group but not for another? Why does the town provide equipment and services for one group and not for another? I am concerned that it is because of personal vendettas and agendas, something that the town and its officials

should not be a part of and something that the Commission, Town Manager, and Town Attorney must safeguard against.

If my concerns are invalid and the intentions of this resolution are to ensure that procedures are in place to make sure that no individual or no organization abuses town property, that is a positive thing, although checks and balances must first be put in place so that no one person or small group is able to make despotic decisions. Why, for example, couldn't a committee comprised of citizens and staff be established to hear applications and waivers and to make determinations? This would provide for even-handedness.

Finally, I do not understand why we do not have town-sponsored sports teams. If that were the case and the town ran its own sports programs through our Recreation Department, there would be little or no need to address non-town sponsored teams. Why do we pay for a Recreation Director and an Associate Director when we have pathetically limited recreational activities and programs? Why does this commission not demand greater productivity and fiscal responsibility from the Town Manager? Elections are around the corner, and I challenge each of you to re-evaluate your decisions and commitments to the citizens and children of this town.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Plasket Osterman". The signature is written in dark ink and is positioned above the printed name.

Patricia Plasket Osterman



James P. Knox

Artist • Craftsman

561-352-8011 | japa@knoxart.net | www.knoxart.net

December 1, 2005

Budget and Timeline Requirements

The process that I will use to restore these horses is one that is appropriate for a historical landmark and it will require 3-4 months to complete this project. This is the necessary amount of time required to complete this project in order for these horses to be renovated properly.

Unfortunately, no materials from the original horses can be salvaged and all new materials are required for a proper and lasting restoration. The cost of this restoration will be \$52,712.00, which includes all tools, materials and labor.



James P. Knox

Artist • Craftsman

561-352-8011 | japa@knoxart.net | www.knoxart.net

December 1, 2005

Dear Bill Reilly,

Attached is my proposal for services in response to your request for restoration services for renovating the pair of historic life size horses located at the corner of Federal Hwy and Evergreen Drive.

I am very excited about what this project will do to revive yet another portion of Lake Park while adding value to the newly renovated office building. The newly renovated horses will be the newest and most recognized historical feature of Lake Park and Palm Beach County.

This proposal presents my intent to properly restore this sculpture to its original state. The process that I will use will create a finished work that is properly restored to high quality standards. When completed it will be nearly identical to the original. However, I have factored into the budget the use of stainless steel for the supporting structure so that it may endure for many more years than did the originals.

I have created an Auto CAD rendering of the new supporting structure of which will be available at the appropriate time for an engineers' approval. The attached page provides a budget and timeline required to complete the project.

I hope that this submittal gives you the information that you requested, and that it conveys my enthusiasm for the project. Please contact me with any questions or comments you may have.

Sincerely,

James P. Knox



James P. Knox

Artist • Craftsman

561-352-8011 | japa@knoxart.net | www.knoxart.net

STATEMENT OF THE PROBLEM

As a sculptor, craftsman and artist I immediately recognized that the only one way to properly restore these horses would be a near complete rebuild from the ground up. Using the existing figures as models to recreate them exactly to their original forms I will need to make a multiple part rubber molds of them and then recast them in fiberglass. I will then take these fiberglass forms (body parts) and insert stainless steel tubes with smaller steel elements protruding from the tube. These smaller elements are welded to the sides of the tube and extend outward toward the inner wall of the fiberglass into the forms and fiberglass resin them together with fiberglass mat. Next I will the join the parts and use fiberglass mat to connect the joints. When the entire sculpture is assembled I will then cover it in an aggregate resin to $\frac{1}{4}$ " thick. This resin will be the final coat and it will be as identical to the original surface as possible.



TOWN OF LAKE PARK PUBLIC COMMENT CARD

1

MEETING DATE: 12/1/05

Cards must be submitted before the item is discussed!!

***Three (3) limit limitation on all comments

Name: MAUNY GRINA
Address: 530 GREGORY DR W
NPD

I would like to make comments on the following Agenda Item:

I would like to make comments on the following Non-Agenda Item(s):

NORTH LAKE BOULEVARD TASK FORCE

Intructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.

2

TOWN OF LAKE PARK
PUBLIC COMMENT CARD



MEETING DATE: 12/9/05

Cards must be submitted before the item is discussed!!
**Three (3) limit limitation on all comments

Name: Catherine Saikley
Address: 330 2nd Street

I would like to make comment on the following Agenda Item:
Sparks Dept.

CRIME
I would like to make comments on the following Non-Agenda Item(s):
Sparks Dept & CHITAC

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



TOWN OF LAKE PARK PUBLIC COMMENT CARD

MEETING DATE: 12/7/05

Cards must be submitted before the item is discussed!!
***Three (3) limit limitation on all comments

Name: Patricia Plasket Osterman
Address: 919 W. Jasmine Drive
I would like to make comments on the following Agenda Item:

I would like to make comments on the following Non-Agenda Item(s):
Residency of Commissioner

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.

TOWN OF LAKE PARK
PUBLIC COMMENT CARD



MEETING DATE: _____

Cards must be submitted before the item is discussed!!

***Three (3) limit limitation on all comments

Name: GARY JACKSON

Address: 1210 GATEWAY

I would like to make comments on the following Agenda Item:

#9

I would like to make comments on the following Non-Agenda Item(s):

TOWN DIRECTOR B.T.A.C

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



TOWN OF LAKE PARK PUBLIC COMMENT CARD

MEETING DATE: 12/17/05

Cards must be submitted before the item is discussed!!
***Three (3) limit limitation on all comments

Name: Beth Drew

Address: 527 Palmetto Rd

I would like to make comments on the following Agenda Item:
J-9 Resolution # 44-12-05

I would like to make comments on the following Non-Agenda Item(s):

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



TOWN OF LAKE PARK PUBLIC COMMENT CARD

MEETING DATE: 12/7/05

Cards must be submitted before the item is discussed!
...Three (3) limit limitation on all comments

Name: Patricia Plasket Osterman
Address: 919 W. Jasmine Park
I would like to make comments on the following Agenda Item:
Resolution 9 - # 44-12-05 \$

J-9
I would like to make comments on the following Non-Agenda Item(s):

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



TOWN OF LAKE PARK PUBLIC COMMENT CARD

MEETING DATE: 12/17/05

Cards must be submitted before the item is discussed!!

***Three (3) limit limitation on all comments

Name: Paul Scala
 Address: 1421 WPR Pt 33402
 I would like to make comments on the following Agenda Item:
Application...
 I would like to make comments on the following Non-Agenda Item(s):

Intructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



TOWN OF LAKE PARK PUBLIC COMMENT CARD

MEETING DATE: 12/7/05

Cards must be submitted before the item is discussed!!

***Three (3) limit limitation on all comments

[Redacted area]

Name: Burt

Address: _____

I would like to make comments on the following Agenda Item: AYSO

I would like to make comments on the following Non-Agenda Item(s): _____

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



TOWN OF LAKE PARK PUBLIC COMMENT CARD

MEETING DATE: 12/7/05

Cards must be submitted before the item is discussed!

**Three (3) limit limitation on all comments

Name: Diane Murrell
Address: 225 Hawthorne Dr. S.P.

I would like to make comments on the following Agenda Item:

Resolution 44-12-05

I would like to make comments on the following Non-Agenda Item(s):

Intructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



TOWN OF LAKE PARK PUBLIC COMMENT CARD

MEETING DATE: 12/7/05

Cards must be submitted before the item is discussed!!
***Three (3) limit limitation on all comments

Name: Yvonne E. Buller

Address: 304 Cypress

I would like to make comments on the following Agenda Item:
K-16 AB16

I would like to make comments on the following Non-Agenda Item(s):

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



TOWN OF LAKE PARK PUBLIC COMMENT CARD

MEETING DATE: 12/15

Cards must be submitted before the item is discussed!
**Three (3) limit limitation on all comments

Name: Nedean Sams
Address: 1025 E Greenpark Blvd Wkcs Fl 33109
I would like to make comments on the following Agenda Item:
K-16 Pediatric Respiratory Center

I would like to make comments on the following Non-Agenda Item(s):

Intructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



TOWN OF LAKE PARK PUBLIC COMMENT CARD

MEETING DATE: _____

Cards must be submitted before the item is discussed!!
***Three (3) limit limitation on all comments

Name: JAMES P. KNOX
Address: 212 10TH ST. STE A LAKE PARK
I would like to make comments on the following Agenda Item:
K-14 HORSE STRUCTURES AGREEMENT

I would like to make comments on the following Non-Agenda Item(s):

Intructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.