



**Minutes
Town of Lake Park, Florida
Regular Commission Meeting
January 17, 2007 7:30 p.m.**

Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, January 17, 2007 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor Daly, Commissioners Balius, Carey, and Osterman, Interim Town Manager Cynthia Sementelli, Attorney Karen Roselli, 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

Discussion of additional Public Works position deferred until new town manager starts on February 1, 2007.

Motion: A motion was made by Commissioner Balius to defer discussion of additional Public Works position until new town manager starts; 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 Comment:

Bert Bostrum, 1451 Flagler Blvd. – stated that the Lake Park Soccer Team placed 3rd in the state championship and brought honor to the Town of Lake Park. She stated that the tournament took place in Wellington and there were thousands of people in attendance. She stated that the team may be eligible for the section meeting in the Carolinas.

Commissioner Osterman suggested that an article about the soccer team be written up with pictures for the Town newsletter.

John Glidden, Oliver Glidden Architects – gave a brief overview of current goals for Lake Park Baptist School. He stated that they would be coming in very soon with a rezoning application. He stated that their goal was to present an overall master plan for the school. He stated that there would be opportunities to do things that would benefit the Town. He stated that there was an attempt to grow a high school which would require remodeling on a property that is currently zoned residential. He stated that they would be returning with a site plan for review.

Mayor Castro stated that his immediate concern was that the entire site including the houses behind the church and school were approved as part of the campus for Lake Park Baptist School. He stated that the Commission also reviewed the possibility of abandoning the alleyway behind the school and it was determined that there were reversionary rites. He stated that the Commission allowed the school to pave the area in the alleyway for connectivity between the parking lot and the classrooms. He stated that he was concerned because zoning was approved but renovation of an existing classroom which was an accessory use to the church was turned down before the application was submitted. He stated that Interim Town Manager Cynthia Sementelli was looking into the zoning approval that was done in the past.

Mr. Glidden stated that there were building permits for the library and kindergarten classrooms for the school. He stated that they wanted to move forward with the rezoning application work carefully and cooperatively with the Town.

Mayor Castro stated that there was no definition of church in the Town's Code. He read a portion of the Town's code and stated that he did not understand why a permit to remodel the school was turned down.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Mayor Castro

Mayor Castro stated that there was a tree on 6th St. that looked terrible and needed to be taken down.

Mayor Castro asked for the status of the Lake Park Apartments.

Mayor Castro asked for the status on landscape exemptions for Bev Smith Ford.

Mayor Castro asked for the status on the street lighting program. He suggested that staff draft a letter to the Publix Corporation with the Commission's signature requesting a new generator that could run the whole store for the Publix in Lake Park. He stated that Publix has provided 30 to 50 generators that have been installed in various stores from Key West, FL to Sabastian, FL.

Community Development Director Patrick Sullivan stated that Publix has submitted a permit for a generator. He stated that he did not know the size of the generator.

Mayor Castro asked that Community Development Department Director Patrick Sullivan inform of size of the new generator for Publix.

Mayor Castro stated Journey's Inn would be torn down. He stated that he met with the owner of Journey's Inn and John Glidden. He stated that there would be a phase plan in the first phase would be to the tear down the Journey's Inn and build a second portion of the garage and then

would come back and do the second phase. He stated that the architectural firm would be coming to the Commission soon to present their plans for Journey's Inn.

Mayor Castro recommended a large clear sign stating that there was a dispatch phone in the reception area placed outside of the Police Department Building.

Vice-Mayor Daly

Vice-Mayor Daly expressed concern that there was no discussion of a trailer for the ball field on the agenda. He stated that he spent time searching for a trailer and that he found approximately 35 to 55 trailers still available in Port Saint Lucie. He stated that he had a price comparison sheet on trailers ranging in size from 30 to 70 feet. He stated that he didn't understand why nothing had been done to obtain a trailer for the ball field.

Vice-Mayor Daly stated that he did not see a discussion for fencing at the ball field on the agenda for discussion and stated that it had also fallen to the wayside.

Vice-Mayor Daly asked how many employees have been cross trained in order to move up into a new pay range.

Vice-Mayor Daly asked why Jupiter had volunteers to take care of dispatching and reception work.

Joe Kroll, Public Works Director

Joe Kroll, Public Works Director stated that there were several employees that have obtained CDL's but they were not interested in changing positions. He stated that he had 10 trucks and 9 drivers for the Sanitation Department. He stated that he had a driver who would be retiring in June and it would be September before he could hire someone for the position.

Joe Kroll, Public Works Director stated that there were many fallen branches on the tree at 6th St. and stated that he was giving it 30 days to recover before deciding whether or not to take it down.

Joe Kroll, Public Works Director stated that a different epoxy was used to adhere the plaques for the Town. He stated that the plaques would have to be broken in order to be removed.

Commissioner Balius

Commissioner Balius stated that Public Works did a good job trimming the trees at Date Palm Dr. and Banyan Blvd.

Commissioner Balius asked for the status of the breakwater at the Lake Park Harbor Marina.

Commissioner Balius asked how the plaques for the Town were installed and if there were preventive measures taken to keep the plaques from being stolen again.

Commissioner Balius stated that Bill Rowan and Nancy Rowan were responsible for getting the Town the Tree City USA Award.

Commissioner Carey

Commissioner Carey stated that there has been work done at One Park Place and it was good to see that there had been some progress.

Commissioner Osterman

None

Interim Town Manager Cynthia Sementelli

Interim Town Manager Cynthia Sementelli stated that fluorescent lighting and a dispatch phone would be added to the reception area of the Police Department Building.

Interim Town Manager Cynthia Sementelli stated that Jupiter had their own dispatch phone.

Captain Douglas Reese stated that there was a proposal giving the Commission several options which included bringing communications back at a cost of \$800,000.00, the second option was an extra console at a cost of \$500,000.00 and the third option was to create a direct telephone number. He stated that the proposal was presented 3 or 4 years ago. He stated that he still had the proposal in his possession and that he could give it to the new town manager for review.

Interim Town Manager Cynthia Sementelli stated that the Town was the recipient of the 2006 Tree City USA & Growth Award.

Interim Town Manager Cynthia Sementelli stated that the discussion of the fencing around the ball field had been deferred to be discussed when the new town manager begins employment with the Town.

Interim Town Manager Cynthia Sementelli stated that the Tree Board was not active and currently had 2 members.

Attorney Karen Roselli

None

PUBLIC and OTHER COMMENT

None

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of January 3, 2007.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Vice-Mayor Daly to approve the Consent Agenda; 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 HEARING(S)

ORDINANCE 1-2007 – Performance Bond

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 2, ARTICLE V, DIVISION 2, SECTION 2-250 ENTITLED “ALTERNATIVE SOURCE SELECTION” OF THE TOWN CODE OF ORDINANCES PERTAINING TO THE DETERMINATION OF THE MONETARY AMOUNT OF BID SECURITY AND PAYMENT AND PERFORMANCE BOND REQUIREMENTS FOR CONSTRUCTION PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL 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 Commissioner Balius to defer Ordinance No. 1-2007; 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.

Mayor Castro asked Interim Town Manager Cynthia Sementelli if she looked into piggybacking with other municipalities for the Performance Bond.

Interim Town Manager Cynthia Sementelli stated that she was looking into piggybacking with other municipalities for the Performance Bond.

Community Development Director Patrick Sullivan stated that he had done research and found that not one municipality had written into their code that they have to charge 100% maximum.

Attorney Karen Roselli stated that there was a statute regarding Performance Bonds over \$200,000.00. She explained the statute, gave examples and spoke of other options.

ORDINANCE NO. 02-2007 – Pool Hall

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE III, SECTION 78-70 ENTITLED “PARK AVENUE DOWNTOWN DISTRICT” AND TABLE 78-70-1 (PERMITTED AND CONDITIONAL USES IN THE PARK AVENUE DOWNTOWN DISTRICT), TO PROVIDE USE REGULATIONS FOR BILLIARD AND POOL ROOMS; 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.

Community Development Department Director Patrick Sullivan stated that he was approached and asked if alcohol could be sold in the pool hall on Park Ave. He stated that he researched the Town code and did not find a definition for a pool hall. He stated that the pool hall would have to be classified as a bar. He stated that the pool hall currently sold beer and wine but did not sell other alcohol. He stated that the ordinance needed to be redefined to state pool halls as establishments that could sell alcohol.

Mayor Castro asked that the pool hall be cleaned up.

Vice-Mayor Daly asked if there were originally 3 pool tables in the pool hall. He stated that it was his impression that the pool hall was intended to be a bar with pool tables.

Attorney Karen Roselli explained the ordinance and stated that it was an ordinance to regulate all potential pool rooms.

Commissioner Balius stated the pool hall would have to sell a lot of alcohol in order to cover their rent.

Attorney Karen Roselli stated that gross receipts from the Kelsey Club were reviewed and it was determined that their main revenue was generated from the sale of alcohol. She stated that code enforcement could have the pool hall shut down if it was mainly used as a bar. She stated that the ordinance was defining a pool hall as a permitted use in the Park Avenue Downtown District.

Commissioner Carey stated that Mizerak's Pool Hall was mainly a pool hall and 10% of its use

was for the sale of alcohol.

Vice-Mayor Daly stated that he could not support the ordinance to allow alcohol sales in pool rooms.

Commissioner Carey stated that he would like to see Mizeraks Pool Hall remain the same.

Attorney Karen Roselli gave suggestions of changes that could be made to Mizerak's Pool Hall.

Community Development Director Patrick Sullivan stated that the applicant approached the Town but did not fill out an application.

Mayor Castro stated that the applicant should fill out an application and pay the Town.

Commissioner Carey suggested that the applicant be informed that the Commission would like to see a duplication of Mizerak's Pool Hall.

Vice-Mayor Daly stated that the Commission was looking for a legitimate pool hall.

Motion: A motion was made by Commissioner Balius to defer Ordinance No. 1-2007; 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.

The Commission reached Consensus that Ordinances be authorized by the Commission or applicant oriented before being placed on the agenda for a Commission Meeting.

**RESOLUTION NO. 05-01-07 – Florida League of Cities
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE ISSUES ENUMERATED HEREIN DURING THE FLORIDA LEGISLATURES 2007 LEGISLATIVE SESSION.**

Public Comment Open.

None

Public Comment Closed.

Interim Town Manager Cynthia Sementelli explained Resolution 02-01-07. She stated that it was a resolution to support the Florida League of Cities' key priority issues such as charter county relations, affordable housing, and property tax reform.

Commissioner Osterman stated that at the Florida League of Cities Meeting she attended they discussed home rule and the importance of it to municipal government.

Motion: A motion was made by Commissioner Osterman to approve Resolution No. 05-01-07; 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.

RESOLUTION NO. 07-01-07 – Change the insurance coverage effective date
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE TOWN MANAGER TO CHANGE THE EFFECTIVE DATE OF COVERAGE FOR EMPLOYEE LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE, SHORT TERM DISABILITY, LONG TERM DISABILITY, VOLUNTARY EMPLOYEE LIFE INSURANCE, VOLUNTARY SPOUSE LIFE INSURANCE, VOLUNTARY CHILD(REN) LIFE INSURANCE, DENTAL INSURANCE, AND HEALTH INSURANCE; AND PROVIDING AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 07-01-07; 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. 08-01-07 – Change Library Hours of operation
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK,
FLORIDA APPROVING CHANGES IN THE HOURS OF OPERATION FOR THE
LAKE PARK PUBLIC LIBRARY; AND PROVIDING AN EFFECTIVE DATE.**

Public Comment Open.

None

Public Comment Closed.

**Motion: A motion was made by Commissioner Osterman to approve Resolution 08-01-07;
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.

Discussions and Possible Action

Brick Paver Program

Mayor Castro stated that he liked staff's recommendation to install the brick pavers.

Interim Town Manager Cynthia Sementelli stated that it was voted at the last Harbor Marina Advisory Board to discontinue the brick paver program and refund the money. She stated that staff recommended ordering the eighteen bricks that were purchased and have them installed. She stated that in good faith the bricks that were paid for should be installed. She stated that there was a small profit from the bricks that were purchased.

Mayor Castro recommended extending the time to order brick pavers to a month.

Interim Town Manager Cynthia Sementelli stated that she spoke to someone at the brick paver company and they stated that the best advertisement for the brick paver program was to get bricks installed into the ground.

Interim Town Manager Cynthia Sementelli stated that she needed a date for a deadline to order the first set of bricks. She stated that she would keep the brick paver program open.

Town picture to be displayed in congressman Klein's office in Washington, D.C.

Mayor Castro stated that he liked the Town Hall picture.

Commissioner Osterman asked how large the picture would be.

Community Development Director Patrick Sullivan stated that the picture would be approximately 11x14.

Commissioner Osterman stated that she liked the Town Hall picture and the Town's logo. She suggested the logo and the picture.

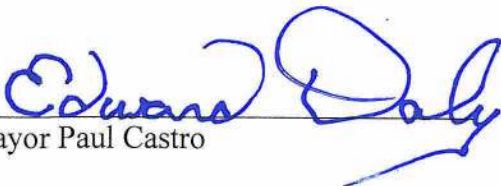
Mayor Castro suggested the Town logo be inset into the picture on the bottom left side.

Mayor Castro stated that he liked the Town Hall picture on the top of page 3 of the option sheets provided to the Commission (see attached Exhibit "A"). He suggested that Interim Town Manager Cynthia Sementelli select a picture and have the Town logo inset into the picture.

Mayor Castro thanked Maria Davis for being in attendance for the entire Commission Meeting.

ADJOURNMENT

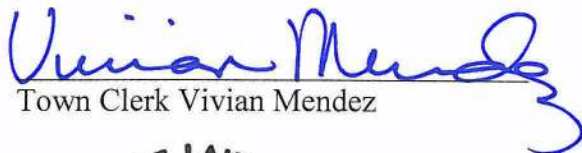
There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balius and seconded by Commissioner Carey, and by unanimous vote, the meeting adjourned at 8:30 p.m.



Mayor Paul Castro



Deputy Clerk Jessica Shepherd



Town Clerk Vivian Mendez



FLORIDA

Approved on this 7 of February 2007.

Record Copy.

